

Diocese of Madison  
Our Lady of the Lake FINANCE Council  
Constitution & Bylaws

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**Article I. NAME**

Section I.1 The name of this organization shall be Our Lady of the Lake Finance Council, hereinafter referred to in this document as the "Council."

**Article II. PURPOSE**

Section II.1 The Council is both a representative and consultative body with the primary purpose of assisting the pastor in the administration of the parish's temporal goods, including financial resources, buildings, and grounds (c.f. Canons 537).

Section II.2 All Council members, sharing the pastoral responsibility given them at baptism, should work together in cooperation with the pastor to determine what is best for the financial life of the parish in support of the mission needs and pastoral activity of parishioners, the diocese, and the broader community and world (c.f. Canons 528, 529).

**Article III. SCOPE**

Section III.1 The primary responsibility of the Council is to directly assist the pastor for parish financial administration, with the specific mandate to assist the pastor in the administration of parish goods. The Council accomplishes this by providing financial, civil law, and business advice and consultation to the pastor. The pastor, and through him the pastoral council, looks to the Council for the advice, financial resources, and administration needed to implement the parish's vision and pastoral activities as developed by the pastor and pastoral council. The Council is the policy oversight body in all financial matters of parish life, including but not limited to spiritual, educational, and social concerns, except to the extent limited by faith and morals, church or civil law, diocesan policy/norms or individual parish finances (c.f. Canon 492).

The responsibilities of the Council in cooperation with the pastor and staff include:

- (a) Assisting in the formation, implementation, review, and monitoring of parish financial policies and internal controls concerning parish resources (financial resources and assets as well as real property) in cooperation with the pastor and in conformity with the Church's teachings in faith and morals, with civil and church law, and with diocesan policy.

- (b) Assist the pastor and appropriate staff in the development, preparation, and monitoring of the parish, annual operating and capital budgets in accord with the priorities and directives established by the pastor and pastoral council and in accordance with diocesan policy.
- (c) Assist the pastor and staff in the continuous process of long range (five year) financial planning and developing the human and financial resources needed for the parish to meet its goals and priorities, including the financing of necessary repairs, renovations and purchase of equipment and the planning for systematic payment of parish debt.
- (d) Assist the pastor and other parish organizations with: coordination of all fundraising programs and activities; regularly examine parish organizations financial reports; ensure that parish organizations follow proper policy and procedures, keep satisfactory records, and file all reports on a timely basis.
- (e) Assist the pastor in evaluating financial programs and processes, including those meant to safeguard the physical assets of the parish; examining bank reconciliations relative to contribution / income records; advising the pastor on administrative decisions affecting the financial stability and viability of the parish.
- (f) Assist the pastor and staff in the preparation and publication of the parish annual and interim reports, both to the Diocese and to parishioners in accordance with diocesan policy and civil regulations. These reports will reflect a reasonably accurate and complete summarization of annual operations (revenues and expenditures), of cash and savings balances (including all parish bank and investment accounts), of indebtedness and capital activities.

Section III.2 For the fulfillment of their duties the Council must have access to such records and documents relating to the financial status of the parish, its organizations and its activities, always respecting the confidential nature of the records, including bank accounts, investments, endowments, bequests, other funds held by the parish, all indebtedness, payment schedules, diocesan obligations and assessments, audit reports, parish salaries, income and expenditures, diocesan policies and regulations, other council and commission goals and objectives, as well as being informed with the general condition of the parish property.

Section III.3 A Parish organization, i.e. any organization that uses the parish Federal Tax Identification Number, uses the parish name, or raises funds in the name of the parish, is subject to the ultimate fiscal control of the pastor. Parish organizations are to submit a record of receipts and expenditures to the pastor who makes these records available to the finance council.

#### **Article IV. MEMBERSHIP**

Section IV.1 The Council shall be comprised of appointed, *ex officio*, and non-voting members.

Section IV.2 There shall be: not less five (5) appointed members, all of whom must be fully initiated, practicing Catholics – participants in the parish worship life, especially Mass and the sacraments, – at least 18 years old, registered members of their parish, who are reputable, knowledgeable and skilled in financial, insurance, law, building construction, and maintenance matters; known for their prudent judgment; understanding of church operations; sensitivity to spiritual and pastoral issues, and abreast of church developments.

Section IV.3 The term for appointed members shall be three years and shall be limited to two consecutive terms. The new members shall begin their terms with the conclusion of the annual transition meeting. The term of membership should allow for half of the membership to serve a term beginning on a staggered basis.

Section IV.4 July 1 will be the suggested date for new terms to begin since the parish fiscal year begins on that date. The annual transition meeting is defined in Article VIII, 3.

Section IV.5 The Council shall have three *ex officio* members who serve by nature of their office: the pastor and the two lay trustees from each parish. *Ex officio* members participate fully and equally in all Council decisions, including bringing motions and voting.

Section IV.6 At the discretion of the pastor, one representative from the building / maintenance committees, may serve as non-voting members of the Council.

Section IV.7 Persons related by blood or marriage to the pastor or to the parochial vicars assigned to the parish may not serve on the Council.

Section IV.8 Dual membership in the Council and the pastoral council or other committees / boards in the parish are highly discouraged to avoid a conflict of interest situation. Persistent conflict of interest will require resignation from one or more councils, committees, or boards.

Section IV.9 The parish business manager, bookkeeper or other designated person may serve as staff persons to the Council, shall not be a member, and their attendance at meetings may be required.

## **Article V. SELECTION AND APPOINTMENT OF NEW MEMBERS**

Section V.1 Membership shall be by appointment letter of the pastor, reminding them of their duty to follow and foster the common discipline of the whole Church and to observe all ecclesiastical laws, especially those which are contained in the Code of Canon Law. The pastor may consult with the pastoral council in making his selection to the Council. Since the end of the Diocesan fiscal year is June 30, it is highly recommended that pastors schedule annual selection of new members in April or May, with new council members taking office by July 1.

Section V.2 The names and addresses of the members of the Council are to be communicated in writing to the Diocese at the time of their appointment and when submitting the parish annual statistical report.

Section V.3 The names of the members of the Council are to be communicated annually to all parishioners, i.e. published in the parish bulletin with the annual report.

## **Article VI. VACANCIES AND REMOVALS**

Section VI.1 The pastor, at his discretion, can dismiss any appointed member of the Council as the member serves to provide consultation to the pastor alone.

Section VI.2 Any member of the Council may resign by filing a written resignation with the pastor, with a copy to the chairperson.

Section VI.3 The pastor, if any member of the Council resigns, dies or is removed from office, may appoint another member to complete the unexpired term. However, if upon the vacancy, the appointed membership falls below three members, the pastor must appoint a member to complete the unexpired term. The pastor may consult with the Council as part of his selection process.

Section VI.4 As the Council cannot act without a pastor / administrator, at the vacancy of the office of pastor / administrator, the Council ceases to meet and act. The new pastor / administrator shall appoint a new Council or confirm the previous Council by appointment within **one month** of taking possession of the parish.

## **Article VII. OFFICERS**

Section VII.1 The officers of the Council shall be a chairperson, a vice-chairperson and a secretary. They shall be appointed by the pastor and from the Council at the annual transition meeting. They shall serve for a one-year term beginning with the conclusion of the transition meeting. *Ex officio* members of the Council are ineligible to serve as Council officers or committee chairpersons. Refer to Article IV Section 4.

Section VII.2 No Council officer may serve more than three consecutive 1 year terms in any one office.

Section VII.3 The chairperson:

- (a) Is aware of the tasks and responsibilities of the Council and communicates these to the Council, commissions/committees and parish community.
- (b) Organizes/coordinates activities and processes of the Council. Develops and maintains an annual Council calendar consistent with the parish calendar.
- (c) Prepares the meeting agendas in consultation with the pastor before the meeting. Submits the agenda to Council members at least 3 days before the meeting.
- (d) Provides formation/education for Council members, utilizing the parish staff and offerings at the Diocesan levels.

- (e) Assures the smooth and timely flow of Council meetings by assisting the Council members to work together effectively and arrive at appropriate decisions through consensus.
- (f) Assists pastor in coordinating work of the Council and in implementing those proposals of the Council that have been accepted and ratified by the pastor.
- (g) Ensures that a budget is established and communicates budget information to the Finance Council.
- (h) Assists the next chairperson in understanding the Council's history, responsibilities and resources. Transfers all Council materials to the new chairperson.
- (i) Performs duties consistent with the office, as the pastor may direct or delegate, including the chairing and conducting the regular meetings of the Council.
- (j) Represents the council at any special designated diocesan meetings.
- (k) The chairperson must be skilled at leading and facilitating meetings in such a way that all members are heard and allowed to give their input. The chairperson is also responsible for maintaining order and attention at council meetings, and makes sure time is spent in prayer. The positions of chair and vice-chairperson are time-consuming.

Section VII.4 The vice-chairperson:

- (a) Conducts meetings in the absence of the chairperson.
- (b) Becomes chairperson in the event of vacancy.
- (c) Performs duties consistent with the office as the chairperson, the Council, or the pastor may direct.
- (d) The vice-chairperson can serve the parish in other capacities, especially in any areas of collaboration.

Section VII.5 The secretary:

- (a) Oversees the accurate recording of the minutes of each meeting and sees to it that the minutes and the agenda are made available to the Council members, committee chairpersons, and the parish. Provides a condensed report of the meeting for publication in the parish website.
- (b) Takes attendance at meetings and records absences.

- (c) Maintains the official list of all Council and standing committee officers and members and their terms, the list of all ad hoc committee chairpersons and members and keeps these lists current with regard to addresses, email and phone numbers.
- (d) Works with the parish web administrator to keep the Diocesan registry current. Completes the Diocesan registry form following each annual selection and keeps this list current by informing the Diocese of all changes. The Diocesan parish council registry form is up-dated whenever a change in membership on council occurs. This is done online through the Diocesan Extranet.
- (e) Reports to the Council all communication. Handles correspondence for the Council, including agendas, minutes, notification of regular and special meetings, notes of thanks, expenses, etc.
- (f) Performs such duties consistent with the office as the chairperson, the Council, or pastor may direct.
- (g) The pastor may designate a non-member (usually a staff member) as “recorder” of the minutes and often entrust the execution of many of the secretary tasks. However, the responsibility rests with the council’s secretary. The “recorder” has no rights of membership. Also, the use of an electronic recording device may be used with the consent of those present.

### **Article VIII. MEETINGS**

Section VIII.1 Regular Council meetings shall be held at least quarterly. At such time, place and date as the Council may designate. All members are expected to attend all meetings. Notification of intended absence should be given to the Council Chairperson, Vice-Chairperson or Secretary before the meeting. Urgent business can be handled by email or phone as necessary. The minutes of the meetings are to be kept on file at the parish office.

Section VIII.2 A quorum consists of two-thirds of the total membership including the pastor.

Section VIII.3 A transition meeting shall be held at the next Council meeting after the annual appointment of new Council members where the newly selected members join the existing Council and any departing members leave the Council.

Section VIII.4 Advance notice of the time and place of the meetings of the Council shall be published in the parish bulletin, and all members of the parish shall be entitled and welcome to attend as observers. The Council may open any meeting to discussion by parish members on such subjects and under such rules as the Council may announce.

Section VIII.5 Parishioners may submit items for consideration to the pastor and/or chairperson at least one week before the meeting, unless waived. They will be invited by the pastor or

chairperson with the pastor's approval to a council meeting if their issue is considered and their presence is appropriate.

Section VIII.6 The agenda shall be developed in advance of the meeting based upon the proposals from committees, liaison reports, the parish council annual calendar, strategic/mission goals, ongoing needs and concerns of the parish. The agenda, minutes from the previous meeting, and materials are to be sent out to all members enough in advance to allow for review and consideration (email is acceptable).

Section VIII.7 Special Meetings may be called by the chairperson, pastor or a quorum. Notice of special meetings should be given to all members within one week before the meeting, stating its time, place and purpose, though it is understood that this is not always possible. No other business than that stated as the purpose shall be conducted at that meeting; there shall be no meeting without the pastor.

Section VIII.8 While Council meetings are normally open to parishioners, the pastor reserves the right to close the meeting to visitors. When a question arises at a council meeting that relates to a person's right to privacy, the council may request the absence of visitors for that portion of the meeting. The content of the closed session is confidential, not part of the formal minutes of the meeting nor necessarily made public.

## **Article IX. RELATIONSHIP OF PASTOR TO COUNCIL**

Section IX.1 The pastor is ultimately responsible for the realities of the parish. Canon law requires each parish to have a finance council and to utilize its expertise on temporal matters.

Section IX.2 The pastor:

- (a) Makes certain that the scope of the Council's concerns reflects the entire mission of the Church.
- (b) Fosters consultation by welcoming the counsel of all members.
- (c) Helping the council members become a community of faith and build an atmosphere of openness and trust among them.
- (d) Assists in the formulation of the Council agenda.
- (e) Regularly provides information and updates at meetings regarding the financial status of the parish.
- (f) Maintains the necessary communication between the Council, committees, staff, parish organizations, and parishioners.
- (g) Makes certain that Council members have adequate training and that materials are made available.

- (h) Ensures Council education and parish compliance with Canon 1262 – Fund Raising.

Section IX.3 Before requesting permission from the Bishop to build or borrow money, the pastor will consult with the Council. The consensus of the Council shall be represented in the request for permission. The pastor will ensure that Diocesan building policy will be followed in all activities related to the permission. The pastor will ensure that Canon 1262 – Fund Raising is followed in all activities related to the permission.

Section IX.4 The responsibilities and duties of the Council notwithstanding, the pastor represents the parish in all juristic affairs and is ultimately responsible for all legal, business, and administrative matters of the parish (c.f. Canon 538). The pastor alone makes the final decisions on Council matters and is responsible for their implementation. In those cases, where diocesan statutes require the pastor to consult with the Council, the approval or disapproval of the Council will not prevent the pastor from proceeding with the proposed act.

Section IX.5 The pastor is accountable to the Diocesan Bishop for the parish and in this sense is responsible for the spiritual life of each parishioner; Council members must be open to reconsideration of a decision in light of the pastor's responsibility to uphold Church teaching, discipline, and diocesan norms. If a mutually satisfactory agreement cannot be reached in a serious matter, the pastor or the Council may refer the matter to the Conciliation and Arbitration Board of the Diocese.

## **Article X. MANNER OF OPERATION**

The Council shall make recommendations to the pastor through a process of communal discernment which leads to consensus, if at all possible. The discernment process includes prayerful reflection on the matter, gathering of information, group dialogue and sharing of conclusions. The preferred final step in reaching a shared conclusion shall be consensus.

## **Article XI. COMMITTEES**

Section XI.1 Creation of Committees: The pastor and chairperson may call for the creation of committees of the Parish Finance Council to advise on specific areas, for example, a Budget Committee, an Investment Committee, an Audit Committee, or a Strategic Planning Committee.

- (a) Each committee implements the Council's priorities, goals, policies, and programs in its own areas of responsibility in the collaborative spirit of working together to accomplish the parishes' stated missions through the management of parish resources and properties. All committee work leads to building a faith community, proclaiming the Word of God, calling people to prayer and motivating people to serve others.

Section XI.2 Scope:

- (a) All committees are accountable to the Council. Committees make decisions in their areas of responsibility and are the working bodies of the Council. Committees make recommendations consistent with the overall parish mission, the Council constitution and



bylaws, the parish corporations, the statues, policies, and regulations of the diocese, and the laws of the state. Responsibilities that are properly the work of a committees are not to be transferred to staff or volunteers.

#### Section XI.3 Functions:

The basic functions of each committee are to:

- (a) Identify needs of the parish within its areas of responsibility.
- (b) Establish priorities among the needs and communicate how these needs can realistically be addressed and where inter-committee collaboration might be effective.
- (c) Formulate long-range and short-term goals and objectives.
- (d) Research and investigate options to implement goals.
- (e) Submit the proposed programs to the Council for support.
- (f) Communicate with the pastor and pastoral staff about the implementation.
- (g) Maintain communication with the parish concerning programs, encouraging active support and involvement.
- (h) Maintain communication with the respective Diocesan offices and agencies for guidelines and resources.
- (i) Provide on-going formation of committee members in its areas of responsibility through workshops, study, spiritual formation, etc.
- (j) Determine budget priorities in the area of the committee's responsibility and make recommendations to the Council through the Finance Council processes.
- (k) Periodically evaluate existing programs and activities.
- (l) Provide the council with regular, oral or written reports of the work of their committees.

Section XI.4 The parishes shall have, as appropriate, the following Common Standing Committees accountable to the Council:

#### (a) Building and Grounds / Maintenance Committee:

This committee together with the pastor oversees the property for maintenance, renovation and improvement of all parish facilities. The committee is composed of parishioners who wish to assist the Pastor with the oversight of the physical plant and land that are the responsibility of the Catholic Community. The committee is to advise and lend expertise regarding the upkeep and maintenance of the buildings and grounds. This includes assessing needs, determining project designs, identifying resource requirements, implementing safety practices, plant inspections and recommending priorities and long-range facility plans to the Council.

#### (b) Investment Committee:

This committee is responsible for making recommendations to the Council as to investment policy, investments and is the liaison to the Investment Advisor. It shall consist of up to five members: the Financial Secretary, one Trustee, two Finance Council members and one other member of the parish is optional.

Section XI.5 Each parish and / or cluster of parishes shall have a separate Pastoral Council accountable to the pastor. A Finance Council is a stand alone council and not a sub-committee of the pastoral council.

**Article XII. AMENDMENTS TO THE CONSTITUTION AND BY-LAWS**

This constitution and bylaws may be amended at any time as the Diocesan bishop or pastor shall from time to time decide are necessary for the proper functioning of the parishes of the diocese, within the norms of law.

Pastor of the Parish

Father John Silva

Date of Approval by the Finance Council

May 25<sup>th</sup>, 2022