

**Unitarian Universalist Church
of Brunswick**

Bylaws

**Revised May, 2009
Amended June 8, 2014**

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BYLAWS of the UNITARIAN UNIVERSALIST CHURCH OF BRUNSWICK

As adopted by the Members on 5-31-09, and amended 6-8-14

ARTICLE ONE NAME AND LEGAL STATUS

- 1.1 **Name.** The name of this religious society is The Unitarian Universalist Church of Brunswick, Maine, hereafter called the Church.
- 1.2 **Legal Status.** The Church is and shall remain incorporated under the laws of the State of Maine.

ARTICLE TWO PURPOSE

- 2.1 **Covenant.** The Members of the Church covenant together to create and sustain a liberal religious community for worship, social justice, religious education, community service and ministry to Members and Friends based on Unitarian Universalist principles (see Appendix).
- 2.2 **Decision Making Process.** The Church conducts its deliberations and decision making in accordance with open democratic procedures designed to achieve cooperation and resolve conflict into constructive action. The rules contained in the current edition of *Robert's Rules of Order Newly Revised* shall be the applicable authority on matters of parliamentary procedure for all matters not specified in these bylaws.
- 2.3 **Nondiscrimination Statement.** The Church affirms and promotes the full participation of persons in all our activities and endeavors without regard to race, color, gender, affectional or gender identity or expression, physical or mental challenge, class or national origin; and without requiring adherence to any particular interpretation of religion or to any particular religious belief or creed.

ARTICLE THREE DENOMINATIONAL AFFILIATION

The Church shall be a member of the Unitarian Universalist Association and of the Unitarian Universalist Association Northern New England District or their successors. It is the intention of the Church to make annual financial contributions to these bodies equal to its fair share as determined by the Association and the District.

ARTICLE FOUR MEMBERSHIP

- 4.1 Membership Requirements.** Any person sixteen years of age or older who is willing to assume responsibility for maintaining and advancing the purposes, principles and programs of the Church may become a Member by signing the Membership Book. It is specifically understood that membership is open to all qualified persons consistent with the Nondiscrimination Statement in these bylaws.
- 4.2 Financial Pledge.** An annual financial pledge indicates support for the purposes, principles and programs of the Church. Members are expected to make an annual pledge.
- 4.3 Voting Rights.** All those who have been Members of the Church for at least fourteen days have the right to vote at meetings of the Congregation, except that membership of at least ninety days is required to vote on motions to call or dismiss Ministers or to dissolve the Church. Each Member is entitled to cast one vote for each motion that comes before a Congregational Meeting.
- 4.4 Termination of Membership.** The Board of Trustees may terminate membership and remove the Member's name from the Membership Book in case of (1) the Member's death; (2) written request for removal or a letter of transfer to another church by the Member; (3) a period of inactivity of over one year, following proper notice and review by the Board; or (4) a three-fourths vote of the Board for actions that threaten the well being of the Church, provided that the Member has the right to appeal to the Board.
- 4.5 Friends of the Church.** Friends of the Church are those who support the purposes, principles and programs of the Church, but have not signed the Membership Book. Friends may participate in all aspects of the Church, except that they may not vote at Congregational meetings, and may not serve as committee chairs or in elected positions.

ARTICLE FIVE THE CONGREGATION AND CONGREGATIONAL MEETINGS

- 5.1 Duties and Powers of the Congregation.** The government of the Church shall be vested in its Members who exercise the right of control in its affairs. The Members of the Church (also referred to as the Congregation) shall have the following exclusive duties and powers:
- a.** Collectively own all real property of the Church. The acquisition, sale, mortgage or transfer of real property requires an affirmative vote of three fourths of the Members present at a Congregational Meeting.
 - b.** Establish and maintain investment funds to assure the long range financial health of the Church.
 - c.** Approve all annual operating and capital budgets.
 - d.** Ordain, call and dismiss Ministers.
 - e.** Elect Trustees, Officers, Moderator, Nominating Committee members and, as needed, Ministerial Search Committee members.
 - f.** Authorize unbudgeted expenditures of \$5,000 or more as recommended by the Board of Trustees.
 - g.** Dissolve the Church.

- h.** Adopt and update the Church's mission, vision and strategic plan.
- i.** Adopt and amend the bylaws of the Church.
- j.** Make public statements in the name of the Church on social or public issues.

5.2 Annual Business Meeting of the Congregation.

5.2.1 Purpose. The Annual Business Meeting is intended for the election of Trustees, Officers, Moderator, Nominating Committee members, and, as needed, Ministerial Search Committee members; consideration of reports; adoption of the Annual Budget; and the transaction of other business.

5.2.2 Meeting Date. The Annual Business Meeting shall be held in the final quarter of each fiscal year, on a date and at a time and location established by the Executive Committee not less than 60 days prior to the meeting.

5.3 Special Meetings of the Congregation. Special meetings of the Congregation may be called at any time by the Board of Trustees or upon written request to the Board by ten percent of the Members of the Congregation. A meeting called by written request of the Members must be held within 60 days of the Board's receipt of the request unless an Annual Business Meeting is already scheduled within that time period, in which case the issue identified in the petition must be added to the agenda for the Annual Business Meeting.

5.4 Notice and Conduct of Congregational Meetings

5.4.1 Notification. The Clerk will notify the Congregation of a Congregational Meeting's date, location and purpose beginning at least two weeks prior to the scheduled meeting by (1) an announcement at each preceding Sunday worship service; (2) posting the announcement on the door of the church building; and (3) a written announcement delivered in a way or variety of ways intended to reach as many Members as possible.

5.4.2 Quorum. Twenty percent of the Membership constitutes a quorum for conducting business, except as specified in these bylaws for calling or dismissing a minister, or dissolving the Church.

5.4.3 Voting. All voting and elections shall be determined by a simple majority of the Members present and voting, except as provided in these bylaws.

5.4.4 Absentee Voting. The Board of Trustees may authorize the use of absentee ballots to vote on any motion that is non-amendable at any Congregational Meeting. Absentee ballots shall not be counted in determining whether a quorum is present. If absentee ballots are to be allowed for a given meeting, such decision must be included in the notice of meeting.

5.4.5 Agenda. The Board of Trustees shall establish the agenda for each Congregational Meeting. Copies of the agenda including any proposed budgets and nominations for elected positions shall be made available at the Church at least two weeks prior to the scheduled meeting.

- 5.4.6 Presiding Officer.** The Moderator shall preside at all Congregational Meetings after a quorum is determined. In the Moderator's absence, the Clerk shall serve as a Moderator pro tem until a Moderator pro tem is elected from the floor.

ARTICLE SIX GOVERNING STRUCTURE AND ELECTED OFFICIALS

- 6.1 Governing Structure.** The Board of Trustees shall administer and manage the business of the Church. The Board shall be comprised of nine Trustees and an optional Youth Representative. Four of the Trustees shall also serve as the Officers: Chair, Vice Chair, Clerk and Treasurer. The Minister shall be an ex officio, non-voting member of the Board.
- 6.2 Elected Officials.** The Trustees, Officers, Moderator, Nominating Committee members, Council Facilitator and, as needed, Ministerial Search Committee members are elected by the Congregation. The Nominating Committee shall nominate candidates for all vacant or expiring elected positions and present the nominations at the Annual Business Meeting. Regular terms of elected positions shall begin at the start of the fiscal year following election, except that the term of Ministerial Search Committee members will be established at the time of their election. Neither the Moderator nor Nominating Committee members shall serve concurrently as Trustees.
- 6.3 Vacancies.** Any mid-term vacancy of an elected position shall be filled by the Board of Trustees upon the recommendation of the Nominating Committee. Persons so appointed shall serve until the next Annual Business Meeting at which time a successor shall be nominated and elected to immediately fill the unexpired term.
- 6.4 Trustees**
- 6.4.1 Qualifications.** Trustees must have been Members of the Congregation for one year prior to election.
- 6.4.2 Terms and Term Limit.** Trustees shall serve terms of three years and may not serve more than two consecutive three-year terms. Trustees may be re-elected after vacating the office for two years.
- 6.5 Officers (Chair, Vice Chair, Clerk, Treasurer).**
- 6.5.1 Qualifications.** Officers shall have been duly elected as Trustees prior to election as Officers.
- 6.5.2 Terms and Term Limit.** Officers shall be elected annually and serve terms of one year. Officers may not serve more than three consecutive one-year terms in one office.
- 6.5.3** The **Chair** shall be the presiding officer of the Board of Trustees and shall represent the Church on all appropriate occasions. The Chair may serve ex officio as a non-voting member of any standing committee except the Committee on Ministry.

- 6.5.4** The **Vice Chair** shall act in the absence of, or at the request of the Chair, at which time she/he shall have all the powers and responsibilities of the Chair. In addition, the Vice Chair shall serve as an ex officio member of any committee(s) as designated by the Board.
- 6.5.5** The **Clerk** shall be responsible for all non-financial records of the Church and shall keep minutes of Congregational Meetings and meetings of the Board of Trustees and Executive Committee. The Clerk shall oversee records of membership in the Church and voting eligibility of the members, and shall verify that those voting at each Congregational Meeting are eligible. The Clerk shall also provide notice of Congregational Meetings as specified in these bylaws.
- 6.5.6** The **Treasurer** shall be the custodian of all funds and securities of the Church and all documents or other materials reflecting Church ownership of property. The Treasurer shall oversee the accounts of all receipts and expenditures, keep a record of all transactions and report on the financial condition of the Church at meetings of the Board of Trustees and at the Annual Business Meeting. The Treasurer is authorized to pay all bills not exceeding the Church's annual operating and capital budgets, and any other bills approved by the Board of Trustees or authorized by the Congregation. The Treasurer shall serve as a voting member of any Standing Committee with responsibility for oversight of Church finances.
- 6.6 Youth Representative.** In order to enhance the presence of youth perspectives in Church affairs, the Board of Trustees may have a Youth Representative as an optional tenth member. The Board may appoint a young adult to this position when a qualified candidate is nominated and is willing to fulfill his or her responsibilities on the Board. The Youth Representative shall regularly attend meetings of the Board of Trustees, and shall participate and vote in all of its deliberations other than those held in executive session.
- 6.6.1 Qualifications.** The Youth Representative shall be a young adult who has participated constructively in the Church's religious education program and more broadly in Unitarian Universalist youth programs and activities, and shall be recommended to the Board by the Director of Religious Education in consultation with any appropriate Standing Committee.
- 6.6.2 Term and Term Limit.** The Youth Representative shall serve a non-renewable term of up to two years.
- 6.7 Moderator.** The Moderator shall be elected annually and serve a term of one year. A Moderator may serve no more than three consecutive one-year terms.
- 6.8 Nominating Committee Members.** The elected members of the Nominating Committee shall serve for a two-year term, and may serve for no more than one additional two-year term. Committee members must have been Members of the Congregation for one year prior to election.
- 6.9 Council Facilitator.** The elected Council Facilitator provides stability and continuity to the Church Council as established in these bylaws. The role of the Facilitator is to organize and oversee Council meetings and to monitor the overall effectiveness and

coordination of the Council's activities as it relates to the church Mission and Program. The Facilitator will be accountable to the Board of Trustees, and will report on the status of the Council on a regular basis.

6.9.1 Qualifications. The Council Facilitator shall have been a Member of the Congregation for one year prior to election and *shall not* concurrently serve on the Council by virtue of being the chair of a Standing Committee.

6.9.2 Terms and Term Limit. The Facilitator shall serve a term of three years and may not serve more than two consecutive three-year terms. The Facilitator may be re-elected after vacating the office for two years.

Article Seven Board of Trustees

7.1 Leadership Overview. On behalf of the Congregation the Board of Trustees shall:

- a. Receive and respond to reports of the Minister, Director of Religious Education, Treasurer, Church Council and committees.
- b. Oversee the business affairs of the Church.
- c. Establish and administer policies that advance the mission and purpose of the Church and the work of its committees.
- d. Create standing and ad hoc committees as required.
- e. Inform the Congregation about Board activity and decisions in a timely manner.

7.2 Property. The Board of Trustees has the authority to acquire, sell or transfer property for the Church, except for real estate. It is responsible for establishing policies and procedures for the use of the spaces and equipment belonging to the Church.

7.3 Fiscal Responsibilities. The Board of Trustees has the authority to direct the investment and reinvestment of Church funds and establish policies to guide financial management. In consultation with the Finance Committee or its equivalent, the Board shall approve an operating budget for the ensuing fiscal year to be considered by the Congregation at the Annual Business Meeting. It may appoint an Assistant Treasurer with authority to assist the Treasurer in areas specified by the Board. The Board shall bond the Treasurer and any Assistant Treasurer or collectors at no cost to these volunteers.

7.4 Appointment and Employment Responsibilities. The Board of Trustees shall appoint Church officials as provided in these bylaws and shall employ all Church staff in accordance with applicable employment laws of the State of Maine.

7.5 Minister. The Board shall evaluate and, after the initial term of employment, determine the annual compensation of the Minister.

7.6 Authorization of Signatories. The Board of Trustees shall designate an Officer or Officers to sign checks, contracts, notes, documents and other legal papers on behalf of the Church, and no person or persons other than those so designated by the Board of Trustees shall be authorized to bind the Church.

7.7 Meetings.

7.7.1 Open Meetings. The Board of Trustees shall publicize and hold meetings at a regular time and place. Board meetings shall be open to the Congregation unless voted into executive session.

7.7.2 Special Meetings. Special meetings of the Board may be called by the Chair or any three voting Board members with at least three days' notice to all Board members.

7.7.3 Quorum and Voting. Six voting members of the Board shall constitute a quorum for the transaction of business. A majority of those members present shall decide any questions.

7.8 Removal from the Board of Trustees. Three consecutive absences from Board meetings by any Trustee without prior notification to either the Chair or Clerk shall be tantamount to resignation. Additionally, a Trustee may be removed from the Board, by a two thirds vote of the Board, for breach of trust or gross misconduct.

ARTICLE EIGHT CHURCH COUNCIL

8.1 Purpose. The purpose of the Church Council is to oversee and guide planning and execution of the church Program to assure that the annual complement of activities and events help the congregation fulfill the Mission of the Church. The Church Council shall also work to enhance collaboration, coordination, and communication among the committees of the church. The Council shall meet at a regular time and place to create and monitor the all-church calendar, help clarify shared or overlapping responsibilities among committees, and provide a forum for committee chairs to discuss Church operations and committee activities, and to seek advice or support for their work. (The church Program in this article refers to activities and events of Committees, Task forces, and Members of the Church but the Council's purview does not extend to the content of Worship or Religious Education.

8.2 Membership. The Church Council shall include the chairs of the Standing Committees as specified by the Board of Trustees. The Minister and a designated Trustee shall be ex officio, non-voting members of the Council.

8.3 Meetings. Meetings of the Council shall be open to the Congregation. Representatives of all committees and task forces are welcome to attend.

ARTICLE NINE COMMITTEES

9.1 Purpose. The purpose of committees and task forces is to implement the Church's vision and mission, and to share its ministry. Each committee and task force shall have a policy and procedures document that describes its authority and responsibilities. These documents shall be approved by the Board of Trustees.

- 9.2 Executive Committee.** The Executive Committee shall consist of the Chair, Vice-Chair, Clerk, and Treasurer as voting members, and the Minister(s) as an ex officio, non-voting member(s). The Executive Committee shall undertake all actions authorized by the Board and act on behalf of the Board of Trustees between Board meetings if a situation warrants urgent action. The Committee may also recommend to the Board programs, policies, and strategies to improve the management of the Church. A quorum shall consist of three members of the Committee.
- 9.3 Nominating Committee.** The Nominating Committee shall consist of five members: the immediate past Chair of the Board or another former Trustee appointed by the Board, who shall serve as committee chair, and four additional members elected by the Congregation. The Nominating Committee shall nominate candidates for all elected positions (Trustees, Officers, Moderator, Nominating Committee members, and, if needed, Ministerial Search Committee members). The Committee may also recommend to the Board of Trustees individuals for appointment to other volunteer positions. A quorum shall consist of three members of the Committee.
- 9.4 Standing and Ad Hoc Committees, and Task Forces.** The Board of Trustees may establish standing and ad hoc committees, and task forces, as required, and determine their duties and powers. All Members and Friends of the Church are eligible for membership on a committee or task force. Standing committee members may serve for renewable terms of two years. Only Members of the Church are eligible to chair committees and shall be selected by the committee's members with any extended chairperson vacancy to be filled by the Board of Trustees. Standing committees shall have at least three members. Responsibilities common to all committees:
- a. Annually select a chairperson
 - b. Present a policy and procedures document for the operation of the committee to the Board of Trustees for approval, to be reviewed annually
 - c. Annually present a proposed budget to the Board of Trustees or its designated committee for planning and preparation of the annual operating budget
 - d. Annually present a written report to the Board of Trustees for inclusion in the Annual Report of the Church
 - e. Call upon Members and Friends of the church to assist in fulfilling the duties of the committee
 - f. Meet at a regular time and place, communicated to the Congregation
 - g. Maintain communications with the church through participation in the Church Council, submissions to the church Newsletter or other means

ARTICLE TEN FISCAL YEAR

The fiscal year of the Church shall be from July 1 through June 30.

ARTICLE ELEVEN SETTLED MINISTERS

- 11.1 Duties and Powers.** The Minister(s) is the religious and spiritual leader of the Church. The Minister(s) shall have freedom of the pulpit as well as the freedom to express his or her opinions outside the pulpit. The Minister(s) shall conduct the office in accordance with the letter of agreement between the Minister(s) and the Board of Trustees, and the standards established by the Unitarian Universalist Association. The Minister shall supervise and evaluate Church employees in consultation with the Board of Trustees or its designated committee.
- 11.2 Qualifications.** All Ministers called by the Church shall be in fellowship with the Unitarian Universalist Association.
- 11.3 Call.** Three quarters of the Members of the Church voting by written ballot at a special meeting of the Congregation called for this purpose and upon recommendation by a duly elected Ministerial Search Committee, may call a Minister.
- 11.4 Conditions and Term of Employment.** The initial term of employment shall be negotiated by the Minister(s) and the Ministerial Search Committee and approved by the Board of Trustees. Subsequent changes may be recommended by the Minister(s) and shall be approved by the Board. Ministers shall be employed on a continuous basis until they or the Congregation terminate their employment, after a written notice of not less than three months is given by either party. The Board of Trustees is responsible for evaluating the Minister(s).
- 11.5 Vacancies and Ministerial Search Committee.** In case of ministerial vacancies, the Board of Trustees shall provide for ongoing ministerial services. A Ministerial Search Committee consisting of at least five members shall be nominated by the Nominating Committee and elected by the Congregation at a meeting called for this purpose.
- 11.6 Dismissal.** Three quarters of the Members of the Church, voting by written ballot at a special meeting of the Congregation called for this purpose may dismiss a Minister.

ARTICLE TWELVE INDEMNIFICATION

- 12.1 Liability.** A duly elected or appointed officer, trustee, employee, or agent of the church shall not be personally liable to the Church or to its Members for monetary damages for breach of fiduciary duty, except for liability resulting from (1) any breach of duty or loyalty to the Church or its members, or (2) acts or omissions not in good faith or which involve intentional misconduct or a knowing violation of the law. The Church shall indemnify any person and his/her estate and personal representative against all liability and expense incurred by reason of the person being or having been duly elected or appointed as an officer, trustee, employee or agent of the Church.
- 12.2 Liability Insurance.** The Church will purchase and maintain liability insurance coverage on behalf of any and all persons or agents identified in section 12.1 of these

bylaws. The level of coverage will be suitable, as determined by the Board of Directors, to protect the assets of the Church, against any liability or claim within the scope of section 12.1.

- 12.3 Other Rights.** The provisions of this article shall not be deemed exclusive of any other rights to which such person may be entitled under any bylaw, agreement, insurance policy, vote of Members or otherwise.

ARTICLE THIRTEEN DISSOLUTION

- 13.1 Dissolution.** Three quarters of the Members, voting by written ballot at a special meeting of the Congregation called for this purpose, and upon recommendation by the Board of Trustees, may dissolve the Church and the corporation.
- 13.2 Dissolution Process.** In the case of dissolution of the Church, all of its property (excepting specific assets identified in this article), real and personal, after paying all just claims upon it, shall be conveyed to and vested in the Unitarian Universalist Association or its legal successor, or to any Unitarian Universalist related organization as determined by the Board of Trustees. The Board shall perform all actions necessary to effect such conveyance.
- 13.3 Exceptions.** Should the Church be dissolved, monies belonging to the Lauren Swanson Music for Youth Fund will be conveyed to the Brunswick Area Student Aid Fund.

ARTICLE FOURTEEN AMENDMENTS

Two thirds of the Members of the Church present and voting may amend these bylaws at any meeting of the Congregation, provided the exact wording of amendments is given by the Clerk in the notice of the meeting at which such action may be proposed.

APPENDIX

PRINCIPLES & SOURCES OF UNITARIAN-UNIVERSALISM

There are seven principles which Unitarian Universalist congregations affirm and promote:

1. The inherent worth and dignity of every person;
2. Justice, equity and compassion in human relations;
3. Acceptance of one another and encouragement to spiritual growth in our congregations;
4. A free and responsible search for truth and meaning;
5. The right of conscience and the use of the democratic process within our congregations and in society at large;
6. The goal of world community with peace, liberty, and justice for all;
7. Respect for the interdependent web of all existence of which we are a part.

Unitarian Universalism (UU) draws from many sources:

Direct experience of that transcending mystery and wonder, affirmed in all cultures, which moves us to a renewal of the spirit and an openness to the forces which create and uphold life;

Words and deeds of prophetic women and men which challenge us to confront powers and structures of evil with justice, compassion, and the transforming power of love;

Wisdom from the world's religions which inspires us in our ethical and spiritual life;

Jewish and Christian teachings which call us to respond to God's love by loving our neighbors as ourselves;

Humanist teachings which counsel us to heed the guidance of reason and the results of science, and warn us against idolatries of the mind and spirit.

Spiritual teachings of earth-centered traditions which celebrate the sacred circle of life and instruct us to live in harmony with the rhythms of nature.

These principles and sources of faith are the backbone of our religious community.

Seven Principles & Sources from: Unitarian Universalist Association, updated Nov. 7, 2008
<http://www.uua.org/visitors/6798.shtml> (accessed 3/22/09)