

ST. FRANCIS OF ASSISI CATHOLIC CHURCH
Frisco, TX

Finance Council Bylaws

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ST. FRANCIS OF ASSISI CATHOLIC CHURCH
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Finance Council Bylaws

Article I – Name

This organization shall be known as St. Francis of Assisi Catholic Church Finance Council, referred to herein as the Council.

Article II – Purpose

The 1983 Code of Canon Law, Canon 537, mandates that every parish is to have a finance council which is regulated by universal law as well as by norms issued by the diocesan bishops; in the council the Christian faithful, selected according to the same norms, aid the pastor in the administration of parish goods with due regard to the prescription of Canon Law.

Article III – Principal Functions and Goals

The principal functions and goals of the Council listed below relate to the effective administration of the Parish financial resources and other temporal goods. With regard to the achievement of the functions and goals set forth below, the mission of the Council is collaborative in nature, meaning that the Council is to work with the pastor or administrator to achieve these functions and goals, but does not have specific consent rights. The members of the Council shall have the right to review such information related to the Parish or Parish-based organizations as is reasonably required to allow them to pursue these functions and goals.

1. Review Parish and Parish-based organizations, endowment and trust fund compliance with Diocesan financial management and accounting system requirements and policies.
2. Review the annual Parish budget and advise the pastor or administrator on approval.
3. Review periodically the revenues and expenses, cash position and cash flow of the Parish to determine that the budget is operative and appropriate.
4. Monitor financial planning and management, including appropriate investments of Parish funds, as well as endowment and trust funds.
5. Review all Parish building programs and renovations.
6. Provide parishioners with periodic and annual reports of the financial state of the Parish, as required by the Diocese.
7. Establish procedures to ensure that all Parish Properties are inspected periodically and remain in proper repair.
8. Recommend the purchase or transfer of property in accordance with Diocesan policy.
9. Support and assist in the Annual Diocesan Appeal whether directly or through a special committee.
10. Conduct or assist in establishing effective means of raising the funds needed to attain the goals of the Parish in carrying out the mission of the Church.

11. Review all fundraising or other income-producing proposals and activities to ensure that these are consistent with the Parish and Diocesan mission and policies and to ensure that all appropriate Diocesan approvals are obtained.
12. Assist the pastor or administrator in the hiring and regular evaluation of the Parish business manager.
13. Review results of annual audits or financial reviews of the Parish financial statements with the independent certified public accountant(s) retained by the Parish.
14. Develop a plan for systematic payment of any Parish debt.
15. Monitor the parish process to meet all requirements of federal and state tax law and maintenance of an accurate record of payment.
16. In conjunction with the Diocesan Business Office, submit to appropriate civil authorities all tax exempt forms as required by law and maintain records of same for all Church-owned properties.
17. Establish appropriate risk management procedures over the assets of the Parish in a manner consistent with the requirements of the Diocesan insurance program.

Article IV – Relationship with Parish Pastoral Council

The purpose of the Pastoral Council is to work with the pastor or administrator to set priorities for the Parish. The Finance Council works with the pastor or administrator to determine how to implement those Parish priorities from a financial perspective.

Article V – Membership and Size

The pastor or administrator shall appoint eight (8) to ten (10) members to the Council, taking into consideration the following Diocesan requirements for membership:

1. The pastor or administrator is the administrative head of the Parish and a voting member (pastor is addition to other appointed members).
2. The business manager or equivalent attends the meetings but is not a voting or ex-officio member.
3. One (1) member of the Pastoral Council who is selected by the members of the Pastoral Council and approved by the pastor administrator is an ex-officio member. The function of this member is to assist the pastor or administrator in communicating with the members of the Finance Council regarding the priorities that have been established by the Pastoral Council. This member is one of the 8 to 10 required voting members.
4. The parochial vicar should attend Council meetings, but is not a member and therefore does not have a vote. However, his input should be considered.
5. Voting members must be parishioners who are reputable and active members of the Parish and in communion with the Church.
6. Voting members must be persons who are knowledgeable about financial management, accounting, general management or administration, banking, investment counseling, insurance or public relations, etc. and who are committed to the work of the Church (as determined by the pastor or administrator in his reasonable discretion).

7. Voting members may not be related to the pastor or administrator, any associate priests assigned to the Parish, or other Parish employees, nor anyone who has previously been employed by the Parish.
8. With the exception of the Pastoral Council ex-officio member, the members of the Finance Council should not be the same as those on the Pastoral Council.

Article VI – Terms of Members

Council members are named by the pastor or administrator after consultation with the Pastoral Council for a three (3) year term. Member terms should be staggered to ensure continuity of expertise. Members may be re-appointed to more than one (1) term, but shall not serve more than six (6) consecutive years. Former Council members who have not served on the Council for two (2) consecutive years may be re-appointed to the Council by the pastor at his discretion.

Article VII – Officers

The pastor or administrator presides over each Council meeting (unless he delegates this duty to the Chairperson) and receives the Council's advice or consent as required. In addition, the Council shall have one Chairperson, a Vice-Chairperson, and a Secretary, carrying the following duties:

1. Chairperson:
 - a. Conduct meetings if delegated to do so by the pastor or administrator.
 - b. Be aware of the tasks and responsibilities of the Council and communicate these to the Council, ministries and parish community.
 - c. Organize/coordinate activities and processes of the Council. Develop and maintain an annual Council calendar consistent with the Parish calendar.
 - d. Prepare meeting agendas in consultation with the pastor or administrator and business manager or equivalent. Submit agenda to Council members at least two (2) days prior to the meeting.
 - e. Assist the Council members to work together effectively and arrive at appropriate decisions.
 - f. Monitor implementation of all Council decisions.
 - g. Establish ad hoc committees and appoint their chairpersons. Assign specific tasks to individuals, delegate responsibilities, and encourage cooperation.
 - h. Assist the next chairperson in understanding the Council's history, responsibilities, and sharing historical resources. Transfer all Council materials to the new chairperson.
2. Vice-Chairperson:
 - a. Conduct meetings in the absence of the pastor or administrator (or chairperson, if delegated by the pastor or administrator).
 - b. Become chairperson in the event of vacancy.
3. Secretary:
 - a. Oversee the accurate recording of the minutes of each meeting and see to it that they are made available to Council members.

- b. Take attendance at meetings and record absences.
- c. Maintain the official list of all Council members, their terms, and their contact information. Maintain a list of all ad hoc committee chairpersons and members.

Article VIII – Elections and Terms of Officers

The Council shall elect officers at the first meeting of the Finance Council held during each calendar year. The officers must also be approved by the pastor. Officers are elected for a term of one (1) year, and may be re-elected but shall not serve in the same seat for more than two (2) consecutive years.

Article IX – Meetings

The Council shall ordinarily meet each month, except during unusual circumstances (at the discretion of the pastor). Notice of the time and place of each meeting, the agenda for the meeting, and appropriate background materials to allow Finance Council members to prepare for the meeting shall be provided in writing by the pastor, chairperson, or other assigned person that the pastor or administrator has delegated to perform this function, to each Council member at least two (2) days prior to the meeting. The meetings shall proceed in an orderly, organized, respectful, businesslike, and fair manner. The pastor or administrator (or chairperson if delegated by the pastor) may set reasonable time limits on speakers, including parishioners and guests, as needed; shall ensure that discussion is germane to the issues; and may remove persons from the meeting if absolutely necessary to preserve order and accomplish the duties of the Council.

Article X – Attendance

The pastor and members are expected to attend all meetings. For the sake of consistency, members having three (3) absences within any twelve (12) month period will be replaced.

Article XI – Non-members

Representatives of staff, Parish ministries, or parishioners should not be regular attendees. They can be invited guests for a specific need or issue that is on the agenda for a particular meeting. Non-members wishing to have a topic added to the agenda should submit items for consideration to the chairperson at least one (1) week prior to the meeting. When a question arises that relates to a person's right to privacy, the Council may request the absence of visitors for that portion of the meeting.

Article XII – Conflict of Interest

Any member of the Council who has a financial, personal, or official interest in, or conflict (or appearance of a conflict) with any matter pending before the Council, of such nature that it prevents or may prevent that member from acting on the matter in an impartial manner, will offer to the Council to voluntarily recuse him/herself and will vacate his seat and refrain from discussion and voting on said item.

Article XIII – Consent, Quorum, and Voting

Certain transactions which are detailed in Article XIV require the pastor or administrator to receive the consent of the Council. The presence of a simple majority (50%) plus one (1) of voting members is required to constitute a quorum of any meeting of the Council when consent is required. When a quorum is present, the approval of a majority of the voting members present is required to give consent to those matters brought to a vote the Council. However, in the event of a vote of the voting members of the Council that ends with a tie after two (2) rounds of voting, the vote of the pastor or administrator shall break the tie.

Article XIV – Ordinary and Extraordinary Administration Requiring Specific Approvals

The following require specific approval by the corresponding group:

1. Parish Approval:
 - a. The council shall approve an operating budget and a capital budget for the succeeding fiscal year at its last regularly scheduled meeting of the current fiscal year. A special meeting may be called to accommodate budget approval if the regularly scheduled meeting does not provide adequate time to accurately complete the budget.
 - b. Any expenditure or project in excess of the greater of \$25,000 or 5% of prior year's ordinary annual revenue that is not reflected in a budget that has been approved by the Council requires (i) specific advance written approval by the pastor or administrator and (ii) the advance written consent of the Parish's Finance Council.
2. Diocesan Approval:
 - a. (i) Any expenditure or group of related expenditures in excess of \$50,000 that is not a recurring operating expenditure reflected in a written budget that has been approved by the pastor or administrator and the Finance Council, or (ii) all sales of real estate or any sale of another asset valued in excess of \$50,000, or (iii) acceptance of a donation of any real estate requires the advance written approval of the Bishop.
 - b. Any capital improvement or repair/renovation project that involves a projected cost in excess of \$50,000 requires review and prior written approval by the Diocesan Building Commission, Finance Council, or Bishop (in addition to the approvals required of the pastor or administrator). If the project involves

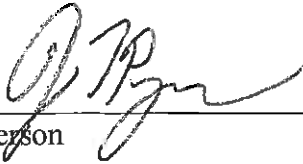
- alterations of worship space, the project also requires the review and approval by the Committee for Sacred Places.
- c. Any financing or refinancing with any lender, whether secured or unsecured, requires the prior written approval of (i) the Bishop and (ii) the Diocesan Committee for Parish Financing through the Diocesan Chief Financial Officer.
 - d. Each fundraising campaign for capital projects, endowment funds, etc. must be approved in advance in writing by the Bishop in accordance with the requirements of the USCCB norms relative to Canon 1262.
 - e. Initiation of litigation or arbitration requires the prior written consent of the Bishop. Any settlement of litigation, arbitration, or other types of adverse claims for an amount that exceeds \$50,000 requires the prior written consent of the Bishop.
3. Extraordinary Administration – in addition to the requirements of 1 and 2 above, the following are to be considered acts of extraordinary administration, the canonical validity of which requires the Diocesan Bishop to obtain the consent of the Diocesan Finance Council and the College of Consultors before he can grant approval:
- a. Initiating a program of financing by the issuance of instruments such as bonds, annuities, mortgages, bank debt or any other form of borrowing in excess of \$750,000.
 - b. Resolving an individual or aggregate claim(s) (whether asserted in litigation, arbitration or otherwise) by financial settlement in excess of \$750,000.
 - c. Engaging in the regular management or operation of a trade or business that is not substantially related to the performance of the religious, spiritual educational or charitable purposes of the Church, even if the purpose of such trade or business is to generate income to support Church activities.
 - d. Entering into any financial transaction or contractual agreement, the terms of which address matters involving an actual or potential conflict of interest for the pastor, parochial vicar, Parish administrators, business manager, or any member of the Council.
 - e. Filing a petition for relief under Title 11 of the United States Code (commonly referred to as the United States Bankruptcy Code).
 - f. Leasing of property owned by the Parish when (i) the market value of the property to be leased exceeds \$100,000 or (ii) the lease has a term of one (1) year or more.

Article XV – Amendments to the Bylaws

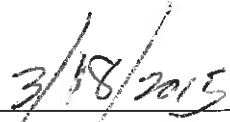
Amendments to these bylaws can be made following the details of Article XIII. If any provision of these bylaws are found to be in conflict with existing or future Canon Laws or Diocesan published policies, such provision(s) shall be amended or deleted at the direction of the chairperson at the first meeting following receipt of formal notification of the particular conflict or inconsistency by the pastor.

CERTIFICATION OF ADOPTION AND APPROVAL

This is to certify that the foregoing bylaws for the St. Francis of Assisi Catholic Church Finance Council, Frisco, TX, was duly adopted and approved by such Finance Council at a regular meeting on the 21st day of January 2015.




Chairperson




Date

This is to certify that the pastor of St. Francis of Assisi Catholic Church, Frisco, TX approves the foregoing bylaws for the St. Francis of Assisi Catholic Church Finance Council.



Pastor



Date