

*Muskingum Valley Presbytery Bylaws*  
Reviewed by Council: 3/14/16  
Presented to Presbytery: 04/16/16  
Approved by Presbytery as amended: 04/16/16  
Amended by Presbytery: 04/29/2017  
Amended by Presbytery 2/9/19



## **BYLAWS**

### **PREAMBLE**

The mission of God in Christ gives shape and substance to the life and work of the Church. In Christ, the Church participates in God's mission for the transformation of creation and humanity by proclaiming to all people the good news of God's love, offering to all people the grace of God at baptismal font and communion table, and calling all people to discipleship in Christ. Human beings have no higher goal in life than to glorify and enjoy God now and forever, living in covenant fellowship with God and participating in God's mission (F-1.01, Book of Order, PCUSA).

God has put all things under the Lordship of Jesus Christ and has made Christ head of the Church, which is his body. The Church's life and mission are a joyful participation in Christ's ongoing life and work (F1.0201). Christ calls the Church into being, giving it all that is necessary for its mission in the world, for its sanctification, and for its service to God. Christ is present with the Church in both Spirit and Word. Christ alone rules, calls, teaches, and uses the Church as he wills (F1.0202). In our own time, we affirm that, in the power of the Spirit, the Church is faithful to the mission of Christ as it:

- Proclaims and hears the Word of God;
- Administers and receives the Sacraments; and
- Nurtures a covenant community of disciples of Christ (F-1.0303).

The Presbyterian form of government is grounded in Scripture. The *Constitution of the Presbyterian Church (U.S.A.)* provides that this church is governed by presbyters, that is, ruling elders and teaching elders. The Church's ministry is a gift from Jesus Christ to the whole Church. Christ uses the Church as he wills, exercising his authority to the ministry of women and men for the establishment and extension of God's new creation. Christ's ministry is the foundation and standard for all ministry, the pattern of the one who came "not to be served, but to serve" (Matthew 20:28). The basic form of ministry is the ministry of the whole people of God, from whose midst some are called to ordered ministries to fulfill particular functions. Members and those in ordered ministries serve together under the mandate of Christ (G-2.0101).

Teaching and Ruling Elders come together in councils: sessions, presbyteries, synods, and the General Assembly. Each of these councils is governed by the *Bible* and by the *Constitution of the Presbyterian Church (U.S.A.)* that is comprised of the *Book of Confessions* and the *Book of Order*

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**CHAPTER I: THE PRESBYTERY**

- Section 1 The *Bylaws* set forth herein are the provisions for the governance and operation of the Council called *Muskingum Valley Presbytery* (hereafter "Presbytery"), a member presbytery of the *Presbyterian Church (U.S.A.)*, a Reformed denomination.
- Section 2 The Presbytery is a non-profit corporation that is organized and existing under the laws of the State of Ohio and exercises ecclesiastical jurisdiction over the PC(USA) congregations in Ashland, Carroll, Columbiana, Coshocton, Harrison, Holmes, Guernsey, Southern Medina, Morgan, Muskingum, Noble, Perry, Richland, Stark, Tuscarawas, Washington, and Wayne counties.
- Section 3 The Presbytery is an organization formed exclusively for religious purposes within the meaning of Section 501(c)(3) of the United States Internal Revenue Code of 1986 (as amended) and shall be operated exclusively for the religious purposes set forth in the *Presbytery's Articles of Incorporation*.
- Section 4 These *Bylaws* shall at all times be subject to the provisions of the *Bible* and the *Constitution of the Presbyterian Church (U.S.A.)*. Applicable provisions in the *Constitution* shall take priority over any provision in these *Bylaws*. These *Bylaws* are also subject to the *Ohio Revised Code* and the *Articles of Incorporation* of the Presbyterian Church (U.S.A.) on file with the Secretary of State.

**CHAPTER II: MEMBERSHIP**

- Section 1 Membership in the Presbytery shall be determined consistent with the provisions of the *Constitution of the Presbyterian Church (U.S.A.)* per G-3.0306.
- Section 2 The Stated Clerk of the Presbytery shall maintain a membership roll that accurately reflects active and honorably retired teaching elders, inquirers, candidates, ministers not in validated service, certified personnel, ruling elders commissioned to a particular pastoral service, and member congregations.

**CHAPTER III: MEETINGS**

- Section 1 The Presbytery shall hold at least four Stated Meetings each year, one of which will include the Annual Meeting of the Presbytery as a corporation in conformity with the requirements of the State of Ohio. The Council shall determine the time and place of each Presbytery meeting. For each stated and special called meeting, advance notice of at least ten business days shall be given, including the posting of the proposed docket and such material as is available.

The following items require advanced notice of ten business days prior to the meeting:

- a. Election of the Presbytery Moderator, Moderator-Elect, Treasurer, and Stated Clerk;
- b. Call and annual approval of the terms of call of the General Presbyter;
- c. Dismissal of a congregation to another Reformed body; and
- d. Amendment of the *Bylaws* or *Articles of Incorporation* of the Presbytery.

- Section 2 The Presbytery shall hold special called meetings as may be necessary to conduct urgent business, such as the timely examination of candidates for ordination. Such special meetings shall be called by the Council on its own motion or upon receipt of written request of six (6) teaching elder members of the presbytery and six (6) ruling elders all from different congregations of the Presbytery. The call shall state clearly the purpose of the meeting and only matters so specified shall be considered.

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- Section 3 The Presbytery may provide for other gatherings for the purpose of advancing the mission and ministries of its churches.
- Section 4 A quorum of at least six (6) teaching elders and (6) ruling elder commissioners from different congregations shall be required to be present for a stated or called meeting to proceed.
- Section 5 Under special circumstances, upon adoption of special rules determined by the Council and voted upon by the presbytery, commissioners may participate virtually as long as all persons are able to hear each other in real time. Such participation shall qualify for purposes of establishing the quorum for the meeting.
- Section 6 Commissioners of Muskingum Valley Presbytery shall be composed of the following:
- a. All Ministers of Word and Sacrament on the membership roll of Muskingum Valley Presbytery
  - b. Ruling Elders Elected as officers of the Presbytery
  - c. Ruling Elder Commissioners elected by sessions of member congregation. Sessions of congregations with a membership below 120 shall elect one (1) Ruling Elder commissioner. Sessions of congregations with a membership of 120 or more shall elect two (2) Ruling Elder Commissioners.
  - d. Commissioned pastors during the tenure of their commission to a congregation for pastoral service.
- Section 7 Each Commissioner shall have one vote on matters requiring approval by the Presbytery membership at a stated or special called meeting. Without limitation, the following actions require approval of the Presbytery:
- e. Election of the Presbytery Moderator, Moderator-Elect, Treasurer, and Stated Clerk;
  - f. Call and annual approval of the terms of call of the General Presbyter;
  - g. Dismissal of a congregation to another Reformed body; and
  - h. Amendment of the *Bylaws* or *Articles of Incorporation* of the Presbytery.

**CHAPTER IV: OFFICERS**

- Section 1 Officers of the Presbytery elected by the Presbytery shall be the Moderator, Moderator-Elect, the Stated Clerk, and the Treasurer. Elected Council Members shall be the Trustees of the Corporation.
- Section 2 Each of these officers shall fulfill such duties prescribed for that office in the Book of Order (For the Moderator, Moderator-Elect, and Stated Clerk, G-3.0104; for the Treasurer, G-3.0205 as relates to the finances of Presbytery). They shall be bound by all appropriate and applicable legal, ethical, and fiduciary responsibilities. Trustees shall also be bounded as corporate officers.
- Section 3 The officers elected by Presbytery shall have the following terms:
- a. The Moderator and Moderator-Elect shall each serve terms of one (1) year or until a successor is installed.
  - b. The Stated Clerk and Treasurer shall each serve a term of three (3) years and are eligible for re-election to additional terms of service.
- Section 4 The officers of the Presbytery shall be elected in the following manner:
- a. The Moderator and Moderator-Elect in the year preceding his or her term.
  - b. The Stated Clerk and Treasurer shall ordinarily be elected at the final stated meeting of the calendar year in the third year of the officer's term, and his or her term shall begin on January 1 of the following year.

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Section 5 Any officer may resign at any time by giving written notice to the moderator of the Council. An officer's resignation shall take effect upon receipt by the Presbytery unless the notice specifies a later effective date. Unless otherwise specified therein, the acceptance of such resignation shall not be necessary to make it effective. An officer shall be deemed to have resigned in the event of such officer's incapacity as determined by a court of competent jurisdiction. An ecclesiastical officer may be removed at any time by action of the Presbytery, subject to any action required by the Presbytery under the *Constitution*.

**CHAPTER V: ORGANIZATION OF PRESBYTERY**

Section 1 The Presbytery, through the Council, is responsible for the government of the church throughout its district, and for assisting and supporting the witness of congregations to the sovereign activity of God in the world, so that all congregations become communities of faith, hope, love and witness (G-3.0301).

Section 2 The Council of Presbytery exists to help congregations and the church as a whole to be more faithful participants in the mission of Christ (G-3.01). Membership of the Council shall include a Moderator, four (4) Teaching Elders and four (4) Ruling Elders as elected by the Presbytery.

Section 3 Committees and commissions may be formed as deemed necessary and helpful for the accomplishment of the mission of the church. In appointing such committees and commissions, councils shall be mindful of the principles of unity in diversity consistent with provisions of the Constitution (G-.0109; F-1.0403, G-3.0109).

Section 4 A council may designate two types of commissions: judicial (D-5.000) and administrative (G-3.0109b).

Section 5 The Nominating team shall provide a process for nominating persons to serve in positions requiring election. The process shall ensure that nominations are broadly representative of the constituency of the Presbytery, and in conformity with the church's commitment to unity in diversity (F-1.0403; G-3.011). The presbytery shall provide a means of fulfilling the responsibilities of a Committee on Representation G-3.0103.

Section 6 The Council, as necessary, may act on behalf of the Presbytery between stated meetings and shall report such actions at next stated meeting.

**CHAPTER VI: FINANCIAL**

Section 1 The corporation shall indemnify each council member, officer, employee and volunteer of the corporation while they are serving in that capacity and, after they no longer serve in that capacity, to the fullest extent permissible under the laws of the State of Ohio. The Corporation may, in its discretion, purchase insurance insuring its obligations hereunder or otherwise protecting the persons intended to be protected by this section. The corporation shall pay for or reimburse reasonable expenses incurred by any person identified above who is a party to any proceeding in advance of final disposition of the proceeding to the extent permitted under the laws of the State of Ohio.

**CHAPTER VII: CONFLICT OF INTEREST**

Section 1 Whenever an officer or member of staff has a financial or personal interest in any matter coming before the Council or the Presbytery, the affected person shall a) fully disclose the nature of the interest, and b) withdraw from discussion, lobbying, and voting on the matter. Any vote involving a potential conflict of interest shall be approved only when a majority of disinterested members or commissioners

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determines that it is in the best interest of the Council or the Presbytery to do so. The minutes of meetings at which such votes are taken shall record such disclosure, abstention and rationale for approval.

**CHAPTER VIII: AMENDMENTS**

Section 1 All proposed amendments to the *Bylaws* of the Presbytery shall be presented in writing to the Presbytery no fewer than ten days in advance of the meeting at which the vote will be taken. A two-thirds majority of the members present and voting at the meeting shall be required to approve the proposed amendment(s).