

CONSTITUTION & BYLAWS

OF

PEACE LUTHERAN CHURCH

COLD SPRING, MINNESOTA

2014



Evangelical Lutheran Church in America

God's work. Our hands.

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Readers' Guidance for this Proposed Edition:

This congregation's constitution & bylaws substantially follows the most current ELCA Model Constitution for Congregations (2013). As such, a provision that may NOT be altered by an ELCA congregation is identified by preceding its code with an asterisk, "*".

Codification / Numbering for Chapters and Provisions of the Constitution and Bylaws

A numerical codification indicates (a) general subject, (b) constitutional provisions, (c) bylaws, and (d) continuing resolutions.

General subjects are grouped as "Chapters" and are numbered consecutively (C1, C2, etc.).

Provisions within a chapter are given the Chapter number followed by consecutive two-digit numbering of the form CN.nn .

Bylaws related to constitutional chapter provisions (e.g., CN.nn) are given an additional two-digit code of the form CN.nn.nn. In this edition, bylaw codes are within brackets to more strongly differentiate those provisions from constitutional provisions. For example, "[CN.nn.nn]".

Continuing Resolutions are also codified with three sets of numbers, except the third set is preceded by a capital letter. Thus an example of a continuing resolution that is coded C13.07.A06, will be numbered C13, to designate the chapter; C13.07 to designate the subject matter within the chapter; and the third code might be numbered A06, where the "A" is the first continuing resolution regarding that subject and "06" indicating that it was adopted in 2006.

CONSTITUTION & BYLAWS
for
PEACE LUTHERAN CHURCH,
COLD SPRING, MINNESOTA
of the
EVANGELICAL LUTHERAN
CHURCH IN AMERICA®

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***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 Peace Lutheran Church of Cold Spring, Minnesota.¹

C1.02 For the purpose of this constitution and the accompanying bylaws, the congregation of Peace Lutheran Church of Cold Spring, Minnesota, is hereinafter designated as "this congregation."

C1.11. This congregation shall be incorporated under the laws of the State of Minnesota.

* Required provision

¹ A registered non-profit corporation in 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 judgment 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 Scripture 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 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. The Evangelical Lutheran Church in America, 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.

***C3.03.** 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 churchwide organization of 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 committee, task force, or other organizational group and shall review their actions. Such descriptions shall be contained in continuing resolutions in the section on the Congregation Committees.

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

***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 creation 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 or terminate the call of associates in ministry, deaconesses, and diaconal ministers in conformity with the applicable policy of the Evangelical Lutheran Church in America;
- d. adopt amendments to the constitution, as provided in Chapter 17, amendments to the bylaws, as specified in Chapter 16, and continuing resolutions, as provided in Chapter 18.
- e. approve the annual budget;
- f. acquire real and personal property by gift, devise, purchase, or other lawful means;
- g. hold title to and use its property for any and all activities consistent with its purpose;
- h. sell, mortgage, lease, transfer, or otherwise dispose of its property by any lawful means;
- i. elect its officers, and Congregation Council, and require them to carry out their duties in accordance with the constitution, bylaws, and continuing resolutions; and
- j. 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 elected by the congregation and other qualifications shall be as prescribed in guidelines established by the Southwest Minnesota Synod of the Evangelical Lutheran Church in America.

C5.05. This congregation may have a mission endowment fund that will operate as specified in this congregation's bylaws. The purpose of the mission endowment fund is to provide for mission work beyond the operational budget of this congregation.

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 Southwest Minnesota 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 clergy roster 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 ordained ministers of the Evangelical Lutheran Church in America or to contracting for pastoral services with an ordained minister 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 associates in ministry, deaconesses, and diaconal ministers 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.** A congregation may terminate its relationship with this church 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 the 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 designees, 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 this church, who shall report the termination to the Churchwide Assembly.

g. 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.

h. 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.

i. 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.

j. If a 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 a 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 considers 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 Southwest Minnesota Synod of the Evangelical Lutheran Church in America.²

***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 a two-thirds majority 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 Southwest Minnesota Synod of the Evangelical Lutheran Church in America.

***C7.04.** If a two-thirds majority 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 in this congregation only 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.

C7.05. Notwithstanding the provisions of *C7.02. and *C.7.03. above, where this congregation has received property from the synod pursuant to a deed or other instrument containing restrictions under provision 9.71.a. of the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*, this congregation accepts such restrictions and:

a. Shall not transfer, encumber, mortgage, or in any way burden or impair any right, title, or interest in the property without prior approval of the Synod Council.

b. Shall—upon written demand by the Synod Council, pursuant to †S13.23. of the constitution of the Southwest Minnesota Synod of the Evangelical Lutheran Church in America — reconvey and transfer all right, title, and interest in the property to the synod.

² A registered non-profit corporation in Minnesota.

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.

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, or persons who wish to retain a relationship with this congregation while being members of other congregations. They have all the privileges and duties of membership except voting rights and eligibility for elected offices or membership on the Congregation Council of this congregation.

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

***C8.04.** It shall be the privilege and duty of members of this congregation 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 synod, and the churchwide organization of the Evangelical Lutheran Church in America through contributions of their time, abilities, and financial support as biblical stewards.

***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 ELCA constitutional provision 20.40. and the accompanying bylaws; or
- e. removal from the roll due to inactivity as defined in the bylaws.

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

CHAPTER 9. THE PASTOR

***C9.01.** Authority to call a pastor shall be in this congregation by at least a two-thirds majority ballot vote of members present and voting at a meeting legally called for that purpose. Before a call is issued, the officers, or a committee elected by this congregation to recommend the call, shall seek the advice and help of the bishop of the synod.

***C9.02.** Only a member of the clergy roster of the Evangelical Lutheran Church in America or a candidate for the roster of ordained ministers who has been recommended for the 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. Every ordained minister shall:
 - 1) preach the Word;
 - 2) administer the sacraments;
 - 3) conduct public worship;
 - 4) provide pastoral care; and
 - 5) 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 ordained minister with a congregational call shall, within the congregation:
 - 1) offer instruction, confirm, marry, visit the sick and distressed, and bury the dead;
 - 2) supervise all schools and organizations of this congregation;

- 3) install regularly elected members of the Congregation Council; and
- 4) with the council, administer discipline.

c. Every pastor shall:

- 1) strive to extend the Kingdom of God in the community, in the nation, and abroad;
- 2) seek out and encourage qualified persons to prepare for the ministry of the Gospel;
- 3) impart knowledge of this church and its wider ministry through distribution of its periodicals and other publications; and
- 4) endeavor to increase the support given by the congregation to the work of the churchwide organization of the Evangelical Lutheran Church in America (ELCA) and of the Southwest Minnesota 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 a letter of call, which shall be attested by the bishop of the synod.

***C9.05.** a. The call of a 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 ordained ministers 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 this synod,

- 1) the bishop in his or her sole discretion may investigate such conditions personally together with a committee of two ordained 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 ordained 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 pastor's condition. When a disability or incapacity is evident to the committee, the bishop of this synod may declare the pastorate vacant and the pastor shall be listed on the clergy roster as disabled. Upon removal of the disability and the 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 that 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 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 disciplinary action, 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 the 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 ordained pastor 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.

***C9.11.** 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 a 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. In a parish of multiple congregations, the pastor shall hold membership in one of the congregations.

***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 the congregation. The secretary of this congregation shall attest in writing to the bishop of this 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.

C9.20. Ecumenical pastoral ministry

C9.21. Under special circumstances, subject to the approval of the synodical bishop and the concurrence of this congregation, an ordained minister of a church body with 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 in a form proposed by the synodical bishop and approved by the congregation.

CHAPTER 10. CONGREGATION MEETING

C10.01. The meetings of this congregation shall be held at least annually at a time specified by the Congregational Council.

C10.02. A special Congregation Meeting may be called by the pastor, the Congregation Council, or the president of this congregation, and shall be called by the president of the congregation upon the written request of at least 20 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 for which it is to be held, and no other business shall be transacted.

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. Voting by absentee ballot shall not be permitted.

C10.05. Voting by proxy shall be permitted in accordance with the bylaws.

[C10.05.01] A voting member of the congregation may appoint a proxy to vote in their stead at any congregational meeting. Such voting member shall appoint their proxy in writing using the form designated by the congregational council in order for their vote to be counted.

C10.06. Fifty (50) voting members (excluding proxies) present in a congregational meeting shall constitute a quorum.

C10.07. All actions approved by the congregation shall be by majority vote of those voting members present and voting, except as otherwise provided in this constitution, the bylaws, or by state law.

[C10.07.01] A “super-majority” shall be defined as a vote of at least seventy (70) voting members present at that congregational meeting. Upon a seconded motion for a “super majority”, such a vote shall be required for passage of such an item identified in that motion.

[C10.07.02] Voting in a congregational meeting shall be by voice vote unless a show of hands or written ballot is requested by the president or by a seconded motion of a voting member of the congregation.

C10.08. Except on motions as provided in **C10.07.01** and **C12.12.01**, *Robert's Rules of Order*, 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, president-elect, secretary, and treasurer.

The president shall be the person elected as president-elect at the previous year's annual meeting. The president shall serve a one year term.

The president-elect shall serve a one-year term as president-elect and then succeed as president after the subsequent annual meeting.

Duties of the officers shall be specified in the bylaws.

The officers shall be voting members of the congregation.

[C11.01.01] Officers' Duties

1. President

The president should preside at the meeting of the congregation and the Congregation Council. As presiding officer, the president shall prepare and distribute the agenda preferably one week prior to the council meeting; conduct the meeting, and assign persons to assist in the implementation of the actions decided in the meeting. In addition, the president should be in regular consultation with the pastor(s), council members, and committee leaders as the work of the congregation is being done. The president will serve as an advisor (ex officio member) to all committees]. The president should receive an update of all active committees and administrative boards. The president will lead the annual review of staff.

2. President-elect

The president-elect shall preside in the absence of the president, at any meeting of the Congregation Council and the congregation. The president-elect shall receive an update of all active administrative boards. The president-elect will take the lead in the annual budget development, and will assist the president in the annual review of staff.

3. Council Secretary

The council secretary shall keep accurate minutes of the council meetings and the congregation meetings. The secretary shall also be responsible for writing letters of acknowledgment or gratitude on behalf of the council and/or congregation. The council minutes should be submitted to the council members preferably one week prior to the council meeting. The unapproved official minutes of the council meeting should be submitted to the congregation in a monthly written communication. The secretary should preserve the minutes of all council meetings and turn over all minutes to the staff secretary annually for permanent record keeping.

4. Treasurer

The treasurer position, as the financial officer of the congregation, shall be bonded and act as custodian of all funds of the congregation. The treasurer is responsible for payment of all bills,

invoices and charges in a timely fashion. The treasurer should disburse all such funds in accordance with the decision of the congregation or the Congregation Council. The treasurer should perform or oversee all bookkeeping functions and assure that all required federal and state tax forms are prepared and submitted on time. The treasurer should closely monitor the cash position of the congregation and invest available funds as directed. The treasurer shall arrange for borrowing funds as directed by the church council. The treasurer should present a financial report to the annual congregation meeting and such other reports to the Congregation Council as may be required. The treasurer should submit a monthly summary financial statement outlining the church's financial status to the congregation in a monthly written communication or mailing. The treasurer shall be a member of the Stewardship Administrative Board and the Budget Committee.

C11.02. The congregation shall elect its officers and they shall be the officers of the congregation. Their terms shall begin at the close of the annual meeting at which they are elected. The president and president-elect shall each serve a one year term. The secretary and treasurer shall each serve two year terms.

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.

CHAPTER 12. CONGREGATION COUNCIL

C12.01. The regular voting membership of the Congregation Council shall consist of the officers of the congregation, the senior pastor, and at least four at-large members of the congregation. Any voting member of the congregation may be elected to the Congregation Council as an officer or as one of the four at-large members, subject only to the limitation on the length of continuous service permitted in that office. Up to two young adults (defined as being under the age of twenty-two (22) at the time of election) may be elected without qualifying as voting members of the congregation but, in such event, shall have voice without vote on the Congregation Council.

[C12.01.01] A member's place on the Congregation Council shall be declared vacant if the member a) ceases to be a voting member of this congregation or b) is absent from four successive regular meetings of the Congregation Council without cause. Consistent with the laws of Minnesota, the congregation may adopt procedures for the removal of a member, other than the pastor, of the Congregation Council in other circumstances.

C12.02. The at-large members of the Congregation Council, except the pastor, shall be elected to serve for two years or until their successors are elected. Such members shall be eligible to serve no more than two full terms consecutively. Their terms shall begin at the close of the annual meeting at which they are elected.

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 of this congregation.

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 pastor and staff, and help them annually to evaluate the fulfillment of their calling 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 organization 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.

[C12.04.01] Duties of the Congregation Council

The Congregation Council shall have the following duties and responsibilities:

1. Responsible for setting the pastor's salary and its pastoral evaluation annually.

2. Responsible for evaluation and review of staff and volunteer leaders.

3. Responsible for all matters relating to legal or corporate affairs and general management of the congregation.

4. The Congregation Council shall receive reports regularly from the treasurer to ascertain that the expenditures are within the budget and approved by the congregation. Any expenditures in excess of the total voted budget must be approved by the congregation, except as stated in C12:05c, and C12:05d.

5. Should groups or individuals not associated with the congregation desire to use the land, building, or premises of the congregation, they shall fill out a church use agreement.
 6. The Congregation Council should examine existing insurance coverage.
 7. The Congregation Council should review items (1.- 6.) annually or as needed.
 8. The Congregation Council should either set up a trustee committee or be responsible for the counting and depositing of weekly offerings. The treasurer or church secretary should not count these offerings or the spouse or partner to one of these individuals.
 9. Half of the Congregation Council members are elected each year for two-year terms on a rotating basis.
 10. Congregation Council members should:
 - A. Be a liaison with the administrative boards and committees of the congregation. The administrative boards are listed in Chapter 13.
 - B. Inform the president when unable to attend church council meetings.
 - C. Represent the congregation in the administrative affairs of the congregation.
 - D. Lead the congregation forward toward the fulfillment of the greater ministry of Christ's church.
 - E. Be faithful to the ministry in the spiritual affairs of the congregation. (The office of the ministry, that is the Word and Sacraments, which is the authority for all spiritual matters of the congregation.)
 11. Congregation Council members shall be faithful in worship, in receiving the sacraments, ~~and~~ in the study of God's Word, and in financial support of the congregation.
 12. Congregation Council is responsible for preparing descriptions of the responsibilities of each of the administrative board and committees, and for reviewing their actions.
 13. The Congregation Council members should be liaisons with the administrative boards so there is good communication with the church body and with its various groups. At the beginning of the Congregation Council year, each council member will determine which area of responsibility they will be liaison with. A liaison does not have to attend all committee meetings but must be in contact with each area of responsibility to determine if items need to be brought to the council meeting.
- 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 the congregation.

c. The Congregation Council may enter into contracts of up to 2% of the annual operating 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. The Council may incur obligations of more than 5% in excess of the current approved operating budget only after approval by a Congregation Meeting.

e. 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.

f. 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.

g. 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.

C12.11. The Congregation Council shall normally meet once a month. Special meetings may be called by the pastor or the president, and shall be called by the president 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. Business considered minor and urgent by the president may be conducted by electronic means, outside a Congregation Council meeting only without objection by any Congregation Council member.

C12.12. A quorum for the transaction of business shall consist of a majority of the members of the Congregation Council.

[C12.12.01] A vote of two-thirds of the Congregational Council shall be defined as a "super-majority". Upon a seconded motion for "a super-majority" on a given item of business by a member of the Congregational Council, a super-majority shall be required for passage of such item.

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 ADMINISTRATIVE BOARDS AND COMMITTEES

C13.01 Administrative Boards:

The Congregation Council shall establish and support six (6) Administrative Boards as follows:

- a. **Worship and Music** – Provide overall direction and leadership for the worship life of the congregation.
- b. **Education and Youth Ministry** – Give support and overall direction to Youth Ministry and all Christian Education Ministry so that all may grow in their relationship with God and the Peace Community.
- c. **Lay Ministry** – Give support and overall direction to the various ministries that take place through congregational members; encourage all members to be integrated into some form of discipleship ministry.
- d. **Mission Outreach** – Promote action beyond the immediate congregation
- e. **Property** – Provide for the proper maintenance and repair of church property.
- f. **Stewardship** - Develop, manage and report the financial resources of the congregation; foster a Biblical sense of stewardship in the congregation.

The Congregation Council shall assign a council member as liaison for each Administrative Board to communicate and coordinate its activities with the Congregation Council and the other boards.

Each administrative board shall develop its own stated purpose and form its own task teams and/or committees to fulfill its purpose. The developed purpose descriptions, once approved by the council, shall be codified by Continuing Resolution(s).

C13.02. Standing Committees:

The congregation shall establish, at a minimum, the following committees.

- a. An **Executive Committee**. The officers of this congregation and the pastor shall constitute the *Executive Committee*.
- b. A **Nominating Committee** shall consist of four (4) outgoing members of the Congregation Council.
- c. An **Audit Committee** of three voting members shall be elected by the Congregation Council. Audit Committee members shall not be members of the Congregation Council. Term of office shall be three years, with one member elected each year. Members shall be eligible for re-election.
- d. A **Mutual Ministry Committee** (in the absence of a mutual ministry committee, the duties shall be fulfilled by the Executive Committee) shall be appointed jointly by the President

[President-elect¹] and the pastor. Term of office shall be three years, with two members to be appointed each successive year.

- e. As needed, a **Call Committee** shall be formed. When a pastoral vacancy occurs, a **Call Committee** of six voting members shall be elected by this congregation. Term of office will terminate upon installation of the newly called pastor. Paid staff members or their spouses are not eligible for election to a pastoral call committee nor shall spouses be members of the same pastoral call committee.
- f. **Other committees** of this congregation may be formed, as the need arises, by decision of the Congregation Council.

C13.03. Duties of the administrative boards and committees of this congregation shall be specified in the bylaws.

C13.04. The pastor of this congregation shall be *ex officio* a member of all committees and boards of the congregation.

[C13.01.01] General Guidelines for Administrative Boards

Committees of this congregation may be formed as the need arises, by the Administrative Boards.

Administrative Boards shall:

1. Represent this congregation and report to the Congregation Council on a regular basis so the Congregation Council is informed of Administrative Boards actions.
2. Select and nominate members from the congregation for service on their Administrative Board.
3. Submit Board updates to the President and President-elect.
4. Establish the Board purpose and be responsible for carrying out its purpose and evaluating its progress.
5. Plan and oversee the Board budget, if applicable.
6. Submit budget requests and expense reimbursements to the treasurer if and when needed.
7. Submit a written report to be included with the annual report, if requested by council.
8. Elect a leader. The members on the Boards and their committees will be responsible for arranging meetings and keeping the committee focus on its task. All boards and committee(s) are responsible to the Congregation Council. The Boards and committee(s) shall have no authority to initiate policy or introduce programs without approval by the Congregation Council. Meetings will be determined by the type of Boards and committee(s) and as often as the members see fit.

[C13.02.01] Duties of Standing Committees

Nominating Committee

The nominating committee is responsible for submitting a list of members who have been contacted and agreed to have their names placed on the ballot for the Congregation Council. Their name has to be in the church office fifteen days prior to the day of the election at the congregation meeting. No nominations will be selected from the floor at the annual meeting. If person(s) are interested in being on the Congregation Council, they can submit their name to the nominating committee for consideration. If a member(s) would like to see a specific person(s) on the Congregation Council, they can submit that name(s) to the committee for consideration.

The Nomination Committee shall submit a list of recommended candidates for election to the Congregation Council and/or Standing Committees for council approval.

AUDIT COMMITTEE

The Audit Committee should be appointed in January of every year by the Congregation Council. The Audit Committee should insure that there is an insurance policy in effect and that all notes, loans, receivable(s), CD(s) etc. are maintained in a safe deposit box. They should also insure that ministerial records are being completed. The Audit Committee shall audit all financial records of the congregation and shall present its report at an annual congregation meeting in writing.

BUDGET COMMITTEE

A budget committee will consist of the president-elect, treasurer, the senior pastor and, if needed, member(s) of the congregation. They will prepare a budget for the council to approve and then submit to the annual congregation meeting for congregational approval.

MUTUAL MINISTRY COMMITTEE

A. The purpose of a Mutual Ministry Committee is to provide a channel for giving the pastor(s) feedback about ministry in the congregation so that he/she is always in touch with how ministry is being perceived. He/she can then take steps to correct any misunderstanding or inadequacies before they become too difficult to deal with or erupt into major problems. This committee can help prevent crises, conflicts, and misunderstandings between pastor(s) and congregation and enhance an atmosphere of mutual understanding, trust, and cooperation.

It offers the pastor(s) an opportunity to reflect on ministry as he/she sees it. Here he/she can share both joys and frustrations, accomplishments and disappointments. This committee can serve as a "sounding board" when the pastor is faced with difficult situation(s) and decisions.

Members of the Mutual Ministry Committee(s) can dream and brainstorm with the pastor(s) to surface new and creative ways of carrying out ministry. It provides members of the congregation, who are uncomfortable with approaching the pastor(s) themselves, an avenue through which they can communicate specific needs and concerns as well as satisfaction to the pastor(s). At the same time, it is very important to encourage people to deal directly with the pastor rather than assuming this responsibility for them.

B. Committee Membership Guidelines are as follows:

The committee should consist of six members, two of whom rotate off of the committee every year. Committee members should serve three year terms.

On even numbered years the pastor should select two new members and on odd numbered years the Congregation Council should select the two new members.

No Congregation Council member shall serve on the Mutual Ministry Committee.

Persons for this committee should be selected very carefully from among those who can maintain a high level of confidentiality. Members should also be able to relate easily to others and should be sensitive to others' needs and feelings. They should have a high level of respect and trust among their fellow members.

All members of the committee should also be acceptable to the pastor(s) and should represent a good cross-section of the congregation. Members of the committee should reflect a strong faith and a clear understanding and deep commitment to the ministry of the church.

C. Committee Structure shall be as follows: The committee should elect its own leader who would not necessarily preside over meeting(s) but would be responsible for arranging meetings and keeping the committee focus on its task.

This committee is accountable to the Congregation Council. The committee shall have no authority to initiate policy or introduce programs. Its sole purpose is to remain free to offer consultation to the pastor(s) and to help interpret ministry, especially pastoral ministry, to the congregation.

This committee should not be involved in evaluation of the pastor(s) ministry or the setting of the pastor(s) salary.

It is recommended that meetings or social events should be held quarterly, or as deemed necessary. It is important for the committee to meet even when there are no specific problems with which to deal. This offers an excellent opportunity to build trust from which to deal with problems and conflicts should they arise. It is important that the pastor(s) spouse, and at times their children, have the opportunity to participate in these meetings and social events.

D. The committee should be careful to remain open to the whole spectrum of congregation concerns and feelings so that it is not be viewed as an "elite group" that just agrees with the pastor(s).

This committee should deal with both the negative and positive aspects of the ministry.

The committee should always encourage people who approach them to deal directly with the pastor(s). Do not allow people to "get off the hook" by dumping their concerns on the committee.

The committee should be careful not to assume powers and responsibilities that rightfully belong to other committees or the Congregation Council.

If exceptionally difficult problems should arise, the committee should not try to resolve situations with which they are not equipped to deal, rather they should refer the matter to the Congregation Council if it does not involve breaking confidentiality.

The main goal of the committee is to listen, reflect, offer counsel and friendship to the pastor(s) and their families.

Confidentiality is absolutely vital. What is shared with the committee must absolutely remain with the committee.

[C13.07.04] Composition & Duties of Other Congregational Organizations

Bylaw Committee [See also C16]

A Bylaw Committee will be appointed by the Congregation Council when there is a need for action. This committee will review the Constitution and Bylaws, and recommend to the council any changes to be made to either the Constitution or Bylaws. The Congregation Council shall select a council member to initiate the committee. This committee should represent a reasonable cross section of the congregation. The leader should be selected from the committee.

Cemetery Board

The Cemetery Board has been formed to establish a cemetery on this congregation's property. This cemetery board shall continue to maintain and promote the cemetery and shall be responsible to follow all state of Minnesota, Synod and church guidelines.

[C13.05.01] Church Policies

A. Congregation Records:

All yearly church records shall be stored at the church office by the church secretary for future reference.

The records of the congregation shall be and remain the property of the congregation. The pastor should be responsible for maintenance of the records, except as otherwise provided herein. Upon the termination of a pastor's service to the congregation, the records shall have been brought up to date prior to departure. The records shall consist of:

- The roster of baptized, communicant and voting members.
- The ministerial acts performed by the pastor.
- The minutes and reports of the synod and Handbook of the Evangelical Lutheran Church in America.
- The minutes of the meetings of the congregation and the Congregation Council, for which the secretary of the congregation shall be responsible.
- The financial records of the congregation for which the treasurer of the congregation shall be responsible.

At year-end backup computer media will be gathered by the church secretary and maintained in the safe deposit box. All other minutes, financial records, etc. should be maintained and safeguarded to the extent practical..

The pastor shall report to the Synod such statistics as may be requested and shall annually report to the congregation a summary of ministerial acts. Should the congregation be dissolved, the official records of the congregation shall be deposited in the archives of The Evangelical Lutheran Church in America or its successor.

B. Congregation Meetings

The annual meetings of this congregation will be scheduled at a time and date decided by the Congregation Council with requirements listed in our constitution.

The current roster of voting members should be available at each meeting of the congregation.

The annual meeting should receive reports from all the organizations of the congregation. Such reports, including a financial statement, should be submitted in writing to the church secretary not less than ten (10) working days before such meeting.

The order of business at the annual meetings should be:

Opening devotion

Approval of minutes of the previous meeting

Reports of the pastor(s), Congregation Council, treasurer, committees, and others

Elections

Approval of budget, unless previously approved by the congregation

Unfinished business

New business

Closing prayer

If requested, voting shall be by written ballot.

C. Conflicting Loyalties

While the buildings of the congregation shall be open to all people to share in its worship, instruction, pastoral care, and fellowship, the congregation rejects all fellowship with organizations, secret or open, which are avowedly religious or which practice forms of religion without confessing faith in the Triune God and in Jesus Christ as the Eternal Son of God incarnate to be our only Savior from sin and which thus teach salvation by works.

Ceremonies of lodges or other such organizations shall not be permitted in the buildings or premises of the congregation.

D. Fund Accounting Practices

Any special gifts that are given to the church for specific purposes such as piano or organ fund, education materials, altar paraments, etc. should be maintained by the church treasurer in a special fund so we have yearly accountability. These funds were given apart from the general operation of the congregation and are not to be used for the church operating budget.

E. Fund Raising

Games of chance as fund raising efforts will not be allowed. All fund raising efforts must be presented to the Congregation Council for approval.

F. Gifts of Stock

The Congregation Council should review all stocks given to the church periodically and determine if and when to liquidate.

G. Special Interest Groups

Special Interest groups, other than those of the official organizations of the ELCA, may be organized only after authorization has been given by the Congregation Council. The Congregation Council is responsible for approval of use of the property by any special interest groups.

H. Tax Exemptions

This congregation shall maintain a tax-exempt status as a non-profit corporation in the State of Minnesota. The church secretary shall keep records of this status and maintain the appropriate state forms to identify this status to vendors doing business with the congregation. These forms may be given to church member(s) so they can purchase (tax exempt) goods and services for the church. The church secretary will be responsible for maintaining these forms and, as appropriate, may give them to church member(s) who request them and who state that the goods or services will be purchased and used entirely for the missions of the church.

CHAPTER 14. ORGANIZATIONS WITHIN THE CONGREGATION

C14.01. All organizations within this congregation shall exist to aid it 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 meeting shall determine their policies, guide their activities, and receive reports concerning their membership, work, and finances.

C14.02. 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].

[C14.02.01] Auxiliaries

Under the guidance and supervision of the Congregation Council, auxiliaries shall be formed to promote the work of the church. Such auxiliaries shall be known officially as Thrivent Financial for Lutherans, Primetimers of Peace (POP), Women of Peace, ROMEOS, Lutheran men in Mission, Women's Mission Group, etc.

The purpose and ministry of each auxiliary shall be to encourage the members of those auxiliaries to engage in the programs and activities of this church.

Auxiliary members shall encourage men, women, and youth of this church to interest the un-churched and un-converted, to love the unloved and unlovable, and to become avenues of Christian growth, service and fellowship.

Auxiliaries shall elect their own officers, manage their own funds, conduct their separate programs, but be responsible to the Congregation Council and the congregation.

CHAPTER 15. DISCIPLINE OF MEMBERS AND ADJUDICATION

***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 clergy). 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 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. BYLAWS

***C16.01.** This congregation may adopt bylaws. No bylaw may conflict with this constitution.

***C16.02.** Bylaws may be adopted or amended at any legally called meeting of this congregation with a quorum present by a majority vote of those voting members present and voting.

***C16.03.** Changes to the bylaws may be proposed by any voting member, provided that such additions or amendments 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 the 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 and/or electronic means, as permitted by state law.

***C16.04.** Approved changes to the bylaws shall be sent by the secretary of this congregation to the synod.

CHAPTER 17. AMENDMENTS

***C17.01.** Unless provision *C17.04. 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 may be proposed by at least 10 voting members or by the Congregation Council. Proposals must be filed in writing with the Congregation Council 60 days before formal consideration by this congregation at a regular or special Congregation Meeting called for that purpose. The Congregation Council shall notify the congregation's members of the proposal together with the council's recommendations at least 30 days in advance of the meeting. Notification may take place by mail or electronic means, as permitted by state law.

***C17.02.** An amendment to this constitution, proposed under *C17.01., shall:

a. be approved at a legally called Congregation Meeting according to this constitution by a majority vote of those present and voting;

b. be ratified without change at the next annual meeting by a two-thirds majority vote of those present and voting; and

c. have the effective date included in the resolution² and noted in the constitution.

***C17.03.** Any amendments to this constitution that result from the processes provided in *C17.01. and *C17.02. shall be sent by the secretary of this congregation to the synod. The synod shall notify

² Such an effective date must be stated in relation to the requirements of *C17.03. to allow time for synodical review of the amendment.

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.

***C17.04.** 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 simple 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 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 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 the congregation or 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.