

CONSTITUTION,  
BYLAWS,  
AND  
CONTINUING RESOLUTIONS  
FOR  
ST. PAUL LUTHERAN CHURCH

5879 Wyoming Trail  
Wyoming, Minnesota 55082

As Amended January 29, 2017

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## INTRODUCTION

The constitution of St. Paul Lutheran Church is based on the *Model Constitution for Congregations of the Evangelical Lutheran Church in America*, originally adopted by the constituting Convention of the ELCA in 1987, and amended by the 1989, 1991, 1993, 1995, 1997, 1999, 2001, 2003, 2005, 2007, 2009, 2011, and 2013 churchwide Assemblies. The ELCA model is consistent with the requirements of the constitutional governing documents of the ELCA's churchwide organization and synods.

The constitution and bylaws of St. Paul Lutheran Church of Wyoming have been incorporated into one document. The document is divided into chapters, with each chapter containing constitution provisions and any related bylaws. The format, designed for clarity and ease of reference, has been used for the constitutions of the ELCA and the St. Paul Area Synod.

In this document, constitutional provisions are codified with two sets of numbers: the chapter number and a two-digit number preceding the second period in the codification. Bylaw provisions are codified with three sets of numbers: the chapter number, the related constitutional provision, and a two digit number. In some chapters, certain numbers are missing from the numbering sequence. This reflects the numbering style in the *Model Constitution for Congregations*, where certain numbers have been reserved for possible use in future editions. In other cases, certain numbers have been omitted in order to align the numbered paragraphs in this document with those in the Model.

Examples:     C.6.03.     This is a constitutional provision  
                  C.6.03.01.   This is a bylaw provision.

Continuing resolutions, adopted by the congregation or the Congregation Council pursuant to Chapter 18, may be incorporated into this document. Continuing resolutions are designated by three sets of numbers. The first set of numbers indicates the chapter; the second set indicates the subject matter within the chapter; and the third set, which indicates the year in which the resolution was adopted, is preceded by a letter indicating the order of the resolution.

Sections of this constitution marked by an asterisk [\*] are required by the ELCA when a congregation amends its governing documents. This is in keeping with provision 9.52. in the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*.

For consistency with the constitutional governing documents of the ELCA's churchwide organization and synods, in the constitution and bylaws of St. Paul Lutheran Church of Wyoming, "Church" with a capital letter is used in references to the one, holy, catholic, and apostolic church. In references to the Evangelical Lutheran Church in America, the words "Church" and "this church" in lower case letters are employed, although, for clarity in this constitution, the full name of "ELCA" normally is used.

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## TABLE OF CONTENTS

### PREAMBLE

Chapter	1	NAME AND INCORPORATION
Chapter	2	CONFESSION OF FAITH
Chapter	3	NATURE OF THE CHURCH
Chapter	4	STATEMENT OF PURPOSE
Chapter	5	POWERS OF THE CONGREGATION
Chapter	6	CHURCH AFFILIATION
Chapter	7	PROPERTY OWNERSHIP
Chapter	8	MEMBERSHIP
Chapter	9	THE PASTOR
Chapter	10	CONGREGATION MEETING
Chapter	11	OFFICERS
Chapter	12	CONGREGATION COUNCIL
Chapter	13	CONGREGATION COMMITTEES AND MINISTRY TEAMS
Chapter	14	ORGANIZATIONS WITHIN THE CONGREGATION
Chapter	15	DISCIPLINE OF MEMBERS
Chapter	16	BYLAWS
Chapter	17	AMENDMENTS
Chapter	18	CONTINUING RESOLUTIONS
Chapter	19	INDEMNIFICATION

## **PREAMBLE**

We, baptized members of the Church of Christ, responding in faith to the call of the Holy Spirit through the Gospel, desiring to unite together to preach the word, administer the sacraments, and carry out God's mission, do hereby adopt this constitution and solemnly pledge ourselves to be governed by its provisions. In the name of the Father and of the †Son and of the Holy Spirit.

## **Chapter 1. NAME AND INCORPORATION**

- C1.01.** The name of this congregation shall be St. Paul Lutheran Church of Wyoming, Minnesota.
- C1.02.** For the purpose of this constitution and the accompanying bylaws, the St. Paul Lutheran Church of Wyoming congregation is hereinafter designated as "this congregation."
- C1.03.** This congregation shall be incorporated under the laws of the State of Minnesota.

## **Chapter 2. CONFESSION OF FAITH**

- \*C2.01.** This congregation confesses the Triune God, Father, Son, and Holy Spirit.
- \*C2.02.** This congregation confesses Jesus Christ as Lord and Savior and the Gospel as the Power of God for the salvation of all who believe.
- a. Jesus Christ is the Word of God incarnate, through whom everything was made and through whose life, death, and resurrection God fashions a new creation.
  - b. The proclamation of God's message to us as both Law and Gospel is the Word of God, revealing judgement and mercy through word and deed, beginning with the Word in creation, continuing in the history of Israel, and centering in all its fullness in the person and work of Jesus Christ.
  - c. The canonical Scriptures of the Old and New Testaments are the written Word of God. Inspired by God's Spirit speaking through their authors, they record and announce God's revelation centering in Jesus Christ. Through them God's Spirit speaks to us to create and sustain Christian faith and fellowship for service in the world.
- \*C2.03.** This congregation accepts the canonical Scriptures of the Old and New Testaments as the inspired Word of God and the authoritative source and norm of its proclamation, faith, and life.
- \*C2.04.** This congregation accepts the Apostles', Nicene, and Athanasian Creeds as true declarations of the faith of this congregation.
- \*C2.05.** This congregation accepts the Unaltered Augsburg Confession as a true witness to the Gospel, acknowledging as one with it in faith and doctrine all churches that likewise accept the teachings of the Unaltered Augsburg Confession.

- \*C2.06. This congregation accepts the other confessional writings in the Book of Concord, namely, the Apology of the Augsburg Confession, the Smalcald Articles and the Treatise, the Small Catechism, the Large Catechism, and the Formula of Concord, as further valid interpretations of the faith of the Church.
- \*C2.07. This congregation confesses the Gospel, recorded in the Holy Scriptures and confessed in the ecumenical creeds and Lutheran confessional writings, as the power of God to create and sustain the Church for God’s mission in the world.

### **Chapter 3. NATURE OF THE CHURCH**

- \*C3.01. All power in the Church belongs to our Lord Jesus Christ, its head. All actions of this congregation are to be carried out under his rule and authority.
- \*C3.02. The church confesses the one, holy, catholic, and apostolic Church and is resolved to serve Christian Unity throughout the world.
- \*C3.03. The Church exists both as an inclusive fellowship and as local congregations gathered for worship and Christian service. Congregations find their fulfillment in the universal community of the Church, and the universal Church exists in and through congregations. This church, therefore, derives its character and powers both from the sanction and representation of its congregations and from its inherent nature as an expression of the broader fellowship of the faithful. In length, it acknowledges itself to be in the historic continuity of the communion of saints; in breadth, it expresses the fellowship of believers and congregations in our day.
- \*C3.04. This church, inspired and led by the Holy Spirit, participates in The Lutheran World Federation as a global communion of churches, engaging in faithful witness to the gospel of Jesus Christ and in service for the sake of God’s mission in the world.
- \*C3.05. The name Evangelical Lutheran Church in America (ELCA or “this church”) as used herein refers in general references to this whole church, including its three expressions – congregations, synods, and the churchwide organization. The name Evangelical Lutheran Church in America is also the name of the corporation of the churchwide organization to which specific references may be made herein.

### **Chapter 4. STATEMENT OF PURPOSE**

- \*C4.01. The church is a people created by God in Christ, empowered by the Holy Spirit, called and sent to bear witness to God’s creative, redeeming, and sanctifying activity in the world.
- \*C4.02. To participate in God’s mission, this congregation as a part of the Church shall:
  - a. Worship God in proclamation of the Word and administration of the sacraments and through lives of prayer, praise, thanksgiving, witness, and service.
  - b. Proclaim God’s saving Gospel of justification by grace for Christ’s sake through faith alone, according to the apostolic witness in the Holy Scripture, preserving and transmitting the Gospel faithfully to future generations.

- c. Carry out Christ's Great Commission by reaching out to all people to bring them to faith in Christ and by doing all ministry with a global awareness consistent with the understanding of God as Creator, Redeemer, and Sanctifier of all.
- d. Serve in response to God's love to meet human needs, caring for the sick and the aged, advocating dignity and justice for all people, working for peace and reconciliation among the nations, and standing with the poor and powerless, and committing itself to their needs.
- e. Nurture its members in the Word of God so as to grow in faith and hope and love, to see daily life as the primary setting for the exercise of their Christian calling, and to use the gifts of the Spirit for their life together and for their calling in the world.
- f. Manifest the unity given to the people of God by living together in the love of Christ and by joining with other Christians in prayer and action to express and preserve the unity which the Spirit gives.

**\*C4.03.** To fulfill these purposes, this congregation shall:

- a. Provide services of worship at which the Word of God is preached and the sacraments are administered.
- b. Provide pastoral care and assist all members to participate in this ministry.
- c. Challenge, equip and support all members in carrying out their calling in their daily lives and in their congregation.
- d. Teach the Word of God.
- e. Witness to the reconciling Word of God in Christ, reaching out to all people.
- f. Respond to human need, work for justice and peace, care for the sick and the suffering, and participate responsibly in society.
- g. Motivate its members to provide financial support for the congregation's ministry and the ministry of other parts of the Evangelical Lutheran Church in America.
- h. Foster and participate in interdependent relationships with other congregations, the synod, and the Evangelical Lutheran Church in America.
- i. Foster and participate in ecumenical relationships consistent with churchwide policy.

**\*C4.04.** This congregation shall develop an organizational structure to be described in the bylaws. The Congregation Council shall prepare descriptions of the responsibilities of each ministry team, council committee, task force, or other organizational group, and shall review their actions.

**\*C4.05.** This congregation shall, from time to time, adopt a mission statement which will provide specific direction for its programs.

C4.05.01. The mission statement of this congregation is:

Sharing Christ's Love with Joy

**C4.06.** References herein to the nature of the relationship between the three expressions of this church – congregations, synods, and the churchwide organization – as being interdependent or as being in a partnership relationship describe the mutual responsibility of these expressions in God's mission and the fulfillment of the purposes

of this church as described in this chapter, and do not imply or describe the relation of partnerships, co-ventures, agencies, or other legal relationships recognized in civil law.

## **Chapter 5. POWERS OF THE CONGREGATION**

- \*C5.01. The powers of this congregation are those necessary to fulfill its purpose.
- \*C5.02. The powers of this congregation are vested in the Congregation Meeting called and conducted as provided in this constitution and bylaws.
- \*C5.03. Only such authority as is delegated to the Congregation Council or other organizational units in this congregation's governing documents is recognized. All remaining authority is retained by the congregation. The congregation is authorized to:
  - a. call a pastor as provided in Chapter 9;
  - b. terminate the call of a pastor as provided in Chapter 9;
  - c. call a minister of Word and Service;
  - d. terminate the call of a minister of Word and Service in conformity with the constitution of the Evangelical Lutheran Church in America;
  - e. adopt amendments to the constitution, as provided in Chapter 16, amendments to the bylaws, as specified in Chapter 17, and continuing resolutions, as provided in Chapter 18.
  - f. approve the annual budget;
  - g. acquire real and personal property by gift, devise, purchase, or other lawful means
  - h. hold title to and use its property for any and all activities consistent with its purpose;
  - i. sell, mortgage, lease, transfer, or otherwise dispose of its property by any lawful means;
  - j. elect its officers and members of the Congregation Council and require them to carry out their duties in accordance with the constitution, bylaws, and continuing resolutions; and
  - k. terminate its relationship with the Evangelical Lutheran Church in America as provided in Chapter 6.
- \*C5.04. This congregation shall choose from among its voting members laypersons to serve as voting members of the Synod Assembly as well as persons to represent it at meetings of any conference, cluster, coalition, or other area subdivision of which it is a member. The number of persons to be selected by the congregation and other qualification shall be prescribed in guidelines established by the St. Paul Area Synod of the Evangelical Lutheran Church in America.

## **Chapter 6. CHURCH AFFILIATION**

- \*C6.01. This congregation shall be an interdependent part of the Evangelical Lutheran Church in America or its successor, and of the Saint Paul Area Synod of the Evangelical Lutheran Church in America. This congregation is subject to the discipline of the Evangelical Lutheran Church in America.
- \*C6.02. This congregation accepts the Confession of Faith and agrees to the Purposes of the Evangelical Lutheran Church in America and shall act in accordance with them.

- \*C6.03.** This congregation acknowledges its relationship with the Evangelical Lutheran Church in America in which:
- a. This congregation agrees to be responsible for its life as a Christian community.
  - b. This congregation pledges its financial support and participation in the life and mission of the Evangelical Lutheran Church in America.
  - c. This congregation agrees to call pastoral leadership from the roster of the Ministers of Word and Sacrament of the Evangelical Lutheran Church in America in accordance with its call procedures except in special circumstances and with the approval of the bishop of the synod. These special circumstances are limited either to calling a candidate approved for the roster of Ministers of Word and Sacrament of the Evangelical Lutheran Church in America or to contracting for pastoral services with a minister of Word and Sacrament of a church body with which the Evangelical Lutheran Church in America officially has established a relationship of full communion.
  - d. This congregation agrees to consider ministers of Word and Service for call to other staff positions in the congregation according to the procedures of the Evangelical Lutheran Church in America.
  - e. This congregation agrees to file this constitution and any subsequent changes to this constitution with the synod for review to ascertain that all of its provisions are in agreement with the constitution and bylaws of the Evangelical Lutheran Church in America and with the constitution of the synod.

- \*C6.04.** Affiliation with the Evangelical Lutheran Church in America may be terminated as follows:
- a. This congregation takes action to dissolve.
  - b. This congregation ceases to exist.
  - c. This congregation is removed from membership in the Evangelical Lutheran Church in America according to the procedures for discipline of the Evangelical Lutheran Church in America.
  - d. This congregation follows the procedures outlined in C6.05.

- \*C6.05.** This congregation may terminate its relationship with the Evangelical Lutheran Church in America by the following procedure:
- a. A resolution indicating the intent to terminate its relationship must be adopted at a legally called and conducted special meeting of the congregation by a two-thirds vote of the voting members present. Such meeting may be held no sooner than 30 days after written notice of the meeting is received by the bishop of the synod, during which time the congregation shall consult with the bishop and the bishop's designees, if any. The times and manner of the consultation shall be determined by the bishop in consultation with the congregation council. Unless he or she is a voting member of the congregation, the bishop and bishop's designees, if any, shall have voice but not vote at the meeting.
  - b. The secretary of the congregation shall submit a copy of the resolution to the bishop, attesting that the special meeting was legally called and conducted and certifying the outcome of the vote, and shall mail a copy of the resolution to voting members of the congregation. This notice shall be submitted within 10 days after the resolution has been adopted.



- c. The bishop of the synod and the congregation shall continue in consultation, as specified in paragraph a. above, during a period of at least 90 days after receipt by the synod of the notice as specified in paragraph b. above.
- d. If the congregation, after such consultation, still seeks to terminate its relationship, such action may be taken at a legally called and conducted special meeting by a two-thirds vote of the voting members present. Notice of the meeting shall be mailed to all voting members and to the bishop at least 10 days in advance of the meeting. Unless he or she is a voting member of the congregation, the bishop and the bishop's designee, if any, shall have voice but not vote at the meeting.
- e. A copy of the resolution, attesting that the special meeting was legally called and conducted and certifying the outcome of the vote, shall be sent to the bishop within 10 days after the resolution has been adopted, at which time the relationship between the congregation and this church shall be terminated subject to paragraphs g., h., and i. below. Unless this notification to the bishop also certifies that the congregation has voted by a two-thirds vote to affiliate with another Lutheran denomination, the congregation will be conclusively presumed to be an independent or non-Lutheran church.
- f. Notice of termination shall be forwarded by the bishop to the secretary of the Evangelical Lutheran Church in America, who shall report the termination to the Churchwide Assembly.
- g. This congregation shall abide by these covenants by and among the three expressions of this church:
  - 1) Congregations seeking to terminate their relationship with this church which fail or refuse to comply with each of the foregoing provisions in C6.05., shall be required to receive Synod Council approval before terminating their membership in this church.
  - 2) Congregations which had been members of the Lutheran Church in America shall be required, in addition to complying with the foregoing provisions in C6.05., to receive synodical approval before terminating their membership in this church.
  - 3) Congregations established by the Evangelical Lutheran Church in America shall be required, in addition to complying with the foregoing provisions in C6.05. to satisfy all financial obligations to this church and receive Synod Council approval before terminating their membership in this church.
- h. If this congregation fails to achieve the required two-thirds vote of voting members present at the congregation's first meeting as specified in paragraph a. above, another special meeting to consider termination of relationship with this church may be called no sooner than six months after that first meeting. If this congregation fails to achieve the required two-thirds vote of voting members present at the congregation's second meeting as specified in paragraph d. above, another attempt to consider termination of relationship with this church must follow all requirements of C6.05. and may begin no sooner than six months after that second meeting.

**\*C6.06.** If this congregation is considering relocation, it shall confer with the bishop of the synod in which it is territorially located and the appropriate unit of the churchwide organization before any steps are taken leading to such action. The approval of the Synod Council shall be received before any such action is effected.

- \*C6.07 If this congregation considers developing an additional site to be used regularly for worship, it shall confer with the bishop of the synod in which it is territorially located and the appropriate unit of the churchwide organization before any steps are taken leading to such action.

## **Chapter 7. PROPERTY OWNERSHIP**

- \*C7.01. If this congregation ceases to exist, title to undisposed property shall pass to the Saint Paul Area Synod of the Evangelical Lutheran Church in America.
- \*C7.02. If this congregation is removed from membership in the Evangelical Lutheran Church in America according to its procedure for discipline, title to property shall continue to reside in this congregation.
- \*C7.03. If two-thirds of the voting members of this congregation present at a legally called and conducted special meeting of this congregation vote to transfer to another Lutheran church body, title to property shall continue to reside in this congregation, provided the process for termination of relationship in C6.05. has been followed. Before this congregation takes action to transfer to another Lutheran church body, it shall consult with representatives of the Saint Paul Area Synod.
- \*C7.04. If two-thirds of the voting members of this congregation present at a legally called and conducted special meeting of this congregation vote to become independent or relate to a non-Lutheran church body, and have followed the process for termination of relationship in C6.05., title to property of this congregation shall continue to reside with the majority of this congregation with the consent of the Synod Council. The Synod Council after consultation with this congregation by the established synodical process may give approval to the request to become independent or to relate to a non-Lutheran church body, in which case title shall remain with the majority of this congregation. If the Synod Council fails to give such approval, title shall remain with those members who desire to continue as a congregation of the Evangelical Lutheran Church in America.

## **Chapter 8. MEMBERSHIP**

- \*C8.01. Members of this congregation shall be those baptized persons on the roll of this congregation at the time that this constitution is adopted and those who are admitted thereafter and who have declared and maintain their membership in accordance with the provisions of this constitution and its bylaws.
- \*C8.02. Members shall be classified as follows:
  - a. Baptized members are those persons who have been received by the Sacrament of Holy Baptism in this congregation, or, having been previously baptized in the name of the Triune God, have been received by certificate of transfer from other Lutheran congregations or by affirmation of faith.
  - b. Confirmed members are baptized persons who have been confirmed in this congregation, those who have been received by adult baptism or by transfer as confirmed members from other Lutheran congregations, or baptized persons received by affirmation of faith.

- c. Voting members are confirmed members. Such confirmed members, during the current or preceding calendar year, shall have communed in this congregation and shall have made a contribution of record to this congregation. Members of this congregation who have satisfied these basic standards shall have the privilege of voice and vote at every regular and special meeting of the congregation as well as the other rights and privileges ascribed to voting members by the provisions of this constitution and its bylaws.
- d. Associate members are persons holding membership in other Christian congregations who wish to retain such membership but desire to participate in the life and mission of this congregation. These individuals have all the privileges and duties of membership except voting rights or other rights and privileges ascribed to voting members by the provisions of this constitution and its bylaws.
- e. *Seasonal* members are voting members of other ELCA congregations who wish to retain such membership but desire to participate in the life and mission of this congregation, including exercising limited voting rights in this congregation. The Congregation Council may grant seasonal membership to such persons provided that this congregation is a member of a synod where the Synod Council has approved seasonal member voting on its territory. Such seasonal members shall have all the privileges and duties of voting members except that:
  - 1) they shall not be eligible for elected office in, or for membership on the Congregation Council or on a call committee of this congregation;
  - 2) they shall not have the right to vote on any matter concerning or affecting the call or termination of call of any minister of this congregation;
  - 3) they shall not have the right to vote on any matter concerning or affecting the affiliation of this congregation with the ELCA;
  - 4) they shall not be eligible to serve as voting members from this congregation of the Synod Assembly or the Churchwide Assembly;
  - 5) they shall not, even if otherwise permitted by this congregation, vote by proxy or by absentee ballot; and
  - 6) they shall not, within any two calendar month period, exercise voting rights in this congregation and in the congregation where they remain voting members.

**\*C8.03.** All applications for confirmed membership shall be submitted to and shall require the approval of the Congregation Council.

**\*C8.04.** Members of this congregation have the privilege and duty of membership to:

- a. make regular use of the means of grace, both Word and sacraments;
- b. live a Christian life in accordance with the Word of God and the teachings of the Lutheran church; and
- c. support the work of this congregation, the St. Paul Area Synod, and the Evangelical Lutheran Church in America through contributions of their time, abilities, and financial support as biblical stewards.

C8.04.01. This congregation is a fellowship of Christians gathered for worship, evangelism, education and service to our Lord Jesus Christ. Members of this congregation will assist pastoral staff in providing for the spiritual care and guidance of its members. The Pastor and the Congregation Council shall be charged to oversee and conduct the actions below in

order to help the membership maintain a close faith relationship with God and to develop a closer bond between members of this Congregation.

- a. Regular and special worship experiences.
- b. Regular communion opportunities for all members.
- c. Education experiences including:
  - 1) Preschool.
  - 2) Sunday School.
  - 3) Confirmation.
  - 4) Sunday Forum Education.
  - 5) Vacation Bible School.
  - 6) New Membership Orientation.
- d. Special Ministry to:
  - 1) Shut-ins.
  - 2) Sick.
  - 3) Hospitalized.
  - 4) Dying and their families
  - 5) Visitors to our church.
- e. Counseling (crisis, baptism, and marriage)
- f. Communications (verbal, electronic and hard copy)

C8.04.02. If a member is unable to, or does not follow through with the privileges and duties, the member has the responsibility to talk to the Pastor or a Congregation Council member about their situation. When appropriate, the Pastor and Congregation Council members may also reach out to members who are struggling to follow through with their privileges and duties.

**\*C8.05.** Membership in this congregation shall be terminated by any of the following:

- a. death;
- b. resignation;
- c. transfer or release;
- d. disciplinary action in accordance with provision 20.41. and the accompanying bylaws, or
- e. removal from the roll due to inactivity in accordance with the provisions of this constitution and its bylaws..

Such persons who have been removed from the roll of members shall remain persons for whom the church has a continuing pastoral concern.

C8.05.01. A confirmed member is considered to be inactive if the member has not communed, made a contribution of record and has not participated in some way in the life and worship of the congregation.

- a. If a member is inactive, a pastor or a representative of the Congregation Council shall attempt to make personal contact with the member to encourage participation in the life and worship of the congregation and to inquire about the member's desire to participate.
- b. If personal contact is made and the member indicates a desire to participate, a pastor or Council representative shall seek ways to include the member in the life and worship of the congregation.
- c. If personal contact is made and, despite encouragement, the member indicates no desire to participate in the life and worship of the congregation, a pastor or Council

representative shall advise the member that the member's name will be removed from the roll of members due to inactivity. A pastor or Council representative shall offer the person encouragement and assistance in finding fellowship in another congregation.

- d. If attempts to make personal contact are not successful, the Congregation Council may conclude that the member does not wish to participate in the life and worship of the congregation and the member's name may be removed from the roll. Reasonable attempts shall be made to inform the person of this action.
- e. If attempts to make personal contact are not successful and there are circumstances which may explain the member's inactivity and the difficulty making contact, the Congregation Council may conclude that, despite the inactivity, the member wishes to remain a member. In that case, the member's name shall remain on the roll and periodic attempts to contact the member shall be made when appropriate.
- f. This bylaw section is intended to permit but not direct the Congregation Council to remove the names of inactive members from the roll.

C8.05.02. Inactive members may renew their membership at any time when they are willing to commit to the duties and privileges of membership as outlined in this constitution and bylaws.

## **Chapter 9. ROSTERED MINISTER**

- \*C9.01.** Authority to call a pastor shall be in this congregation by at least a two-thirds vote of voting members present and voting at a meeting legally called for that purpose. Before a call is issued, the officers, or a committee appointed by the Congregation Council to recommend the call, shall seek the advice and help of the bishop of the synod.
- \*C9.02.** Only a member of the roster of Ministers of Word and Sacrament of the Evangelical Lutheran Church in America or a candidate for the roster of Ministers of Word and Sacrament who has been recommended for this congregation by the synodical bishop may be called as a pastor of this congregation.
- \*C9.03.** Consistent with the faith and practice of the Evangelical Lutheran Church in America,
- a. Each minister of Word and Sacrament shall:
    - 1) preach the Word;
    - 2) administer the sacraments;
    - 3) conduct public worship;
    - 4) provide pastoral care;
    - 5) seek out and encourage qualified persons to prepare for the ministry of the Gospel;
    - 6) impart knowledge of this church and its wider ministry through distribution of its communications and publications;
    - 7) witness to the Kingdom of God in the community, in the nation, and abroad; and
    - 8) speak publicly to the world in solidarity with the poor and oppressed, calling for justice and proclaiming God's love for the world.
  - b. Each pastor with a congregational call shall, within the congregation,
    - 1) offer instruction, confirm, marry, visit the sick and distressed, and bury the dead;

- 2) relate to all schools and organizations of the congregation;
- 3) install regularly elected members of the Congregation Council;
- 4) with the council, administer discipline-
- 5) endeavor to increase the support given by this congregation to the work of the ELCA churchwide organization and of the St. Paul Area Synod of the ELCA.

- \*C9.04.** The specific duties of the pastor, compensation, and other matters pertaining to the service of the pastor shall be included in the letter of call, which shall be attested by the bishop of the synod.
- \*C9.05.** The provisions for termination of the mutual relationship between a minister of Word and Sacrament and this congregation shall be as follows:
- a. The call of this congregation, when accepted by a pastor, shall constitute a continuing mutual relationship and commitment which shall be terminated only by death or, following consultation with the synodical bishop for the following reasons:
    - 1) mutual agreement to terminate the call or the completion of a call for a specific term;
    - 2) resignation of the pastor, which shall become effective, unless otherwise agreed, no later than 30 days after the date on which it was submitted;
    - 3) inability to conduct the pastoral office effectively in the congregation in view of local conditions;
    - 4) physical disability, or mental incapacity of the pastor;
    - 5) suspension of the pastor through discipline for more than three months;
    - 6) resignation or removal of the pastor from the roster of Ministers of Word and Sacrament of this church;
    - 7) termination of the relationship between this church and the congregation;
    - 8) dissolution of the congregation or the termination of a parish arrangement; or
    - 9) suspension of the congregation through discipline for more than six months.
  - b. When allegations of physical disability or mental incapacity of the pastor under paragraph a.4) above, or ineffective conduct of the pastoral office under paragraph a.3) above, have come to the attention of the bishop of the synod,
    - 1) the bishop in his or her sole discretion may investigate such conditions personally together with a committee of two rostered ministers and one layperson, or
    - 2) when such allegations have been brought to the synod's attention by an official recital of allegations by the congregation council or by a petition signed by at least one-third of the voting members of the congregation, the bishop personally shall investigate such conditions together with a committee of two rostered ministers and one layperson.
  - c. In the case of alleged physical disability or mental incapacity under paragraph a.4) above, the bishop's committee shall obtain and document competent medical opinion concerning the pastor's condition. When a disability or incapacity is evident to the committee, the bishop of the synod may declare the pastorate vacant. When the pastorate is declared vacant, the Synod Council shall list the pastor on the roster of Ministers of Word and Sacrament as disabled. Upon removal of the disability and restoration of the pastor to health, the bishop shall take steps to enable the pastor to resume the ministry, either in the congregation last served or in another appropriate call.

- d. In the case of alleged local difficulties which imperil the effective functioning of the congregation under paragraph a.3) above, the bishop's committee shall endeavor to hear from all concerned persons after which the bishop together with the committee shall present their recommendations first to the pastor and then to the congregation. The recommendations of the bishop's committee must address whether the pastor's call should come to an end and, if so, may suggest appropriate severance arrangements. The committee may also propose other actions that should be undertaken by the congregation and by the pastor if appropriate. If the pastor and congregation agree to carry out such recommendations, no further action need be taken by the synod.
- e. If either party fails to assent to the recommendations of the bishop's committee concerning the pastor's call, the congregation may dismiss the pastor only at a legally called meeting after consultation with the bishop, either (a) by a two-thirds vote of the voting members present and voting where the bishop and the committee did not recommend termination of the call, or (b) by a majority vote of the voting members present and voting where the bishop and the committee recommended termination of the call.
- f. If, in the course of the proceedings, described in paragraph c. or paragraph d. above, the bishop's committee concludes that there may be grounds for discipline, the committee shall make recommendations concerning disciplinary action in accordance with the provisions of this church's constitution, bylaws, and continuing resolutions.

- \*C9.06.** At a time of pastoral vacancy, an interim pastor shall be appointed by the bishop of the synod with the consent of this congregation or the Congregation Council.
- \*C9.07.** During the period of service, an interim pastor shall have the rights and duties in this congregation of a regularly called pastor and may delegate the same in part to a supply pastor with the consent of the bishop of the synod and this congregation or Congregation Council. The interim pastor and any rostered minister providing assistance shall refrain from exerting influence in the selection of a pastor. Unless previously agreed upon by the Synod Council, an interim pastor is not available for a regular call to the congregation served.
- \*C9.08.** This congregation shall make satisfactory settlement of all financial obligations to a former pastor before calling a successor. A pastor shall make satisfactory settlement of all financial obligations to this congregation before beginning service in a call to another congregation or employment in another ministry setting related to the Evangelical Lutheran Church in America.
- \*C9.09.** When a pastor is called to serve in company with another pastor or pastors, the privileges and responsibilities of each pastor shall be specified in documents to accompany the call and to be drafted in consultation involving the pastors, the Congregation Council, and the bishop of the synod. As occasion requires, the documents may be revised through a similar consultation.

**C9.10.** *Reserved*

- \*C9.11. With the approval of the bishop of the synod, the congregation may depart from C9.05.a. and call a pastor for a specific term. Details of such calls shall be in writing setting forth the purpose and conditions involved. Prior to the completion of a term, the bishop or a designated representative of the bishop, shall meet with the pastor and representatives of the congregation for a review of the call. Such call may also be terminated before its expiration in accordance with the provisions of C9.05.a.
- \*C9.12. The pastor of this congregation:
  - a. shall keep accurate parochial records of all baptisms, confirmations, marriages, burials, communicants, members received, members dismissed, or members excluded from the congregation;
  - b. shall submit a summary of such statistics annually to the synod; and
  - c. shall become a member of this congregation upon receipt and acceptance of the letter of call.
- \*C9.13. The pastor(s) shall submit a report of his or her ministry to the bishop of the synod at least 90 days prior to each regular meeting of the Synod Assembly.
- \*C9.14. The parochial records of this congregation shall be maintained by the pastor and shall remain the property of this congregation. The secretary of this congregation shall attest in writing to the bishop of the synod that such records have been placed in his or her hands in good order by a departing pastor before the installation of that pastor in another field of labor or the granting by the synod of retired status to the pastor.
- C9.15. Under special circumstances, subject to the approval of the synodical bishop and the concurrence of this congregation, ~~an ordained~~ a minister of Word and Sacrament of a church body in which the Evangelical Lutheran Church in America officially has established a relationship of full communion may serve temporarily as pastor of this congregation under a contract between the congregation and the ~~ordained minister~~ pastor in a form proposed by the synodical bishop and approved by the congregation.
- C9.16. *Reserved*
- C9.17. *Reserved*
- C9.18. *Reserved*
- C9.19. *Reserved*
- C9.20. *Reserved*
- \*C9.21. Authority to call a minister of Word and Service shall be in this congregation by at least a two-thirds vote of voting members present and voting at a meeting legally called for that purpose. Before a call is issued, the officers, or a committee elected by the Congregation Council to recommend the call, shall seek the advice and help of the bishop of the synod.
- \*C9.22. Only a member of the roster of Ministers of Word and Service of the Evangelical Lutheran Church in America or a candidate for the roster of Ministers of Word and Service who has been recommended for this congregation by the synodical bishop may be called as a deacon of this congregation.



- \*C9.23 Consistent with the faith and practice of the Evangelical Lutheran Church in America, every minister of Word and Service shall:
- a. Be rooted in the Word of God, for proclamation and service;
  - b. Advocate a prophetic diakonia that commits itself to risk-taking and innovative service on the frontiers of the church's outreach, giving particular attention to the suffering places in God's world;
  - c. Speak publicly to the world in solidarity with the poor and oppressed, calling for justice and proclaiming God's love for the world, witnessing to the realm of God in the community, the nation, and abroad;
  - d. Equip the baptized for ministry in god's world that affirms the gifts of all people;
  - e. Encourage mutual relationship that invite participation and accompaniment of others in god's mission;
  - f. Practice stewardship that respects God's gift of time, talents, and resources;
  - g. Be grounded in a gathered community for ongoing diaconal formation;
  - h. Share knowledge of the ELCA and its wider ministry of the gospel and advocate for the work of all expressions of this church; and
  - i. Identify and encourage qualified persons to prepare for ministry of the gospel.
- \*C9.24 The specific duties of the deacon, compensation, and other matters pertaining to the service of the deacon shall be included in a letter of call, which shall be attested by the bishop of the synod.
- \*C9.25. The provisions for termination of the mutual relationship between a minister of Word and Service and a congregation shall be as follows:
- a. The call of a congregation, when accepted by a deacon, shall constitute a continuing mutual relationship and commitment, which shall be terminated only by death or, following consultation with the synodical bishop, for the following reasons:
    - 1) mutual agreement to terminate the call or the completion of a call for a specific term;
    - 2) resignation of the deacon, which shall become effective, unless otherwise agreed, no later than 30 days after the date on which it was submitted;
    - 3) inability to conduct the ministry of Word and Service effectively in this congregation in view of local conditions;
    - 4) physical disability or mental incapacity of the deacon;
    - 5) suspension of the deacon through discipline for more than three months;
    - 6) resignation or removal of the deacon from the roster of Ministers of Word and Service of this church;
    - 7) termination of the relationship between this church and this congregation;
    - 8) dissolution of this congregation or the termination of a parish arrangement;

or

    - 9) suspension of this congregation through discipline for more than six months.
  - b. When allegations of physical disability or mental incapacity of the deacon under paragraph a.4) above, or ineffective conduct of the office of minister of Word and Service under paragraph a.3) above, have come to the attention of the bishop of this synod,
    - 1) the bishop in his or her sole discretion may investigate such conditions personally together with a committee of two rostered ministers and one layperson, or

2) when such allegations have been brought to the synod's attention by an official recital of allegations by the Congregation Council or by a petition signed by at least one-third of the voting members of this congregation, the bishop personally shall investigate such conditions together with a committee of two rostered ministers and one layperson.

c. In case of alleged physical disability or mental incapacity under paragraph a.4) above, the bishop's committee shall obtain and document competent medical opinion concerning the deacon's condition. When a disability or incapacity is evident to the committee, the bishop of this synod may declare the position vacant. When the position is declared vacant, the Synod Council shall list the deacon on the roster of Ministers of Word and Service as disabled. Upon removal of the disability and the restoration of the deacon to health, the bishop shall take steps to enable the deacon to resume the ministry, either in the congregation last served or in another appropriate call.

d. In the case of alleged local difficulties that imperil the effective functioning of this congregation under paragraph a.3) above, the bishop's committee shall endeavor to hear from all concerned persons, after which the bishop together with the committee shall present their recommendations first to the deacon and then to this congregation. The recommendations of the bishop's committee must address whether the deacon's call should come to an end and, if so, may suggest appropriate severance arrangements. The committee may also propose other actions that should be undertaken by this congregation and by the deacon, if appropriate. If the deacon and congregation agree to carry out such recommendations, no further action need be taken by the synod.

e. If either party fails to assent to the recommendations of the bishop's committee concerning the deacon's call, this congregation may dismiss the deacon only at a legally called meeting after consultation with the bishop, either (a) by a two-thirds majority vote of the voting members present and voting where the bishop and the committee did not recommend termination of the call, or (b) by a simple majority vote of the voting members present and voting where the bishop and the committee recommended termination of the call.

f. If, in the course of proceedings described in paragraph c. or paragraph d. above, the bishop's committee concludes that there may be grounds for discipline, the committee shall make recommendations concerning disciplinary action in accordance with the provisions of this church's constitution, bylaws, and continuing resolutions.

**\*C9.26.** The deacon shall make satisfactory settlement of all financial obligations to a former congregation before:

- a. installation in another field of labor, or
- b. the issuance of a certificate of dismissal or transfer.

**\*C9.27.** When a deacon is called to serve in company with another rostered minister or other rostered ministers, the privileges and responsibilities of each rostered minister shall be specified in documents to accompany the call and to be drafted in consultation involving the rostered ministers, the Congregation Council, and the bishop of the synod. As occasion requires, the documents may be revised through a similar consultation.

**\*C9.28.** With the approval of the bishop of the synod, this congregation may depart from \*C9.25.a. and call a deacon for a specific term. Details of such calls shall be in writing setting forth the purpose and conditions involved. Prior to the completion of a term, the bishop or a designated representative of the bishop shall meet with the deacon and representatives of this congregation for a review of the call. Such a call may also be terminated before its expiration in accordance with the provisions of \*C9.25.a.

- \*C9.29. The deacon shall become a member of this congregation upon receipt and acceptance of the letter of call. In a parish of multiple congregations, the deacon shall hold membership in one of the congregations.
- \*C9.31. The deacon(s) shall submit a report of his or her ministry to the bishop of the synod at least 90 days prior to each regular meeting of the Synod Assembly.

## **Chapter 10. CONGREGATION MEETING**

**C10.01** The annual meeting of this congregation shall be held at a time specified in the bylaws.

C10.01.01. The annual meeting of this congregation shall be held on the church premises on the last Sunday in January or at such other time as the Congregation Council may designate.

C10.01.02. The regular business of the annual meeting shall include:

- 1) Opening devotion.
- 2) Approval of the minutes of the previous meeting.
- 3) Pastor's report(s).
- 4) Treasurer's report and adoption of a budget for the year.
- 5) Election of officers and members-at-large of the Congregation Council.
- 6) Old business.
- 7) Any other business that requires congregational action or consideration, including recommendations of the Congregation Council, may be transacted.
- 8) Adjournment with prayer.

**C10.02.** A special Congregation Meeting may be called by the pastor, the Congregation Council, or the president of the congregation, and shall be called by the president of the congregation upon the written request of five percent (5%) of voting members. The president of the Congregation Council shall call a special meeting upon request of the synodical bishop. The call for each special meeting shall specify the purpose of which it is to be held and no other business shall be transacted.

C10.02.01. Before a special Congregation Meeting is requested by the voting members, members are encouraged to discuss the issues of such a meeting with the Pastor or any member of the Congregation Council for possible resolutions.

**C10.03.** Notice of all meetings of this congregation shall be given at the services of worship on the preceding two consecutive Sundays and by mail or electronic means, as permitted by state law to all voting members at least 10 days in advance of the date of the meeting.

**C10.04.** Five percent of the voting members shall constitute a quorum. However, for the purchase of property, for the erection of buildings, or for the removal from office of a called pastor or teacher, 20% of all voting members shall be required for a quorum.

**C10.05.** Voting by proxy or by absentee ballot shall not be permitted.

**C10.06.** All actions approved by the congregation shall be majority vote of those voting members present and voting, except as otherwise provided in this constitution, the bylaws, or by state law.

**C10.07.** Whenever possible, *Robert's Rules of Order*, the latest edition, shall govern parliamentary procedure of all meetings of this congregation.

## **Chapter 11. OFFICERS**

**C11.01.** The officers of this congregation shall be a president, vice-president, secretary and treasurer.

- a. Duties of the officers shall be specified in the bylaws.
- b. The officers shall be voting members of the congregation.
- c. Officers of this congregation shall serve similar offices of the Congregation Council and shall be voting members of the Congregation Council.
- d. The Executive Council of the congregation shall be the Officers and the Pastor.

**C11.02.** The congregation shall elect its officers and they shall be the officers of the congregation. The officers shall be elected by written ballot at the annual meeting and shall serve for two years or until their successors are elected. Their terms shall begin at the close of the annual meeting at which they are elected.

**C11.03.** No officer shall hold more than one office at a time. No elected officer shall be eligible to serve more than two consecutive terms in the same office.

**C11.03.01.** The duties of the officers shall be as follows:

- a. The president shall preside at all meetings of this congregation and the Congregation Council, prepare the agenda for all meetings of this congregation and the Congregation Council, receive written reports from the ministry teams and committees prior to regular Congregation Council meetings, ensure that council and congregational resolutions are carried out, and ensure that all meetings are conducted according to the *Robert's Rules of Order* and the constitution of this congregation and the Synod Constitution.
- b. The vice-president shall assist the president in the performance of the presidential duties to the congregation, act on behalf of the president when the president is not available and be familiar with the contents of *Robert's Rules of Order*, the constitution of this congregation, and the Synod Constitution to ensure that meetings are conducted accordingly.
- c. The secretary shall be responsible for the recording of the minutes and preserving of the documents of all meetings of this congregation and Congregation Council, submission of the minutes for adoption at the following regular congregation or Congregation Council meeting and submission of a monthly "Council Highlights" article in the monthly church newsletter. The secretary shall keep a record of voting members and ensure the registration of all members attending these meetings. The secretary shall also be responsible for retaining custody of all congregation records pertaining to this office and ensuring the delivery of these records to the next secretary. The secretary shall also be familiar with *Robert's Rules of Order*, the constitution of this congregation, and the constitution of the Synod, to ensure that meetings are conducted accordingly.

d. The treasurer shall be responsible for the management of the funds and accounts of this congregation. The treasurer shall be responsible for the periodic accounting of all income and disbursements of the congregation, preparation of monthly financial reports for the Congregation Council, and, with the assistance of the Finance Team and Stewardship Team, preparation of an annual report for submission to the congregation at its annual meeting. The treasurer shall ensure that a) an exact record of the congregation's financial receipts and disbursements are entered into electronic or hard copy records provided for that purpose by the congregation, b) payments for current expenses and other items authorized by a Congregation Meeting or the Congregation Council are made in a timely manner, and c) copies of these reports are filed in official records of the Congregation and available in the Church office for members. The treasurer shall make the financial records available to the Audit Team. The treasurer shall be a member of the Finance Ministry Team. In the event of a cash flow problem, the treasurer shall consult with the Finance Team and President concerning the schedule and priority of disbursements.

**C11.04.** If the presidency is declared vacant, the vice-president shall serve as president for the remainder of the term. If an office other than the presidency is declared vacant, the Nominating Committee shall nominate and the Congregation Council shall elect a successor to serve for the remainder of the term. The Congregation Council may declare an office vacant if the officer (a) ceases to be a voting member of this congregation, (b) is absent from four successive regular meetings of the Congregation Council without cause, or (c) is unable to serve.

## **Chapter 12. CONGREGATION COUNCIL**

**C12.01.** The voting membership of the Congregation Council shall consist of the pastor, the officers of the congregation, and five members-at large of this congregation.

- a. Any voting member of the congregation may be elected, subject only to the limitation on the length of continuous service permitted in that office.
- b. Members-at-large of the Congregation Council shall be nominated by the Nominating Committee and elected by the congregation by written ballot at the annual meeting to serve for two years or until their successors are elected.
- c. Each year 2 or 3 members-at-large shall be elected so that the terms of the members-at-large do not all expire in the same year.
- d. The term shall begin at the close of the annual meeting at which they are elected.
- e. No member-at-large shall serve more than two elective terms as a member-at-large consecutively.

**C12.01.01** In the first year following adoption of this bylaw (2015), two members-at-large of the Congregation Council shall be elected to a one-year term and two members-at-large shall be elected to a two-year term. Thereafter, this bylaw shall cease to be in effect and the terms of members-at-large shall be as in C12.01.

**C12.02.** The place of a member-at-large on the Congregation Council shall be declared vacant if the member-at-large (i) ceases to be a voting member of this congregation, (ii) is absent from four successive regular meetings of the Congregation Council without cause, or (iii) is unable to serve.

- a. Individuals who have served less than one-half of a regular term shall be eligible for nomination and election to one full term.
- b. Consistent with the laws of the state in which this congregation is incorporated, the congregation may adopt procedures for the removal of a member of the Congregation Council in other circumstances.

**C12.03.** Should a member's place on the Congregation Council be declared vacant, the Congregation Council shall elect, by majority vote, a successor until the next annual meeting.

**C12.04.** The Congregation Council shall have general oversight of the life and activities of this congregation, and in particular its worship life, to the end that everything be done in accordance with the Word of God and the faith and practice of the Evangelical Lutheran Church in America. The duties of the Congregation Council shall include the following:

- a. To lead this congregation in stating its mission, to do long-range planning, to set goals and priorities, and to evaluate its activities in light of its mission and goals.
- b. To seek to involve all members of this congregation in worship, learning, witness, service and support.
- c. To oversee and provide for the administration of this congregation to enable it to fulfill its functions and perform its mission.
- d. To maintain supportive relationships with the rostered minister(s) and staff and help them annually to evaluate the fulfillment of their calling, appointment, or employment.
- e. To be examples individually and corporately of the style of life and ministry expected of all baptized persons.
- f. To promote a congregational climate of peace and goodwill and, as differences and conflicts arise, to endeavor to foster mutual understanding.
- g. To arrange for pastoral service during the sickness or absence of the pastor.
- h. To emphasize partnership with the synod and churchwide units of the Evangelical Lutheran Church in America as well as cooperation with other congregations, both Lutheran and non-Lutheran, subject to established policies of the synod and the Evangelical Lutheran Church in America.
- i. To recommend and encourage the use of program resources produced or approved by the Evangelical Lutheran Church in America.
- j. To seek out and encourage qualified persons to prepare for the ministry of the Gospel.

**C12.05.** The Congregation Council shall be responsible for the financial and property matters of this congregation.

- a. The Congregation Council shall be the board of directors of this congregation, and as such shall be responsible for maintaining and protecting its property and the management of its business and fiscal affairs. It shall have the powers and be subject to the obligations that pertain to such boards under the laws of the State of Minnesota, except as otherwise provided herein.
- b. The Congregation Council shall not have the authority to buy, sell, or encumber real property unless specifically authorized to do so by a meeting of this congregation.
- c. The Congregation Council may enter into contracts of up to 3% of the current approved annual budget for items not included in the budget.

- d. The Congregation Council shall prepare an annual budget for adoption by this congregation, shall supervise the expenditure of funds in accordance therewith following its adoption, and may incur obligations more than 3% in excess of the anticipated receipts only after approval by a Congregation Meeting. The budget shall include this congregation's full indicated share in support of the wider ministry being carried on in partnership with the synod and churchwide organization.
  - e. The Congregation Council shall ascertain that the financial affairs of this congregation are being conducted efficiently, giving particular attention to the prompt payment of all obligations and to the regular forwarding of benevolence monies to the synodical treasurer.
  - f. The Congregation Council shall be responsible for this congregation's investments and its total insurance program.
- C12.06.** The Congregation Council shall see that the provisions of this constitution, its bylaws, and the continuing resolutions are carried out.
- C12.07.** The Congregation Council shall provide for an annual review of the membership roster.
- C12.08.** The Congregation Council shall be responsible for the employment and supervision of the staff of this congregation. Nothing in this provision shall be deemed to affect the congregation's responsibility for the call, terms of call, or termination of call of any employees who are on a roster of this church.
- C12.09.** The Congregation Council shall submit a comprehensive report to this congregation at the annual meeting.
- C12.10.** *Reserved.*
- C12.11** The Congregation Council shall normally meet once a month. Special meetings may be called by the pastor or the president, and shall be called at the request of at least one-half of its members. Notice of each special meeting shall be given to all who are entitled to be present.
- C.12.11.01. The Congregation Council shall meet on the third Tuesday of each month at 6:30 p.m. on the church premises. A meeting time and place may be changed upon notice of the change to all who are entitled to be present. Notice may be given electronically.
- C12.12.** A quorum for the transaction of business shall consist of a majority of the members of the Congregation Council, including the pastor or interim pastor, except when the pastor or interim pastor requests or consents to be absent and has given prior approval to an agenda for a particular, regular or special meeting, which shall be the only business at that meeting. Chronic or repeated absence of the pastor or interim pastor who has refused approval of the agenda of a subsequent regular or special meeting shall not preclude action by the Congregation Council, following consultation with the synodical bishop.
- C12.13** The Congregation Council and its committees may hold meetings by remote communication, including electronically and by telephone conference, and, to the extent permitted by state law, notice of all meetings may be provided electronically.

## **Chapter 13. CONGREGATION COMMITTEES AND MINISTRY TEAMS**

- C13.01.** The officers of this congregation and the pastor shall constitute the **Executive Committee**.
- C13.02.** A **Nominating Committee** shall be appointed by the Congregation Council prior to the annual meeting for a term of one year. The Pastor shall act as an advisor to this committee. Members may include outgoing members of the Congregation Council and one or more members of the congregation. Members shall be eligible for reappointment.
- C13.03.** A **Finance Ministry Team** shall be appointed by the Congregation Council. Members shall include a Convener, a Recorder, the Treasurer, Council Liaison and Financial Secretary and other members-at-large.
- C13.03.01. The Finance Ministry Team shall be responsible for preparing the budget, counting, recording and depositing all contributions, paying bills, producing financial reports, furnishing the treasurer with an appropriate account of all transactions, conducting an annual “Every Member Response,” managing financial contracts, participating in an annual audit, developing a heart for stewardship, and keeping the congregation informed of the congregation’s local, national and worldwide ministries. Members shall include a Convener, Recorder and Council Liaison.
- C13.04.** An **Audit Committee** of three voting members shall be appointed by the Congregation Council. Audit Committee members shall not be members of the Congregation Council. Term of office will be one year. Members shall be eligible for reappointment.
- C.13.04.01. The Audit Committee shall be responsible for the annual auditing of the financial reports, and internal controls of this congregation. The Audit Committee may use the services of an outside audit or accounting firm for the audit. The Audit Committee shall submit a report to the Congregation Council and to the congregation at the annual meeting.
- C13.05.** There shall be a **Stewardship Ministry Team** responsible for conducting an annual pledge card response at the direction of the Finance Ministry Team, developing a heart for stewardship and for keeping the congregation informed of the congregation’s local, national and worldwide ministries. Members shall include a Convener, Recorder, Council Liaison, and other members-at-large.
- C13.05.01. The Stewardship Ministry Team shall be called the **Loaves and Fishes Team**.
- C13.06.** A **Mutual Ministry Committee** shall be appointed jointly by the president and the pastor to gather feedback and offer a confidential sounding board for the Pastor. The term of office and the number of members shall be determined by the President and the rostered minister. In the absence of a Mutual Ministry committee, the duties shall be fulfilled by the executive committee.



- C13.07.** When a pastoral vacancy occurs, or a new pastoral position is created, a **Call Committee** of at least six voting members shall be appointed by the Congregation Council. The Call Committee's term of office will terminate at the installation of the newly-called pastor.
- C13.08.** There may be a **Communications Ministry Team** responsible for internal and external communications.
- C13.08.01 This Team shall be responsible for social media, advertising, and other external communications by the Church. Members of this Team may include a convener, council liaison, recorder, webmaster, Facebook coordinator, and other members-at-large.
- C13.09.** There shall be a **Property, Buildings and Grounds Ministry Team**.
- C13.09.01. The Property, Buildings and Grounds Ministry Team shall be responsible for the purchase of equipment and supplies necessary for the efficient operation of the church and cemetery, for arranging the maintenance and improvements of the church property, and the monitoring of the property use.
- C13.09.02. Members of the Property, Buildings and Grounds Ministry Team shall include a convener, a recorder, a seasonal décor coordinator, a garden coordinator, a cemetery coordinator, 2-3 members-at-large and Council Liaison.
- C13.10.** There shall be a **Staff/Pastor, Parish Relations Ministry Team (SPPRT)** that shall be responsible for pastoral and staff support
- C13.10.01. The SPPRT Team shall provide support for the Pastor and church staff and be responsible for the reconciliation of relational conflicts within the congregation, for creating and maintaining personnel processes and policies, for creating and maintaining policies regarding paper and electronic record retention, and to assist in the hiring, discipline, and discharge of employees.
- C13.10.02. Members of the SPPRT Team shall include a convener, a Council Liaison, and at least one member-at-large.
- C13.11.** There shall be a **Worship, Art and Music Ministry Team (WAM)** that shall be responsible for assisting pastoral staff in planning and organizing worship services, recruiting and training lay readers, acolytes, assisting ministers, ushers and other worship leaders, the altar guild, the puppet ministry and for musicians and music.
- C13.11.01. Members of the WAM team may include a convener, a recorder, musicians, the Children's Ministry coordinator, Lay Assisting Ministers, the usher coordinator, the Altar Guild Coordinator, sound/projectionists coordinator, Pastor, a Council Liaison, and Artists.
- C13.12.** There shall be a **Global Mission Ministry Team** that is responsible for responding in Christian love to human need on national and global levels and coordinating the companion relationship with our sister church in Tanzania.

- C13.12.01. Members of the Global Mission Ministry Team shall include a convener, a recorder, members-at-large and a Council Liaison.
- C13.13.** There shall be a **Congregational Life Ministry Team** that is responsible for Christian outreach through regular events for the entire congregation and community, beginning and encouraging participation in fellowship service and working with other organizations and churches.
- C13.13.01. Members of the **Congregational Life Ministry Team** may include a Convener, a Recorder, and a Council Liaison. Other Team Members may include representatives from Outreach, Keenagers, Hospitality, Prayer, Friendly Visitors, and Martha's Servers.
- C13.14.** Other teams and committees of this congregation may be formed, as the need arises, by decision of the Congregation Council. Duties of committees of this congregation shall be specified in the bylaws or continuing resolutions.
- C13.15.** The pastor of this congregation shall be an advisory member of all committees and ministry teams of this congregation, except the Audit Committee and any Call Committee.
- C13.16.** There shall be a **Mission Endowment Fund** and a **Mission Endowment Committee** that shall be the custodian of the Mission Endowment Fund. The Mission Endowment Fund shall be a separate fund established to enhance the mission of this church apart from the general operation of the congregation. All assets of the fund shall be held in the name of the St. Paul Lutheran Mission Endowment Fund.
- C.13.16.01 **Mission Endowment Fund Committee.** The Mission Endowment Committee shall consist of five members, all of whom shall be voting members, as defined by this constitution. The term of each member shall be for two (2) years. This committee shall exist of four (4) members that are elected by the congregation. The fifth member of this committee shall be the president of the Congregation Council. At the annual meeting, the congregation shall elect the necessary number for a term of two years. Each year committee members shall be elected so that the terms do not all expire in the same year.
- C.13.16.02 No member shall serve more than two consecutive two-year terms. After a lapse of one year, former committee members may be re-elected. The Nominating Committee shall nominate members for the committee and report at the annual congregational meeting in the same manner as for other offices and committees. In the event of a vacancy on this committee, the Congregation Council shall appoint a member to fill the vacancy until the next annual meeting.
- C.13.16.03 The Senior Pastor shall be an advisory member of the committee.
- C.13.16.04 This committee shall meet as often as necessary to oversee and manage the Mission Endowment Fund. A quorum shall consist of three members. A majority present and voting shall carry any motion or resolution.

- C.13.16.05 This committee shall elect the following officers from its membership: a chairperson, a financial secretary and a recording secretary. The chairperson, or member designated by the chairperson, shall preside at all committee meetings and provide a written agenda prior to each meeting.
- C.13.16.06 The recording secretary shall maintain complete and accurate minutes of all meetings of the committee and provide a copy thereof to each committee member. Each member shall keep a complete copy of the minutes to be delivered to his or her successor. The recording secretary shall also provide a copy of the minutes to the Congregation Council and to the Church office.
- C.13.16.07 The financial secretary of this committee shall maintain complete and accurate books of accounts for the Mission Endowment Fund and shall, together with one other officer of the committee, sign checks and all other necessary documents on behalf of the congregation in furtherance of the purpose of the Mission Endowment Fund. A Certified Public Accountant, or other appropriate persons who are not members of this committee, shall audit the books annually.
- C.13.16.08 The committee shall report on a regular basis to the Congregation Council and, at each annual or Mission Endowment Fund-related special meeting of the congregation, shall render a full and complete audited account of the administration of the fund during the preceding year.
- C.13.16.09 The committee may request other members of the congregation to serve as advisory members and, at the expense of the fund income, may provide for such professional counseling on investments or legal matters as it deems to be in the best interest of the fund.
- C.13.16.10 Members of the committee shall not be liable for any losses which may be incurred upon the investments of the assets of the Mission Endowment Fund except to the extent such losses shall have been caused by bad faith or gross negligence. No member shall be personally liable as long as he or she acts in good faith and with ordinary prudence. Each member shall be liable only for his or her own willful misconduct or willful omissions, and shall not be liable for the acts or omissions of any other member. No member shall engage in any self-dealing or transactions with the fund in which the member has direct or indirect financial interest and shall at all times refrain from any conduct in which his or her personal interests would conflict with the interest of the fund.
- C.13.16.11 Recommendations to hold, sell, exchange, rent, lease, transfer, convert, invest, reinvest, and in all other respects to manage and control assets of the fund, including stocks, bonds, debentures, mortgages, notes, or other securities, as in their judgment and discretion they deem wise and prudent, are to be made by the committee for approval by the Congregation Council, with the subsequent execution by the delegated member of the committee.
- C.13.16.12 **Distribution of Income.** Gifts and bequests to the fund shall accumulate for 2 years, and must accumulate to a minimum of at least \$30,000, after which the income generated from the investment of the principal may be expended.

The committee shall determine what is principal and income according to generally accepted accounting practices (GAAP) for the previous calendar year. If any of the four beneficiaries listed below do not have a need for their allotted maximum of one-fourth, their existing percentage may be shared with the other groups. Also, if the income available for a particular year was not used in its entirety, the remaining balance of the income would remain in the fund as principal.

The income shall be dispersed as follows, with the ultimate percentage of income decided by the committee:

1) up to one-fourth for capital improvements, debt reduction, or building program of this congregation,

2) up to one-fourth for scholarships or grants to congregation members for the purpose of post high school education; for church-related activities or leadership conferences; or such other training which enables congregation members to grow in Christian faith and service to God's people,

3) up to one-fourth for outreach into the community including, but not limited to, grants to Evangelical Lutheran Church in America colleges, seminaries, social service agencies, institutions and agencies to which this congregation relates, and to the special programs designed for those persons in our parish area who are in spiritual and/or economic need, and

4) up to one-fourth for missions at home and overseas, including, but not limited to, grants to the Evangelical Lutheran Church in America for new mission development in North America, professional leadership, educational ministries, world mission and ecumenism, and capital financing.

Program support shall be recommended by the committee and approved by the Congregation Council for funding.

C.13.16.13 **Amendment.** Any amendment that will change, alter or amend the purpose for which this fund is established, shall be adopted by a two-thirds vote of the members present at an annual meeting or at a congregational meeting called specifically for such amendment.

C.13.16.14 **Disposition or Transfer of Fund.** In the event that this congregation ceases to exist, either through merger or dissolution, the disposition or transfer of the Fund shall be made by the committee for the approval by the Congregation Council in conformity with the approved congregational constitution with the bishop of the synod to which this congregation belongs at such time. Consultation with the Evangelical Church in America may be desirable for the continuation of the Endowment Fund obligations.

## **Chapter 14. ORGANIZATIONS WITHIN THE CONGREGATION**

C14.01. All organizations within this congregation shall exist to aid in ministering to the members of this congregation and to all persons who can be reached with the Gospel of Christ. As outgrowths and expressions of this congregation's life, the organizations are subject to its oversight and direction. This congregation at its annual meeting shall determine their policies, guide their activities, and receive reports concerning their membership, work, and finances.

- C14.02.** All God's Children Preschool is a part of the Christian education program of this congregation. The preschool shall be responsible to the Congregation Council and this congregation.
- a. The Director of the preschool shall prepare a budget which is then included in the congregation's annual budget.
  - b. The Preschool Board may consist of a President, the Preschool Director, members-at-large and at least one member of the congregation.
  - c. The Preschool Director shall also be responsible for preparing an annual report to be included in the annual report of the Congregation Council that is presented at the annual meeting.
- C14.03.** Special interest groups, other than those of the official organizations of the Evangelical Lutheran Church in America, may be organized only after authorization has been given by the Congregation Council and specified in a continuing resolution.

## **Chapter 15. DISCIPLINE OF MEMBERS**

- \*C15.01.** Persistent and public denial of the Christian faith, willful or criminal conduct grossly unbecoming a member of the Church of Christ, continual and intentional interference with the ministry of the congregation, or willful and repeated harassment or defamation of member(s) of the congregation is sufficient cause for discipline of a member. Prior to disciplinary action, reconciliation and repentance will be attempted following Matthew 18:15-17, proceeding through these successive steps, as necessary: a) private counsel and admonition by the pastor, b) censure and admonition by the pastor in the presence of two or three witnesses, c) written referral of the matter by the Congregation Council to the vice president of the synod, who will refer it to a consultation panel drawn from the Consultation Committee of the synod, and d) written referral of the matter by the consultation panel to the Committee on Discipline of the Synod. If for any reason, the pastor is unable to administer the admonitions required by paragraphs a. and b. hereof, those steps may be performed by another pastor chosen by the Executive Committee of the Congregation Council.
- \*C15.02.** The process for discipline of a member of the congregation shall be governed as prescribed by the chapter on discipline in the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*. If the counseling, censure, and admonitions pursuant to C15.01 do not result in repentance and amendment of life, charges against the accused member(s) that are specific and in writing may be prepared by the Congregation Council, signed, and submitted to the vice president of the synod. The vice president shall select from the synod's Consultation Committee a panel of five members (three lay persons and two ministers of Word and Sacrament). A copy of the written charges shall be provided to the consultation panel and the accused member(s). The consultation panel, after requesting a written reply to the charges from the accused member(s), shall consider the matter and seek a resolution by means of investigation, consultation, mediation, or whatever other means may seem appropriate. The panel's efforts to reach a mutually agreeable resolution shall continue for no more than 45 days after the matter is submitted to it.
- \*C15.03.** If the consultation panel fails to resolve the matter, that panel shall refer the case in writing, including the written charges and the accused member's reply, to the Committee on

Discipline of the synod for a hearing. A copy of the panel's written referral shall be delivered to the vice president of the synod, the Congregation Council, and the accused member(s) at the same time it is sent to the Committee on Discipline of the synod. The Executive Committee of the Synod Council shall then select six members from the Committee on Discipline to decide the case, and shall appoint a member of the Synod Council to preside as nonvoting chair. Those six members plus the nonvoting chair comprise the discipline hearing panel for deciding the case. The Congregation Council and the accused member(s) are the parties to the case.

- \*C15.04. The discipline hearing panel shall commence and conduct the disciplinary hearing in accordance with the provisions governing discipline of congregation members prescribed in the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*.
- \*C15.05. By the vote of at least two-thirds of the members of the discipline hearing panel who are present and voting, one of the following disciplinary sanctions can be imposed:
  - a. suspension from the privileges of congregation membership for a designated period of time;
  - b. suspension from the privileges of congregation membership until the pastor and the Congregation Council receive evidence, satisfactory to them, of repentance and amendment of life;
  - c. termination of membership in the congregation; or
  - d. termination of membership in the congregation and exclusion from the church property and from all congregation activities.
- \*C15.06. The written decision of the discipline hearing panel shall be sent to the vice president of the synod, the accused member(s), and the Congregation Council as required by the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*. The decision of the discipline hearing panel shall be implemented by the Congregation Council and recorded in the minutes of the next council meeting.
- \*C15.07. No member of the congregation shall be subject to discipline a second time for offenses that a discipline hearing panel has heard previously and decided pursuant to this chapter.

#### \*C15.10. **Adjudication**

- \*C15.11. When there is disagreement among factions within this congregation on a substantive issue that cannot be resolved by the parties, members of this congregation shall have access to the synodical bishop for consultation after informing the chair of the Congregation Council of their intent. If the consultation fails to resolve the issue(s), the Consultation Committee of the synod shall consider the matter. If the Consultation Committee of the synod shall fail to resolve the issue(s), the matter shall be referred to the Synod Council, whose decision shall be final.

## **Chapter 16. AMENDMENTS**

- \*C16.01. Unless provision C16.04. is applicable, those sections of this constitution that are not required, in accord with the *Model Constitution for Congregations of the Evangelical*

*Lutheran Church in America*, may be amended in the following manner. Amendments to this constitution may be proposed by at least five voting members or by the Congregation Council. Proposals must be filed in writing with the Congregation Council at least 60 days before formal consideration by this congregation at its regular or special Congregation Meeting called for that purpose. The Congregation Council shall notify the congregation members of the proposal with their recommendations at least 30 days in advance of the meeting. Notification may take place by mail or electronic means, as permitted by state law.

- \***C16.02.** An amendment to this constitution, proposed under C16.01. shall:
  - a. be approved by a legally called Congregation Meeting according to this constitution by a majority vote of those voting members present and voting;
  - b. be ratified without change at the next annual meeting by a two-thirds vote of those voting members present and voting; and
  - c. have the effective date included in the resolution and noted in the constitution.
  
- \***C16.03.** Any amendments to this constitution that result from the processes provided in C16.01. and C16.02. shall be sent by the secretary of this congregation to the synod. The synod shall notify the congregation of its decision to approve or disapprove the proposed changes; the changes shall go into effect upon notification that the synod has approved them.
  
- \***C16.04.** This constitution may be amended to bring any section into conformity with a section or sections, either required or not required, of the *Model Constitution for Congregations of the Evangelical Lutheran Church in America* – as most recently amended by the Churchwide Assembly. Such amendments may be approved by a majority vote of those voting members present and voting at any legally called meeting of the congregation without presentation at a prior meeting of the congregation, provided that the Congregation Council has submitted by mail or electronic means, as permitted by state law, notice to the congregation of such an amendment or amendments, together with the council’s recommendations, at least 30 days prior to the meeting. Upon the request of at least 10 voting members of the congregation, the Congregation Council shall submit such notice. Following the adoption of an amendment, the secretary of the congregation shall submit a copy thereof to the synod. Such provisions shall become effective immediately following a vote of approval.

## **Chapter 17. BYLAWS**

- \***C17.01.** This congregation may adopt bylaws. No bylaw may conflict with this constitution.
  
- \***C17.02.** Bylaws may be adopted or amended at any legally called meeting of this congregation with a quorum present by a two-thirds vote of those voting members present and voting.
  
- \***C17.03.** Changes to the bylaws may be proposed by any voting member, provided that such additions or amendments must be submitted in writing to the Congregation Council at least 60 days before a regular or special Congregation Meeting called for that purpose. The Congregation Council shall notify this congregation’s members of the proposal with the council’s recommendations at least 30 days in advance of the Congregation

Meeting. Notification may take place by mail or electronic means, as permitted by state law.

- \*C17.04. Approved changes to the bylaws shall be sent by the secretary of this congregation to the synod.

## **Chapter 18. CONTINUING RESOLUTIONS**

- \*C18.01. The congregation in a legally called meeting or the Congregation Council may enact continuing resolutions. Such continuing resolutions may not conflict with the constitution or bylaws of this congregation.
- \*C18.02. Continuing resolutions shall be enacted or amended by a majority vote of a meeting of this congregation or by a two-thirds vote of all voting members of the Congregation Council.

## **Chapter 19. INDEMNIFICATION**

- \*C19.01. Consistent with the provisions of the laws under which this congregation is incorporated, this congregation may adopt provisions providing indemnification for each person who, by reason of the fact that such person is or was a Congregation Council member, officer, employee, agent, or other member of any committee of this congregation, was or is threatened to be made a party to any threatened, pending, or completed civil, criminal, administrative, arbitration, or investigative proceeding.