

THE BYLAWS OF LAKE HURON PRESBYTERY

Article I Polity, Place, and People

Bylaw B 1.1- Polity

The Presbytery of Lake Huron is a governing body of the Presbyterian Church (U.S.A.), organized January 1, 1962, by the authority of the General Assembly of the United Presbyterian Church in the U.S.A. [173rd G.A. p. 275], and governed by the Constitution of the Presbyterian Church (U.S.A.).

Bylaw B 1.2 - Place

The establishment of the Synod of the Covenant and, subsequently, of the present Presbytery bounds is recorded in the Minutes of the 185th General Assembly of the United Presbyterian Church in the U.S.A. [1973, p. 353].

Boundaries: the counties of Roscommon, Ogemaw, Iosco, Gladwin, Arenac, Midland, Bay, Saginaw, Tuscola, Huron, Sanilac, Genesee, Lapeer, Clare, Gratiot, and Isabella; the townships of Holly and Rose in Oakland County; the townships of Deerfield, Tyrone, and Cohoctah in Livingston County; the townships of Fairfield, Rush, New Haven, Hazelton, Middlebury, Owosso, Caledonia, Venice, Vernon, and Burns in Shiawassee County; the townships of Lynn, Brockway, Greenwood, Mussey, Emmett, Berlin, Riley, Kenockee, and Wales in St. Clair County.

The Presbytery shall be clustered into four regions for the purposes of representation. Ordinarily, the regions may be defined as follows:

Region 1: 127 Corridor and Northern Tier (Alma First, Beaverton First, Breckenridge Emerson, Houghton Lake Presbyterian Kirk of the Lakes, Ithaca First, Ithaca Lafayette, Mount Pleasant First, and Rosebush)

Region 2: Saginaw Valley (Bay City First, Bay City Westminster, Birch Run First Presbyterian Church of Taymouth, Midland Chapel Lane, Midland Memorial, Saginaw Countryside Trinity, Saginaw First, Saginaw Korean, Saginaw Second, Tawas, Twining Maple Ridge)

Region 3: Flint (Davison St. Andrew's, Flint First, Flint Trinity United, Flint Unity, Flushing, Lapeer First, Fenton First, Fenton Tyrone, Grand Blanc Kirkridge, Holly, Linden, and Swartz Creek Mundy)

Region 4: Thumb (Caro First, Cass City First, Cass City Fraser, Croswell First, Deckerville First, Elkton Chandler, Fairgrove, Harbor Beach, Kinde First, Marlette First, Marlette Second, Sandusky, Ubyly, Vassar First, and Yale First)

Bylaw B 1.3 - People

The membership of the Presbytery consists of the following:

- a. Teaching Elders of the Word and Sacrament who have been admitted to membership as continuing members according to the provisions of the current Form of Government and whose ministry has been validated annually by the Presbytery on recommendation of the Committee on Ministry;
- b. Honorably retired Teaching Elders of the Word and Sacrament;
- c. Ruling Elders commissioned by the session of each church and enrolled at each meeting of the Presbytery of Lake Huron according to the provisions of the current Form of Government;
- d. Ruling Elders elected as officers of the Presbytery and as Trustees of the Corporation, as members of the Coordinating Team, as moderators of standing units and of Presbyterian Women, and those Ruling Elders

holding exempt staff positions shall be enrolled as members of the Presbytery for their term of office or service; and

- e. Commissioned Ruling Elders when validated by the Presbytery for service.

Others who shall have privilege of voice and vote:

- f. Certified Christian Educators and Certified Associate Christian Educators who are Ruling Elders shall have voice and vote at presbytery meetings; Certified Christian Educators and Certified Associate Christian Educators who are not Ruling Elders shall have voice only.

Persons who shall have privilege of voice but not vote at Presbytery meetings:

- g. Ruling Elders who are former Moderators of the Presbytery.

Article II Meetings

Bylaw B 2.1 - Meetings

- a. The Presbytery shall hold four stated meetings per year. The meetings will be held in March, June, September, and December. The presbytery shall not meet during Holy Week.
- b. The December meeting shall be the annual meeting, at which time the Presbytery shall install its moderator, vice-moderator, and members of standing units; and shall observe the sacrament of the Lord's Supper. Other business may be scheduled.
- c. Special Meetings of the Presbytery may be called at the request, or with the concurrence, of two Teaching Elders and two Ruling Elders, the Ruling Elders being of different churches. Should the moderator be unable to act, the stated clerk shall, under the same conditions, issue the call. If both the moderator and stated clerk are unable to act, any three Teaching Elders and three Ruling Elders, the Ruling Elders being of different churches, may call a special meeting. Notice of a special meeting shall be sent not less than ten days in advance to each Teaching Elder and to the session of every church. The notice shall set out the purpose of the meeting, and no other business than that listed in the notice shall be transacted.
- d. Ordinarily, the Stated Clerk will maintain a rolling schedule of stated meetings one year in advance of the current meeting. The schedule and location of a stated meeting may be changed by action of the Coordinating Team, but no later than twenty-one days before the originally scheduled date.
- e. A quorum of a meeting of Presbytery shall be any three Teaching Elder members and three Ruling Elders from three different churches.
- f. The rules contained in the most recent edition of *Robert's Rules of Order* shall govern the actions of the Presbytery in all cases to which they are applicable, unless they conflict with the Form of Government or these Bylaws.

Article III Officers and Staff

Bylaw B 3.1 - Officers

The Presbytery shall elect from its Ruling Elders and Teaching Elders a Moderator, a Vice-Moderator, a Stated Clerk, and a Treasurer.

Bylaw B 3.2 - Moderator

The Moderator shall be elected and installed for a term of one year or until a successor assumes office, and shall not be eligible for re-election to the next succeeding term. The Moderator shall be elected by the September stated meeting and installed at the December stated meeting, and shall assume all duties at the close of the December stated meeting. The Moderator shall fulfill the duties described in the Form of Government (G – 3.0104).

Bylaw B 3.3 - Vice-Moderator

The Vice-Moderator shall be elected for one year to assist the Moderator in the duties of the office, and shall ordinarily be elected Moderator the succeeding term. The Vice-Moderator shall be elected by the September stated meeting and installed at the December stated meeting, and shall assume all duties at the close of the December stated meeting.

Bylaw B 3.4 - Stated Clerk

- a. The Stated Clerk shall be elected by the Presbytery for a term of three years upon nomination. The person serving as Stated Clerk may be re-elected for additional terms. The Stated Clerk shall fulfill the duties described in the Form of Government.
- b. The Stated Clerk's compensation shall be fixed by Presbytery upon recommendation through the Coordinating Team. There shall be an annual review and a comprehensive review every three years prior to a recommendation for election to an additional term.
- c. The Stated Clerk shall annually lead Records Review Team of the session minutes and records of every church in the Presbytery. The Stated Clerk shall train and supervise all those needed for Records Review.
- d. The Stated Clerk shall report to the Presbytery the results of the annual review of records and shall recommend that they be approved, approved with exception, or not approved.
- e. Provide an annual report on representation to the Presbytery with assistance as needed.
- f. The Stated Clerk shall:
 1. Provide advice and counsel concerning matters of Presbyterian polity and of the Constitution of the Presbyterian Church (U.S.A.).
 2. Act as parliamentarian of the Presbytery.
 3. Provide training for clerks of session.
 4. Facilitate all processes involved in judicial cases as specified in the Rules of Discipline.
 5. Work in concert with the General Presbyter and cooperate in administrative matters of the Presbytery.
 6. Provide such other services as the Presbytery shall designate.
- g. The election of the Stated Clerk shall take place by the December stated meeting and the person shall assume office on January 1.

Bylaw B 3.5 – Treasurer

- a. The Treasurer of the Presbytery shall be a member of the Presbytery of Lake Huron Board of Trustees.
- b. The Treasurer shall be considered elected by the Presbytery when elected to the Board of Trustees, subject to the terms and conditions of service.

Bylaw B 3.6 Staff

Business Manager

- a. The Business Manager shall be a bondable person employed by the Presbytery upon recommendation by the Personnel Team with the advice and counsel of the Trustees. The Business Manager's compensation shall be fixed by the Presbytery upon recommendation through Coordinating Team. There shall be an annual review and a comprehensive review every three years.
- b. The Business Manager shall make an annual report to the Presbytery or as requested.

Additional administrative staff shall be employed by the Presbytery as provided by the Form of Government.

**Article IV
Organization**

Bylaw B 4.1 – Continuing Organization of Presbytery

The standing units of the Presbytery of Lake Huron shall be organized by the Presbytery as the Presbytery deems necessary and in accordance with the Form of Government.

- a. Standing Units of the Presbytery shall be, but are not limited to, the following: Coordinating Team, Nominating Team, Permanent Judicial Commission and the Board of Trustees.
- b. Additional Standing Units may be created and maintained by the Presbytery as needed and would be subject to Bylaw B 4.2 to 4.5 inclusive.
- c. The specific responsibilities and powers of each standing unit will be maintained in the Presbytery's Manual of Operations, in accordance with the Form of Government.

Bylaw B 4.2 - Quorum

The quorum for any standing unit shall be one third of the members currently serving, but no less than three persons, unless otherwise noted by these Bylaws or the Form of Government

Bylaw B 4.3 - Minutes and Annual Reports

Standing Units shall provide for the recording of minutes of their meetings, and shall provide a short written report to the Presbytery each year.

Bylaw B 4.4 – Meetings

Standing units shall, at the beginning of each year, establish their meeting schedule for the year, in consultation with Presbytery Staff.

Bylaw B 4.5 – Election and Terms of Office

- a. Members of all standing units of the Presbytery shall be elected by the Presbytery for terms of three years. No person shall be elected to the same unit for more than two consecutive terms, nor shall a person serve for consecutive terms either full or partial, for more than six years. A member, having served a total of six years, shall be ineligible for re-election to the same unit for a period of one year.
- b. Moderators for each standing unit shall be elected by each unit annually and be reported to the Presbytery through the Stated Clerk.
- c. Due diligence will be applied to provide balance between Teaching Elders and laity, women and men on all standing units
- d. Vacancies
 1. Resignations shall be submitted to the moderator of the standing unit of membership and the Stated Clerk. The Stated Clerk will notify the moderator of the Nominating Team.
 2. Any unit may request the Presbytery through the Stated Clerk to remove a member from its membership provided that member is absent, or present only for portions of meetings for 3 stated successive meetings. The Stated Clerk shall then notify the member of pending action prior to the action of presbytery.
- e. Co-opted members: All units may co-opt Teaching Elders, Ruling Elders or church members to fulfill special tasks. Co-opted people may have voice but not vote in unit meetings.

Bylaw B 4.6 – Unit Organization

Ordinarily, the work and ministries of the Presbytery shall be carried out by the standing units of the Presbytery. To facilitate that work, or to encourage or enable mission efforts initiated by members of Presbytery, the Coordinating Team may provide for additional work, interest, or ministry teams.

- a. The Coordinating Team may initiate requests to create work, interest, or ministry teams and/or it may receive requests from congregations or members of Presbytery for the formation of work, interest, or ministry teams to meet identified needs or carry out identified tasks; it shall recommend formation of such teams to the Presbytery.
- b. All requests for the formation of work, interest, or ministry teams, whether initiated by the Coordinating Team or by a member, a congregation or a group of congregations, shall require approval by the Presbytery at a stated or properly called meeting to authorize them to engage in their tasks. Approval will ordinarily be for a period of up to 12 months and may be re-authorized each year. Such teams shall present an annual report for review prior to being considered for re-authorization.
- c. Work, interest or ministry teams will be accountable to the Presbytery through the Coordinating Team

Bylaw B 4.7 - Executive Sessions

Executive Sessions of standing units, consisting only of elected members and those they may invite, may be called for meetings that deal with sensitive personnel or legal issues.

Bylaw B 4.8 - Manual of Administrative Operations

The Presbytery's Manual of Administrative Operations, as required by the Form of Government, shall at least consist of:

- a. The Presbytery's Mission Statement and Directional Signals
- b. The Presbytery's Bylaws
- c. The responsibilities and powers of standing units.
- d. Staff position descriptions

- e. The Presbytery's personnel policies

Article V Presbytery Council

Bylaw B 5.1 - Purpose

- a. Vision: Based upon the Mission Statement and the current priorities of the Presbytery, the Council shall set the overall mission, goals, and objectives of the Presbytery.
- b. Oversight: The Council shall be responsible for oversight of the Board of Trustees, Personnel Committee, finances and any other ministry units or interest groups that do not report directly to the presbytery.
- c. Coordination: The Council shall manage the work of the Presbytery between meetings of the Presbytery, with all decisions reported to the Presbytery at its next stated meeting.

Bylaw B 5.2 – Membership

The membership shall include one person from each of the four regions of the Presbytery, plus two at-large members. Additional members of the Council shall include the Moderator of Council, the moderator and vice-moderator of the Presbytery, moderators of the Nominating Committee, Mission Coordination Committee, COM, CPM, and Board of Trustees. The Executive Presbyter and Stated Clerk shall serve as non-voting members with the privilege of voice.

Bylaw B 5.3 – Meetings

The Coordinating Team shall meet at least quarterly. The moderator may call special meetings as needed.

Bylaw 5.4 - Team Duties

- A. Make decisions on the presbytery's behalf between meetings, with the following exceptions: elections; approving the annual budget and per capita assessments; forming, closing, merging, or dividing congregations; assuming or restoring original jurisdiction of church sessions; conducting examinations for ordination, and approving such ordinations; approving the full-time staffing model of the Presbytery; amending by-laws, standing rules, or manuals of operations; approving or concurring with overtures to the General Assembly; voting on proposed amendments to the Constitution; approving the Presbytery mission statement; decisions delegated to other entities of the Presbytery.
- B. Advise of or recommend to the Presbytery, as appropriate, the formation of work or ministry teams and conduct periodic reviews of their work.
- C. Make arrangements for Presbytery meetings.
- D. Review the work of the Board of Trustees of the Presbytery corporation.
- E. Oversee the management and administration of the Presbytery office and staff;
- F. Maintain and enforce Presbytery policies as may be required or necessary, and recommend policy changes to the Presbytery.
- G. Administer scholarship and grant programs which are not delegated to other entities of the Presbytery.
- H. Nominating persons to serve on the Presbytery nominating committee.
- I. Manage the ecumenical relations of the Presbytery.

Bylaw 5.5 – Structure

- A. The team shall ordinarily be moderated by the immediate past Presbytery Moderator. In the event that person is unwilling or unable to serve, the Council may select another of its members to moderate, or may request the Presbytery to elect a moderator through its nomination and election process.
- B. The Council may set its own structure. Standing committees of council shall ordinarily be chaired by regional or at-large members. No member of the council may chair more than one standing committee.

- C. Standing Committees may include, but are not limited to:
 - 1. Budget and Finance
 - 2. Planning/Equipping/Vision
 - 3. Personnel
 - 4. Bills and Overtures

Article VI
Board of Trustees

Bylaw B 6.1 – Membership

The Board of Trustees shall consist of five people elected by the presbytery. The Board shall elect its own officers including the Treasurer of the Board of Trustees who shall serve as Treasurer of the Presbytery.

Bylaw B 6.2 – Meetings

The Board of Trustees shall meet at least quarterly, and as necessary, to perform its duties.

Bylaw B 6.3 – Duties

- a. The Board of Trustees shall receive, hold, encumber, manage, and transfer real and personal property.
- b. The Board of Trustees shall make recommendations on requests from local congregations dealing with loans, purchases of property and sales, all of which need the approval of the Presbytery
- c. The Board of Trustees shall oversee the management of the Presbytery's investments; devise a spending formula for Presbytery investments; and notify those responsible for budget preparation of income available each budget year.
- d. The Board of Trustees shall arrange for and review the report of the professional auditors and recommend its acceptance through the Coordinating Team with the Presbytery
- e. The Board of Trustees shall facilitate the management of the Presbytery's civil affairs in such manner as may be directed by the Presbytery and according to the Constitution of the P.C. (USA) and Michigan State law.
- f. The Board of Trustees shall be accountable to the Presbytery.

Bylaw B 6.4 – Corporation Code of Regulations

The attached Corporation Code of Regulations is a legal document that addresses the requirements of Michigan State law concerning religious corporations.

CORPORATION

This Chapter is the Code of Regulations, a legal document, and appears only as Bylaw.

CR 6.1 - Membership

The Board of Trustees is the agent for the Presbytery of Lake Huron of the Presbyterian Church (U.S.A.), a Michigan ecclesiastical corporation, and shall be subject to the Presbytery of Lake Huron's authority and direction, except as specified below in CR 6.6. The Board shall consist of five persons elected by Presbytery as specified in the Bylaw B 6.1. The General Presbyter and the Treasurer of the Presbytery shall be ex-officio members of the Board of Trustees without vote.

CR 6.2 - Election, Terms of Office, and Vacancies

Members of the Board shall be elected at the December stated meeting of the Presbytery for terms of three years in classes of one, two, and two members. No person shall be elected as a member of the Board for more than two consecutive terms, nor shall a person serve consecutive terms, either full or partial, aggregating more than six years.

Nomination to fill a vacancy shall be made by the Nominating Team and election by the Presbytery shall take place at the earliest stated meeting after a vacancy occurs. Resignations shall be submitted to the Stated Clerk who shall notify the moderator of the Nominating Team and shall report the resignation to the next stated meeting of the Presbytery for action. The Board of Trustees may request the Presbytery through the Stated Clerk to remove a member from its membership, providing that member has been absent without excuse from three consecutive meetings. The Stated Clerk shall then notify the member of such pending action at least one month prior to the action of the Presbytery.

CR 6.3 - Officers

The Board of Trustees shall elect a president and a vice-president from its own membership. The Treasurer of the Presbytery shall be both the Treasurer and the Secretary of the Corporation.

CR 6.4 - Meetings

Ordinarily, the Board of Trustees shall meet at least quarterly. The first meeting of each year, ordinarily held in January, shall be the annual meeting of the Board, at which time new trustees and new officers shall begin their duties. Special meetings may be called at any time by the President, and also shall be called on the written request of at least two trustees. Notice of all meetings, regular and special, shall be mailed, electronically or otherwise, to each trustee not less than three days prior to each meeting. Three elected trustees shall constitute a quorum.

CR 6.5 - Duties and Powers

In addition to the general responsibilities and powers conferred upon the Board of Trustees in the Bylaw, the Board of Trustees shall also:

- a. Have the authority to borrow funds on a temporary basis, each aggregate loan not to exceed the sum of ten thousand dollars (\$10,000), unless previously authorized by the Presbytery, for the purpose of carrying on the work of the Presbytery.
- b. Consider ways and means of increasing funds of the Presbytery, and, after approval of the Presbytery, have the authority to solicit and receive the same.
- c. Have the authority to establish such separate funds as shall be advisable for the best management of the business of the Presbytery.
- d. Disbursements from such separate funds shall be made only for the purposes for which such funds were established.

- e. Have charge of all real and personal property of the Corporation, or which may be held in trust by it, or in which the Corporation has an interest; and see that the titles are in good order and that the buildings are adequately insured and kept in proper repair.
- f. Take charge of and disburse in accordance with the will of the Presbytery, or in accordance with the conditions of the trust, any property, trust funds, or other funds which at any time and from time to time may be acquired by, entrusted to, or given to the Presbytery.
- g. Hold, manage, reinvest, and keep invested the funds belonging to the Presbytery, including funds held in trust. For this purpose the Board of Trustees on behalf of the Corporation shall have full power to buy and sell stocks, bonds, mortgages, and any other securities or personal property. For the purpose of making delivery of securities, in the event of sale, transfer, or exchange, the proper officers of the Board of Trustees (any two of the President, Vice-President, Secretary, Treasurer) shall have full and complete power to assign or endorse certificates of stock or any other evidences of ownership of securities belonging to said Corporation; and in its discretion, place and carry said certificates of stock or other evidences of ownership of securities and other personal properties in the name of a nominee or nominees.
- h. Have authority in the name of the Corporation, to purchase, sell, lease, mortgage, or otherwise encumber any real estate to which the Board of Trustees may hold title or in which such Board may have an interest, without petitioning for, or obtaining an order of any Court for permission to do so; and for such purpose, the proper offices of the Board of Trustees (any two of the President, Vice-President, Secretary, Treasurer) shall have full and complete power to execute and deliver contracts, deeds, leases, notes, mortgages, and other instruments of sale, purchase, conveyance, and encumbrance.
- i. Consider and make recommendation to Presbytery in regard to a request from the session of any particular church to sell, mortgage, or otherwise encumber any of its real property; or a request to acquire real property subject to an encumbrance or condition.
- j. Consider and make recommendation to the Presbytery in regard to a request from the Session of any particular church to obtain a commercial loan.
- k. Have authority to appoint a corporate Fiscal Agent to assist the Board of Trustees in carrying out the management and investment of funds.
- l. Have charge of all legal matters incident to the duties of the Board of Trustees.

CR 6.6 - Reliability of Actions

Any person, firm, or corporation dealing with the Board of Trustees shall be entitled to rely solely on the deed, transfer, or assurance of the officers of the Corporation with reference to any action of the Board of Trustees; and no contract, conveyance, assignment, purchase, sale, or investment made or authorized by said Board on behalf of the Corporation shall be invalidated, modified, or set aside in any manner by any review or action of the Board.

CR 6.7 - Amendments

The foregoing Sections CR 6.1 through CR 6.6 shall constitute the Code of Regulations for the Presbytery of Lake Huron of the Presbyterian Church (U.S.A.), and may be amended by the affirmative vote of two-thirds of the members of the Board of Trustees present and voting at any regular or special meeting of the Board, subject to approval of the Presbytery by a two-thirds majority of those present and voting at a special or stated meeting of the Presbytery. The Presbytery shall have the right, likewise, to initiate amendments to this Code of Regulations.

Article VII Nominating Team

Bylaw B 7.1 – Purpose

The Nominating Team, with due diligence, seek to fulfill the Nominating Committee requirements described in the Form of Government.

Bylaw B. 7.2 - Duties

- a. The Nominating Team shall nominate the Moderator and Vice Moderator of the Presbytery for election by the September stated meeting of Presbytery; and nominate members for all standing units of Presbytery to be elected by the December stated meeting of Presbytery. The Moderator and Vice Moderator shall be installed at the December stated meeting. Members elected to standing units take office on January 1; members elected to fill vacancies take office upon election.
- b. The Nominating Team shall nominate persons to represent the Presbytery in ecumenical bodies, and denominational agencies as requested or required.
- c. The Nominating Team shall solicit nominations for Commissioners to governing bodies higher than the Presbytery, alternates, and Youth Advisory Delegate, and present nominations for election by the Presbytery.
- d. The Nominating Team shall fill vacancies in a timely manner.
- e. The Nominating Team shall be accountable to the Presbytery through the Coordinating Team.

Bylaw B 7.3 – Membership

The Nominating Team shall consist of six persons, one from each of the 5 regions of the Presbytery plus one chosen at large. The team shall elect a moderator annually from within its membership to serve a term of one year.

Bylaw B 7.4 – Meetings

The Nominating Team shall meet at least biannually and as necessary to fulfill its duties.

**Article VIII
Permanent Judicial Commission**

Bylaw B 8.1 - Function

The Permanent Judicial Commission shall fulfill those functions given it by the Rules of Discipline.

Bylaw B 8.2 - Associated Committees

If an investigating committee is required under the provisions of the Rules of Discipline, or if a committee of counsel is required under the provisions of the Rules of Discipline, the Moderator of Presbytery and the Moderator of the Coordinating Team, following consultation with the Stated Clerk, shall appoint persons to serve on that committee, with the Vice-Moderator being authorized to act in place of either one of these if either one is unable to participate in the appointment for reasons of propriety or for any other reason.

Bylaw B 8.3 - Membership

The Permanent Judicial Commission shall consist of seven members, three Ruling Elders and three Teaching Elders with the seventh person either a Ruling Elder or Teaching Elder. Each member shall serve for one six year term, approximately one-third being elected every other year.

**Article IX
General Statements**

Bylaw B 9.1 - Amendments

These Bylaw may be amended at any stated meeting of the Presbytery by a two-thirds vote of the members present and voting, provided that the amendment has been submitted in writing to the previous stated meeting.

Bylaw B 9.2 - Editorial Changes

The Stated Clerk, in consultation with the Coordinating Team, shall be empowered to change the title of ministries, teams, committees and offices in these Bylaw to reflect changes in the terminology of the General Assembly, the Synod, or the Presbytery; to make changes in cross-references appropriate to amendments as they are adopted, and to make minor changes in numbering to facilitate the reading of these Bylaws.

Bylaw B 9.3 - Suspensions

No Bylaw of the Presbytery may be suspended.

Bylaw B 9.4 – Replacement

Replacement of these Bylaws shall be considered to be an amendment and shall be treated as an amendment under the provisions of B 9.1.

Approved December 4, 2012 and amended in December 2014, December 2017, and June 2018.