



## PARISH OF THE PRECIOUS BLOOD

### CONSTITUTION AND BY-LAWS OF THE FINANCE COUNCIL

**MISSION:** As overseers our mission is to provide advice and counsel to the pastor, assisting him in the sound financial operation of the parish. We seek to promote and maintain fiscal responsibility in the administration of our parish and its many ministries. It is through communication, collaboration and cooperation, amongst our parish community and ministry leaders, that we can be righteous stewards of God's great gifts.

#### ARTICLE I - ORGANIZATION

Section 1. **Name:** This organization will be known as ***The Finance Council for the Parish of the Precious Blood***. Henceforth in this document, the name "council" shall be synonymous with the above-referred entity.

Section 2. **Purpose:** In accordance with Canon 537 of the code of Canon Law, the Parish Finance Council is a mandated body having an advisory and consultative role with the pastor. It shall be the responsibility of the council to "aid the pastor in the administration of parish goods with due regard for the prescription of Canon 532." (Appendix A – Canon References)

Section 3. **Consultative Body:** The council works closely with the pastor, whom according to Canon Law has the responsibility for parish financial and temporal management. The council as a consultative body will assist the pastor in meeting these obligations. While the council does not have absolute decision-making authority, consultation is at the heart of the decision-making process.

#### ARTICLE II - RESPONSIBILITIES

Section 1. **Primary Responsibilities:** To provide oversight of the financial management of the parish. The major responsibilities include input to and review of the parish annual operating plan and periodic financial statement reviews to ensure adherence to its annual plan, and a review of internal controls and procedures, along with future planning for the temporal needs of the parish.

Section 2. **Areas of Consultation:** The advice of the council should be sought for all acts of extraordinary administration. The council will be informed on a monthly basis on acts of ordinary administration so that potential strategies can be discussed to reduce or eliminate recurring expenses.

Section 3. **Acts of Ordinary Administration:** For day-to-day administration, the pastor does not need to consult with the council but can find it helpful to seek their advice on some matters.

Section 4. **Acts of Extraordinary Administration:** In cases of extraordinary administration, such as expenditures that exceed the amount of twenty-five hundred dollars (\$2,500.00) and involve a contract, the acquisition or sale of parish property, and entering into a lease, the pastor must consult with the council.

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Section 5. **Relations with Other Groups:** The council seeks to provide unity, direction and stability for the parish through ongoing communications and regular reporting to the Parish Community, Pastoral Council and the Diocese. The Finance Council is distinct from the Pastoral Council which fulfills a different role of pastoral administration. Communication between the two councils is essential to share information regarding parish finances in order to implement the pastoral plans and priorities. The collaborative goal for the parish councils will be to meet as a combined group on a semi-annual basis to facilitate an understanding and cohesive working environment for parish administration. The two councils may also use support staff such as the Parish Business Coordinator and the Pastoral Life Coordinator as liaisons for communications.

### **ARTICLE III - OBJECTIVES**

- Become familiar with and recommend steps to comply with the policies and procedures contained in the Diocesan Internal Controls Questionnaire.
- Develop and monitor the performance of the annual operating budget.
- Consistently review income statements and fund balances.
- Review of investment policies of the parish for sustained growth.
- Review any indebtedness of the parish and assist in planning debt reduction and payment.
- Study parish revenues and make recommendations for increasing revenue to meet parish and Diocesan goals and priorities.
- Educate parishioners regarding the financial priorities and needs of the parish.
- Encourage greater financial responsibility for parish and Diocesan Stewardship programs.
- Consult on the construction, renovation and upkeep of parish facilities, the sale or purchasing of parish property and any lease agreements.
- Discuss and evaluate strategies to control and reduce the cost of recurring purchases.
- Establish required committees to ensure proper administration and control of liquid and physical assets.
- Review fundraising activities for acquisition of required licenses, support documentation for tax filings, and actual tax filings.
- Meet all annual reporting needs for the parish to parishioners and the Diocesan Bishop as required.
- Provide advice on how to use undesignated bequests or any other unbudgeted revenue.
- Assure the necessary material resources, can be provided that will enable the parish to carry out its pastoral mission.

### **ARTICLE IV - STRUCTURE**

The Parish Finance Council is about the life of a community of faith and, as such, its members should be of that community of faith. As in other matters, the pastor may use his discretion in the selection of qualified members from the parish community.

Section 1. **Membership:** The membership of the council is to consist of no less than seven (7) primary members comprised of parishioners from different worship sites within the parish, the pastor and any other person that the pastor may appoint at his discretion. The Parish Business Coordinator and Pastoral Life Coordinator will act as staff-only to the council. All members shall acknowledge and comply with the **Code of Conduct and Confidentiality for Finance Council Members.** (Appendix B)

Section 2. **Recommendation for Membership:** Recommendations for membership in the council will be made to the pastor. Recommendations can be made by serving council members and by each local worship site governance body for further consideration of appointment to the council.

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Section 3. **Number and Terms of Office:** The size of the council is to be reflective of the size of the parish. Members of the council are appointed for a three (3) year term with the option for a second term of three (3) years. Members may not serve more than two (2) consecutive terms. Terms should be staggered so that one-third of the members' terms end each year. Such members shall serve until their end of term, removal, resignation or death. Terms of office will commence on October 1<sup>st</sup> in order to provide continuity in the review of annual fiscal year ending (June 30<sup>th</sup>) financial reports for the prior fiscal year.

Section 4. **Vacancies & Removals:** In the event of a vacancy before the expiration of a term, the pastor shall appoint a replacement to serve the remainder of the unexpired term. This person will be eligible for reappointment to another full term. This vacancy shall be filled within two (2) months of the vacancy occurring. A member may be removed by the pastor for a serious reason, for not adhering to the **Code of Conduct and Confidentiality for Finance Council Members**, or by written request from the member.

Section 5. **Ex-Officio Members:** In addition to the pastor, the Parish Business Coordinator, Pastoral Life Coordinator and such, other persons that may contribute special expertise or qualifications required by the council may be appointed as ex-officio, non-voting members to the council.

Section 6. **Parish Staff:** Paid staff of the parish cannot be members of the council and generally do not attend unless invited for their particular expertise. Immediate family members of paid staff are not eligible for council membership.

Section 7. **Executive-Committee:** A standing sub-committee, consisting of the pastor, chairperson, vice-chairperson, Parish Business Coordinator and secretary, henceforth be known as the Executive Committee, shall exist to prepare the agenda for the meetings and monitor the by-laws for changes. Other standing sub-committees may be appointed at the discretion of the Executive Committee.

Section 8. **Sub-Committees:** The council, by resolution adopted by a majority of the council members, may designate one or more other sub-committees, each of which, to the extent provided in such resolution, may exercise the business of the council except as otherwise be provided by diocesan or canon law. Chairpersons for these sub-committees should be a regular member of the council.

## **ARTICLE V – EXPECTATIONS**

- Council members are expected to attend all scheduled meetings. With prior notification and for valid reasons, the chair may excuse members. Three (3) unexcused absences from scheduled meetings within a 12-month period are grounds for removal of the member from the Council. The vacancy shall be filled by the pastor, according to Article IV, Section 4.
- Council members are expected to prepare thoroughly for each meeting by reading and reacting to supporting documents, as provided.
- Council members are expected to work in a collaborative fashion with each other, the Parish Pastoral Council, parish ministries and staff.
- Council members are expected to express views and opinions or concerns openly and constructively.
- Council members are expected to apply consistently and evenhandedly the policies and procedures established by diocesan and local authority.

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## **ARTICLE VI - CONFLICTS OF INTEREST / PRECLUSION OF MEMBERSHIP**

Council members owe the parish a duty of loyalty. The duty of loyalty requires council members to act in the interest of the parish rather than in the personal interest of the member or some other person or organization.

- The duty of loyalty requires all council members to avoid conflicts of interest that are detrimental to the parish well-being.
- Any person who may have a conflict of interest in view of other services, either paid or unpaid, rendered to the parish by the council member, the member's family or the member's business is ineligible to serve as a member of the council.
- On an annual basis the council members are asked to disclose through the **Code of Conduct and Confidentiality for Finance Council Members** (Appendix B) any known financial interest that the member or member's family has in any business entity that transacts business with the parish.
- Members of the council may serve in other volunteer service roles in the parish such as other councils and committees if, in the judgment of the pastor, such dual service will not create a conflict of interest situation. The role of the council member should not be deminished.
- It is recommended that no member should serve on the council at the same time as a closely related person (e.g. husband and wife, mother and son, parent and sibling, etc...)
- No parish paid employee or member of the family of an employee or relative to the pastor may serve on the council. Paid staff may only assist the council in a supportive non-voting capacity.

## **ARTICLE VII - MEETINGS**

Section 1. **Business Year:** The business year shall be conducted to coincide with the Diocesan fiscal year. The fiscal year is based on a calendar year from July 1<sup>st</sup> to June 30<sup>th</sup> of the next calendar year.

Section 2. **Annual Meeting:** Annual meeting of the council will be held in place of the regular meeting in August of the new fiscal year at a date and time to be agreed upon by the council at the prior meeting. Business will consist of Approval of Annual Parish Report, completion of all required annual documentation for Diocesan compliance and election of new officers for the coming fiscal year.

Section 3. **Regular Meetings:** Regular meetings of the council will be held monthly at a date and time to be agreed upon by the council at the prior meeting. The council is not to meet in the absence of the pastor.

Section 4. **Special Meetings:** Special meetings of the council may be called by the pastor, chairperson, or any of the council members, of which two thirds of the members must request such a meeting. Written notice stating the place, day and hour of any meeting of the council, and in the case of these special meetings, the purpose for which any such meeting is called. Notification of this meeting shall be made to each council member at such an address as appears upon the records of the council and at least two (2) days before the date of such said meeting.

Section 5. **Work Sessions:** Work sessions may be scheduled by the pastor in addition to the regular meetings as needed. When designated as a work session this meeting may take place in the absence of the pastor.

Section 6. **Voting Rights:** Each council member will have one (1) vote. If a primary member is absent, the recognized alternate will be given the power of vote for that meeting only. Ex-officio members do not have voting authority on the council.

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Section 7. **Quorum:** If four (4) of the seven (7) primary members are in attendance, this shall constitute a quorum. A quorum shall be necessary for a vote to be taken by the council on matters not resolved by consensus.

Section 8. **Decision Making Process:** Council recommendations should be formed on the basis of discernment. The council should be engaged in a discernment process and strive to reach a consensus. Consensus does not mean unanimity of agreement, but rather substantial commitment to a particular direction. Complex matters, that are critical to the life of the parish, are best resolved by the council working to achieve a consensus. Not all issues that come before the council warrant drawn out discernment or consensus process. For noncritical matters the consultative role of the council can be resolved by a simple vote.

## **ARTICLE VIII - OFFICES**

Section 1. **Offices:** The officers of the council shall consist of a chairperson, vice chairperson and secretary and such assistant officers as the council members may designate. The chairperson shall be chosen from among the council members.

Section 2. **Terms of Office:** Officers of the council shall be elected annually by the other council members at its annual meeting and shall hold office for the term of one (1) year or until his/her successor shall be duly elected and qualified.

Section 3. **Vacancies:** Whenever any vacancies shall occur in any of the offices of the council for any reason, the same may be filled by other council members at any meeting thereof. Any officer so elected and approved by the pastor shall hold office until the next annual meeting of the council and until his/her successor shall be duly elected and qualified.

Section 4. **Removal:** Any officer of the council may be removed, with or without cause, by the other members of the council whenever a majority of such members shall vote in favor of removal. A removal must be initiated by the Executive Committee. A removal must be approved by the pastor.

## **ARTICLE IX - DUTIES**

Section 1. **Pastor:** The pastor is an ex-officio, non-voting member of the council. He may assist the council in developing a consensus around a particular issue by common elements or areas of agreement that seem present in the council's discussion. **The pastor, as minister of governance in the parish in accordance with Canon 532, is the final approval authority on any recommended course of action.**

Section 2. **Chairperson:** Subject to general control of the council members, the chairperson shall manage all the affairs and personnel of the council and shall discharge all the usual functions of the office so long as they are not in violation of any archdiocesan or canon law. Canons 1281-1288 (Appendix A – Canon References) outline the duties and obligations of an administrator to care for the goods of the church. He or she will preside at all the meetings of the council and shall have other powers and duties as these articles or the other council members may prescribe. He or she shall represent or assure liaison is maintained with other councils and specified committees of the parish.

Section 3. **Vice - Chairperson:** The vice-chairpersons, in the order designated by the council, shall have all the powers of and perform all the duties incumbent upon the chairperson during his or her absence or disability and shall have such other powers and duties as these Articles or other members of the council may prescribe.

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Section 4. **Secretary / Recorder:** The secretary shall record and maintain minutes of all regular and special meetings for the year. He or she shall present the minutes and other material as required to the pastor and other council members for review and approval at the meetings. The secretary shall maintain all records for each fiscal year and shall deposit said records at year's end to the church administrative office no later than July 31<sup>st</sup> of the fiscal year. In the event of the absence or the disability of the secretary, a recorder will be appointed by the council. The recorder will be responsible for recording and maintaining minutes at the meeting and attest the execution of all documents of the council until the secretary returns from his or her absence.

Section 5. **Assistant Officers:** The council may, from time to time, designate and elect any other officers who shall have such powers and duties as the officers whom they are elected to assist. The council shall specify and delegate to them their specific responsibility and such powers and duties as these Articles or the council may prescribe.

## **ARTICLE X – MEETING PROTOCOLS**

Section 1. **Meeting Minutes:** In striving for openness, transparency and accountability in its practices, the council will record meeting minutes summarizing the items discussed and the decisions reached. Minutes should be recorded by council secretary.

Section 2. **Scheduled Meetings:** Meeting times and dates should be predictable to ensure consistent attendance. Scheduled meetings should occur no less than quarterly, more frequently is preferable. Sub-committee meetings should not coincide with regular council meetings.

Section 3. **Meeting Agendas:** Meeting agendas should be prepared in advance of the meeting by consultation between the pastor and the council chairperson. The agenda should list the major items for discussion. Supplying the agenda information in advance to members will lead to more productive meetings.

Section 4. **Record Retention:** The council should retain meeting minutes, agendas, handouts, reports and materials reviewed during the meeting for future reference by either internal or external parties. These records of meeting should be archived as part of the permanent parish record.

Section 5. **Confidentiality:** Parish Finance Council meetings are typically not open to the parish community. Members should maintain confidentiality on those matters designated as confidential as prescribed in the **Code of Conduct and Confidentiality for Finance Council Members**. (Appendix B) Materials designated as confidential should not be disclosed to others. Reports to the community will be shared once decisions are finalized and in an acceptable format. The council should advise the pastor on the best way to keep the parish informed and involved in key issues and decisions facing the parish.

## **ARTICLE XI – SUBCOMMITTEES**

Depending on the size, resources, obligations and needs of the parish, the Finance Council may coordinate the work by establishing sub-committees. The following sub-committees are recommended for the **Parish of the Precious Blood**.

Section 1. **Sub-Committee Structure:** The sub-committee structure will be consistent with the council structure as designated in Article IV of this document. The Chairperson of the sub-committee should be a regular member of the council and report committee activities to the council on a regular basis.

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The following committees are recommended, (1) Budgeting and Funding, (2) Building and Grounds, (3) Cemetery Oversight, and (4) Ad-Hoc Committees, as needs arise for special activities and venues within the parish.

Section 2. **Ad-Hoc Committees:** Ad hoc committees of the Council will be appointed by the Executive Committee as needs arise. Ad hoc committees will elect a chairperson. The life of the committee will be determined by the matter under consideration and the committee will be disbanded when the purpose has been served. The number of members will be determined by the Executive Committee.

Section 3. **Sub-Committee Objectives:**

**1. Budgeting and Funding Sub-Committee Objectives are;**

- **Budgeting objectives:** (1) To assist the pastor in the preparation, presentation and review of an annual budget for both operating and capital expenditures based upon the goals and objectives determined by the Parish Pastoral Council. (2) To periodically review income and expenditures and make recommendations to ensure that expenses are within set limits and make cost-cutting recommendations when needed.
- **Funding objective:** (1) To monitor parish contributions trends, study parish revenue and make recommendations to the Parish Pastoral Council for maintaining and increasing revenues in order to meet parish objectives and priorities. (2) To educate parishioners about stewardship and the need for parish involvement and support. (3) To work with all parish councils and committees to provide long-range financial planning for both pastoral and physical needs of the parish.

**2. Building and Grounds Sub-Committee Objectives are;**

- To advise the pastor regarding the results of parish facilities' inspections done by either internal or external sources.
- Make recommendations on repairs or asset replacements based on parish priorities.
- Assist in the development of a five (5) year plan for all physical assets to project future expenses and to plan accordingly.
- Develop and maintain an inventory of all parish assets in accordance with Canon 1283.2 and update annually.
- Review parish risk management and loss prevention reports in order to ensure action is taken as necessary to provide a safe and secure environment for parish community.

**3. Cemetery Oversight Committee Objectives are;**

- To advise the pastor and council regarding the financial and physical management of the cemeteries owned by the parish.
- The sub-committee will oversee the organization and maintenance of all cemeteries within the parish and conduct business in accordance with the established cemetery by-laws.
- To periodically review income and expenditures and make recommendations to ensure that expenses are within set limits, and make cost cutting recommendations when needed.

- 4. Ad-Hoc Committees** shall accept the issues assigned to the committee by the Executive Committee; deal with the items in a responsible and timely manner; and make progress reports on its activities to the Council, as well as a final report.

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## ARTICLE XII - AMENDMENTS

Subject to Diocesan or Canon Law and these Articles, the power to make, alter, amend or repeal all or any part of these Articles is vested in the council members. The affirmative vote of a majority of the council members and the concurrence of the pastor shall be necessary to effect such changes in these Articles.

Section 1. **By-Laws Alteration Proposal:** Notification of intended by-law alteration(s) approval/disapproval voting shall be made available to each council member in the form of (1) the specific meeting date and the voting agenda item; (2) the reason for requiring the alteration(s); and (3) the specific language in the form to be presented for a vote.

Section 2. **By-Laws Alteration Approval:** These by-laws may be altered or amended by an affirmative vote comprising of no less than 4 council members. All efforts will be taken to communicate the change to all primary council members and to have their involvement in any changes. If unable to attend the scheduled meeting date an absentee vote will be recognized by the council.

Section 3. **Absentee Ballots:** Council members, for any parish site, having a vote on the council and unable to attend meetings where a by-law alteration(s) proposal is to be voted on may assign his/her vote to the site alternate or cast an absentee ballot, declare their affirmative or negative vote, sign, seal and arrange delivery to Council Chairperson prior to said meeting.

## ARTICLE XIII -- INSTITUTION

This document has been compiled in accordance with the **Roman Catholic Diocese of Portland Finance Council Policies & Norms** and **Exhibit XIII-I: Parish Financial Governance of the USCCB Committee on Budget and Finance**, along with guidance from the **Canon Law Society of America**.

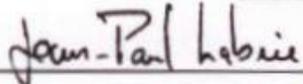
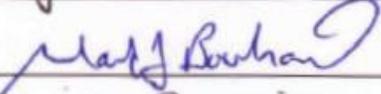
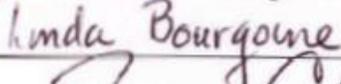
Revised and edited for submission and review to the Parish of the Precious Blood Finance Council

**Date:** 26 February 2013

Accepted and approved as the Constitution and By-Laws of this Council on this day the 26th of February our Lord's year 2013.

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The names and signatures of Executive Committee as witnesses to the acceptance and approval of these By-Laws are as follows;

<u>Name / Title</u>	<u>Signature</u>
Very Reverend Jean-Paul Labrie, Pastor/Administrator	
Mark Bouchard, Council Chairperson	
Linda Bourgoin, Council Vice-Chairperson	
Joanne Cote, Council Secretary	