

**Constitution, Bylaws, and
Continuing Resolutions
Of
Farmington Evangelical Lutheran
Church**

**20600 Akin Road
Farmington, MN 55024**

**Approved on November 11, 2012
Ratified January 27, 2013
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INTRODUCTION

The constitution of Farmington Evangelical Lutheran Church is based on The *Model Constitution for Congregations of the Evangelical Lutheran Church in America* originally adopted by the Constituting Convention of this church in Columbus, Ohio, on April 30, 1987. This was done as required by the *Constitutions, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*.

This current edition of the *Model Constitution for Congregations of the Evangelical Lutheran Church in America* contains changes adopted by the 1989, 1991, 1993, 1995, 1997, 1999, 2001, 2003, 2005, 2007, and 2009 Church wide Assemblies.

The model is consistent with the requirements of the constitutional governing documents of the ELCA's church wide organization and synods.

The Constitution and Bylaws of Farmington Evangelical Lutheran Church have been incorporated into one document. The document is divided into chapters, with each chapter containing constitution provisions and any related bylaws.

► **Required provisions:** Sections of this constitution marked by an asterisk [*] are required when a congregation amends its governing documents. These sections must be used without alteration or amendment of the text in any manner (neither additions nor deletions). This is in keeping with provision 9.52. in the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*. This provision stipulates that when a congregation of this church "wishes to amend any provision of its governing documents, the governing documents of that congregation shall be so amended to conform to 9.25.b." in the church wide constitution. The provisions herein marked by an asterisk are those that are indicated as required in ELCA constitutional provision 9.25.b.

► **Review by synod:** In keeping with provisions that apply to all congregations of this church, each congregation is to provide a copy of its governing documents to the synod. As specified by ELCA bylaw 9.53.03. (numbering as listed in the 1991 and subsequent editions):

All proposed changes in the constitution or incorporation documents of a congregation shall be referred to the synod with which the congregation is affiliated. The synod shall approve or disapprove the proposed changes within 120 days of receipt thereof, and shall notify the congregation of its decision; in the absence of a decision, the changes shall go into effect.

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

A. Major sections are designated as chapters. The chapter designation becomes the first number in the codification sequence and is followed by a period. Thus, provisions in "Chapter 8. Membership" are preceded by "8."

B. Constitutional provisions are codified with two sets of numbers: the chapter number and a two-digit number preceding the second period in the codification. Thus, one constitutional provision related to "Membership" is codified *C8.02. They are also in bold face type.

C. Bylaw provisions are codified with three sets of numbers: the chapter number, the related constitutional provision number, and a two-digit number. Thus, one bylaw provision related to "Membership" would be codified C8.02.01. Because bylaws and continuing resolutions normally are so specifically related to details of each congregation's organization, operation, and life, no model set of bylaws or continuing resolutions is provided. Each congregation may develop its own bylaws and continuing resolutions, but no such bylaws or continuing resolutions may conflict with this constitution, the constitution and bylaws of the Evangelical Lutheran Church in America, and the constitution of the synod, as indicated in C6.03.e. The bylaws are in light face italic type.

D. The Congregation Council may adopt "continuing resolutions," which may provide descriptions of operational patterns or of the ongoing responsibilities of committees or other units within the organizational structure of the congregation. Within the governing documents of a congregation, continuing resolutions are the provisions most easily amended. Unlike constitutional provisions and bylaws, continuing resolutions may be updated regularly by the Congregation Council without the necessity of calling a regular or special Congregation Meeting. Continuing resolutions also are codified with three sets of numbers except that the third set is preceded by a capital letter. Thus, a continuing resolution might be numbered C13. to designate the chapter; C13.07. to designate the

subject matter within the chapter; and the third set might be numbered A10. in the codification C13.07.A10. to indicate by the “A” that it is the first continuing resolution regarding that subject and to indicate by the “10” that it was adopted in 2010.

**CONSTITUTION
Of the
FARMINGTON EVANGELICAL LUTHERAN CHURCH
20600 Akin Road
Farmington Minnesota, 55024**

As adopted November 11, 2012
And to be ratified January 27, 2013

In the name of the Father, and of the Son, and the Holy Spirit. Amen

***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 Farmington Evangelical Lutheran Church. For the purpose of this constitution, Farmington Evangelical Lutheran Church hereinafter may be designated as either “the Church” or “FLC”.
- C1.02. For the purpose of this constitution and the accompanying bylaws, the congregation of Farmington Evangelical Lutheran Church is hereinafter designated as “this congregation.”
- C1.11. 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 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.

* Required provisions

- *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. This 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. 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.
- *C3.04. 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, and equity for all people, working for peace and reconciliation among the nations, caring for the marginalized, embracing and welcoming racially and ethnically diverse populations, standing in solidarity with the poor and ~~powerless~~-oppressed, 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 this congregation's ministry and the ministry of the other expressions 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 adopt and periodically review 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 this congregation. This 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 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, Congregation Council, boards, and committees and require the members of the council to carry out their duties in accordance with the constitution; and
 - K. Terminate its relationship with the Evangelical Lutheran Church in America as provided in Chapter 6.
- *C5.04. This congregation shall elect 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 this congregation and other qualifications shall be as prescribed in guidelines established by the Saint 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 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 this 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 is 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 ELCA or in accordance with provision 9.23. of the constitution and bylaws of the Evangelical Lutheran Church in America.

D. The Saint Paul Area Synod takes charge and control of the property of this congregation to hold, manage, and convey the same on behalf of the synod pursuant to †S13.24. of the synod constitution. This congregation shall have the right to appeal the decision to the next Synod Assembly.

E. 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 two legally called and conducted special meetings of this congregation by a two-thirds vote of the voting members present at each meeting. The first 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 this 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 the bishop and/or the bishop's designees are a voting member~~ of this congregation, ~~the bishop and the bishop's designees, if any, they~~ shall have voice but not vote at the first meeting.

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B. Within 10 days after the resolution has been voted upon at the first meeting, the secretary of this 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 send copies of the resolution and certification to voting members of this congregation

C. If the resolution was adopted by a two-thirds vote of the voting members present at the first meeting, the bishop of the synod and this congregation shall continue in consultation, as specified in paragraph a. above, during a period of at least 90 days after receipt by the bishop of the attestation and certification as specified in paragraph b. above.

D. If this congregation, after such consultation is still considering termination of its relationship with this church, 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 second meeting shall be sent to all voting members and to the bishop at least 10 days in advance of the meeting. Unless ~~he or she is the bishop and/or the bishop's designees are a voting member~~ of this congregation, ~~the bishop and the bishop's designees, if any, they~~ shall have voice but not vote at the second meeting.

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E. Within 10 days after the resolution has been voted upon, the secretary of this congregation shall submit a copy of the resolution to the bishop, attesting that the second special meeting was legally called and conducted and certifying the outcome of the vote, and shall send copies of the resolution and certification to the voting members of the congregation. If the resolution was adopted by a two-thirds vote of the voting members present at the second meeting, the relationship between the congregation and this church shall be terminated subject to Synod Council approval as required by paragraphs f. and g. below.

F. Unless this notification to the bishop also certifies that this congregation has voted to affiliate with another Lutheran denomination, this congregation shall be deemed an independent or non-Lutheran church, in which case *C7.04. shall apply.

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 this congregation's first meeting as specified in paragraph a. above or fails to achieve the required two-thirds vote of voting members present at this 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 the meeting at which the two-thirds vote was not achieved.

***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 taken.

***C6.07.** If this congregation considers developing an additional site to be used 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 or pursuant to 9.23. of the constitution and bylaws of the Evangelical Lutheran Church in America, title to property shall continue to reside in this congregation.

***C7.03.** If 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 in this congregation only with the consent of the Synod Council. The Synod Council, after consultation with this congregation by the process established by the synod, 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. In neither case does title to this congregation's property transfer to the synod.

[The following provision becomes required.]

- *C7.05. Notwithstanding the provisions of *C7.02. and *C7.03. 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 Saint Paul Area Synod—reconvey and transfer all right, title, and interest in the property to the synod.

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 this congregation as well as the other rights and privileges ascribed to voting members by the provisions of this constitution and its bylaws. They shall not have voted as a seasonal member of another congregation of this church in the previous two calendar months.
 - D. *Associate* members are persons holding membership in other Lutheran 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 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 congregations of this church 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 this church;

- 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

C8.02.01 Active Membership in this congregation requires a person to be a baptized Christian, conditions:

- A. *Verified attendance at two or more worship services during the current or preceding calendar year at the church of this congregation;*
- B. *Making at least one contribution to the congregational treasury in the current or preceding 2 calendar years according to the congregation's records;*
- C. *Declaring an intention and desire to maintain active membership status either voluntarily or whenever requested to do so by the Pastor of this congregation, a representative designated by the Pastor, or the president of the Congregation Council;*
- D. *Being a child under the age of 18 of an Active Member; or*
- E. *During the current or preceding calendar year, enrollment in a Christian education program or established Ministry of this congregation.*

C8.02.02 Admission to Baptized Membership shall be:

- A. *Children, one or both of whose parents or guardians are members of the congregation, shall, upon receiving Christian baptism, be received as baptized members of this congregation;*
- B. *Children, neither of whose parents or guardians are members of this congregation shall, upon Christian baptism duly recorded as a ministerial act performed under the auspices of this congregation, be received as baptized members of this congregation unless there is understanding that they will be enrolled as baptized members of another congregation, in which case notice of the baptism shall be given to the congregation in which the child is to be enrolled as a baptized member;*
- C. *Children baptized in other congregations (and baptized adults mentally incompetent for confirmation) shall be received as baptized members of this congregation upon admission of one or both parents or guardians to membership, or by consent of one or both parents or guardians, or by action of the Congregation Council; or*
- D. *Unbaptized adults who have received instruction and given evidence or having an adequate understanding and acceptance of the teachings of the Word of God as confessed by the Lutheran Church shall, upon confession of faith and Christian baptism duly recorded as a ministerial act performed under the auspices of this congregation, be received as baptized members of this congregation.*

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

C8.03.01 Admission to Confirmed Membership shall be:

- A. *Baptized adults, not previously members of the congregation, who have received instruction and given evidence of having adequate understanding and acceptance of the teachings of the Word of God as confessed by the Lutheran Church, shall be admitted to confirmed membership through the rite of confirmation;*
- B. *Adults received as baptized members according to the provisions of the C8.02.02D shall be recognized as confirmed members at the discretion of the pastor(s) whether or not they participate in the rite of confirmation;*
- C. *Children who are baptized members of the congregation shall be admitted to confirmed membership through preparation for and participation in the rite of confirmation;*

- D. Applicants for membership presenting letters of transfer showing them to be confirmed members in good standing in other Lutheran churches shall be admitted to confirmed membership upon acceptance of their letters of transfer by the Congregation Council and the report of their names to the congregation; or
- E. Applicants for membership who present evidence of confirmation in a Lutheran Church but do not have letters of transfer shall be admitted to confirmed membership when the Congregation Council has determined that they meet the standards of Christian faith and life indicated in the constitution and bylaws and when they have reaffirmed their faith before the congregation.

***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.

C8.04.01 Participation in Holy Communion will normally be allowed for persons as young as ten years of age. Participation in Holy Communion shall be open to such persons of this and other Lutheran congregations and to such others as may be deemed worthy by the pastor(s) or Congregation Council. Participation by a communicant requires sincere repentance, faith in Jesus Christ as Savior and an earnest desire to amend a sinful life, together with an acceptance of the Scriptural teaching regarding the Real Presence of Christ with His Body in the Sacrament. Registration forms or oral announcements shall be so devised as to make prospective participants aware of these requirements.

***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 Chapter 20 of the constitution and bylaws of the Evangelical Lutheran Church in America;
- 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 Active membership shall be discontinued for any member who:

- A. Fails to meet all of the necessary conditions for active membership. However, once membership has been discontinued for this reason, that person's name and record shall be kept in a roster of inactive members. If active membership is resumed, that person's name shall be restored to the active membership roster;
- B. Is known to have become a member of another congregation without transfer;

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 elected by the Congregation Council to recommend the call, shall seek the advice and help of the bishop of the synod.**

C9.01.01 An Associate Pastor shall serve coterminously with the Senior Pastor. In the event of the resignation or death of a Senior Pastor, the Associate Pastor shall continue to serve only for a period of time as voted by the Congregation Council. An Associate Pastor may be considered for a new call as Associate Pastor.

- C9.01.02 *A desire for a change in pastorate, either by the congregation or Pastor, shall be brought to the attention of the Synod Bishop, who shall advise in the matter according to the constitution, bylaws, and policies approved by the Congregation Council and in accordance with the Constitution, By-laws, and Continuing Resolutions of the Evangelical Lutheran Church in America.*
- *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 synod 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 minister of Word and Sacrament shall:
- 1) Preach the Word;
 - 2) Administer the sacraments;
 - 3) Conduct public worship;
 - 4) Provide pastoral care; and
 - 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 available channels of effective communication;
 - 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—advocating dignity, justice, and equity for all people, working for peace and reconciliation among the nations, caring for the marginalized, and embracing and welcoming racially and ethnically diverse populations.**
- 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 this congregation;
 - 3) Install regularly elected members of the Congregation Council; ~~and~~
 - 4) With the council, administer discipline;
 - 5) Endeavor to increase the support given by the congregation to the work of the churchwide organization and of the Saint Paul Area; and
 - 6) Encourage adherence to covenantal relationship with this church as expressed in the *Constitutions, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*
- *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. 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 shall be terminated only by the pastor's death or, following consultation with the synod bishop for **any of 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 this congregation in view of local conditions;
 - 4) **Inability to conduct the pastoral office effectively in view of Physical disability or mental incapacity of the pastor;**
 - 5) Suspension of the pastor through discipline for more than 3 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 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 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~~ this synod,
- 1) The bishop **in his or her who has** 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.3) 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 with disability status. Upon **removal resumption of the disability and restoration of the pastor to health, ability to conduct the office effectively,** 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 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 pastor and then to this 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 this congregation and by the pastor, if appropriate. If they agree to carry out such recommendations, no further action shall be taken by the synod. If the pastor and the 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, this congregation may dismiss the pastor only at a legally called meeting after consultation with the bishop, either (a) by a 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 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.
- *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, this 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 this congregation for a review of the call. Such a call may also be terminated before its expiration in accordance with the provisions of * C9.05.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 this 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 this 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 the secretary's** hands in good order by a departing pastor before the installation of that pastor in another call or approval of a request for change in roster status.
- C9.15. Under special circumstances, subject to the approval of the synodical bishop and the concurrence of this congregation, an ~~ordained~~ 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 may serve temporarily as pastor of this congregation under a contract between this congregation and the pastor in a form proposed by the synod bishop and approved by this congregation.
- *C9.21. Authority to call a deacon 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 synod 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; advocating dignity, justice, and equity for all people, working for peace and reconciliation among the nations, caring for the marginalized, and embracing and welcoming racially and ethnically diverse populations;

- D. Equip the baptized for ministry in God's world that affirms the gifts of all people;
- E. Encourage mutual relationships 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 this church 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 this congregation shall be as follows:

- A. The call of this congregation, when accepted by a deacon, shall constitute a continuing mutual relationship and commitment, which shall be terminated only by the deacon's death or, following consultation with the synod 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) **inability to conduct the office effectively in view of 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 who has** 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 with disability status. Upon **removal resumption of the disability and the restoration of the deacon to health, ability to conduct the office effectively 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 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 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. This congregation shall make satisfactory settlement of all financial obligations to a former deacon before calling a successor. A deacon 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.

*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. This congregation shall have at least one regular meeting per year. The regular meeting(s) of the congregation shall be held at the time(s) specified in the bylaws. Consistent with the laws of the State of Minnesota, the bylaws shall designate one regular meeting per year as the annual meeting of this congregation.

C10.01.01 The annual meeting shall be held during the month of January and announcement of the time and place of the meeting shall be made in accordance with C10.03.

C10.01.02 The business at the annual meeting shall consist of:

- A. Opening devotion;*
- B. Approval of the minutes;*

- C. Reports of the Pastor(s), the Congregation Council, the Treasurer, committees, and others;
- D. Elections;
- E. Approval of budget;
- F. Unfinished business;
- G. New business; and
- H. Closing Prayer.

C10.02. A special Congregation Meeting may be called by the senior pastor, the Congregation Council, or the president¹ of this congregation, and shall be called by the president of this congregation upon the written request of 10% of the voting members. The president of the Congregation Council shall call a special meeting upon the request of the synod 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.

¹If the pastor is the president of the congregation, the congregation may consider giving the vice president the authority to call a special meeting.

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. 5% of voting members shall constitute a quorum.

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

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

C10.06.01 In the following cases voting shall be by ballot:

- A. To elect the Congregation Council;
- B. To adopt or amend the articles of incorporation, constitution or bylaws of the congregation;
- C. To call a Pastor or to request a resignation;
- D. To sever membership in the ELCA;
- E. To dispose of, encumber, or purchase real property; or
- F. When requested by ten or more voting members present.

C10.06.02 In case of a tie the tied candidates' names will be placed on limited ballot and another vote held.

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

C10.08. This congregation may hold meetings by remote communication, including electronically and by telephone conference, as long as there is an opportunity for simultaneous aural communication or its equivalent. To the extent permitted by state law, notice of all meetings may be provided electronically.

C10.09 "Ex officio" as used herein means membership with full rights of voice and vote unless otherwise expressly limited.

Chapter 11. OFFICERS

C11.01. At its annual meeting the congregation shall elect in the manner provided in the by-laws, a Congregation Council and after electing such Congregation Council, the congregation shall elect a president and vice president from the Congregation Council membership.

- A. Duties of the officers shall be specified by a continuing resolution.
- B. The officers shall be voting members of this congregation.

C. Officers of this congregation shall serve similar offices of the Congregation Council and shall be voting members of the Congregation Council.

C11.01.01 In accordance with the Constitution, the President and Vice President of the Congregation shall, in addition, serve as the President and Vice President of the Congregation Council. If the President resigns or becomes otherwise unable to perform his or her duties, the Vice President, duly elected by the congregation shall assume the position of President with all the attendant powers and responsibilities. If the Vice President, duly elected by the congregation, resigns, the Congregation Council may appoint a new Vice President to perform all the duties of the position.

C11.01.02 The new President and Vice President shall assume the responsibilities of their office immediately upon completion of the annual meeting.

C11.02. The Congregation Council shall elect from its own membership a secretary and he or she shall be the secretary of this congregation. The Congregation Council shall elect a treasurer of the congregation from the membership of the Finance Committee. The Congregation Council may call for the election of a new secretary or treasurer at any time a majority votes to do so and shall call for elections as specified in C11.02.01. There shall be no limit on the number of times an officer may be elected.

C11.02.01 At the first Congregation Council meeting after the annual meeting of the congregation at which time the members of the Congregation Council are elected, the congregation Council shall elect necessary officers and assign committees as specified by the constitution, bylaws, and policies approved by the Congregation Council.

C11.02.01.A19 The Congregation Council sets the duties of the officers to be as follows:

A. The duties of the President shall be as follows:

- To preside over meetings of the Congregation Council and of the congregation.
- To prepare an agenda for all regular Council meetings including all items determined by the Executive Committee
- To call special meetings as allowed by provision C12.11
- To serve as a standing member of the Executive and Human Resources Committees.
- To assemble or designate a person acceptable to the Council to assemble a list of candidates to attend church assemblies in accordance with C.R. C12.05.
- To annually appoint members of an Audit Committee in accordance with provision C13.03.
- To be responsible for the fulfillment by the Council for all its constitutionally required duties.
- To conduct an annual performance review of the church's pastoral leader.
- To prepare the president's report for the annual meeting.
- To finalize the list of candidates for all the elected positions to be voted on by the congregation at the annual meeting.

B. The duties of the Vice President shall be as follows:

- To assume the office and duties of the President should the president resign or otherwise be permanently separated from the office.
- To assume the duties of the President for as long as is necessary should the President become temporarily incapacitated or absent from the office.
- To serve as a standing member of the Executive Committee

C. The duties of the Secretary shall be as follows:

- To take the minutes of the Congregation Council and the Congregation meetings or designate a qualified recording secretary to perform these tasks. If a recording secretary is appointed, such person shall be a voting member of the congregation and approved by the Council.

- To be responsible for preserving the minutes of all Council and Congregation meetings in the church archives.
- To serve as a non-voting member of the Memorial Committee
- To serve as a standing member of the Executive and a standing member of the Nominating Committee.

D. The duties of the Treasurer shall be as follows:

- To be the custodian of all funds of the congregation.
- To oversee the disbursement of funds of the congregation in accordance with the decisions of the congregation and the Congregation Council.
- To present a duly audited report to the congregation at the Annual Meeting.
- To present monthly financial reports to the Congregation Council.
- To oversee the preparation of an annual church budget.
- To be a signatory to all loans taken out on behalf of the church.
- To be the primary administrator for any church credit card account.
- To ensure that all contracts and work agreements are covered either by the annual budget or Council approval.
- To comply with all the provisions of the Financial Controls Policy.
- To serve as a standing member of the Executive Committee

C11.03. No officer shall hold more than one office at a time.

Chapter 12. CONGREGATION COUNCIL

C12.01. The voting membership of the Congregation Council shall consist of not fewer than 10 and not more than 13 members of the congregation. Any voting member of this congregation may be elected, subject only to the limitation on the length of continuous service permitted in that office. 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 three successive regular meetings of the Congregation Council without cause. Any member having two consecutive unexcused absences from regular meetings shall be notified by the secretary.**
- C. Has been removed from the Congregation Council per C12.10.**

C12.01.01 Members of the Congregation Council shall be elected each for a term of three years, with one-third elected each year.

C12.01.02 Only voting members of the congregation shall be eligible for voting membership on any committees and boards established by the Congregation Council.

C12.01.03 In addition to the requirements of congregational membership stated in Chapter 8 of the constitution, qualifications for membership on the Congregation Council shall include those as necessary to promote the various interests of the congregation as outlined in the duties of the various committees established by a policy approved by the Congregation Council.

C12.01.04 Ex-Officio members of the Council include the Pastors and the Director of Church Management, however, these members serve only in an advisory capacity as only elected members have voting rights.

C12.02. The members of the Congregation Council shall be elected by written ballot to serve for three 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.

C12.03.01 If a member of the Congregation Council is absent from three consecutive regular meetings of the Congregation Council without excuse acceptable to the Congregation Council, that member shall forfeit membership on the Congregation Council.

C12.03.02 The filling of an unexpired term of less than one year shall not be deemed to be a term of office.

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 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 support of 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 The Congregation Council shall approve the employment and compensation of such staff members as are needed to carry on the work of the. Nothing in this bylaw 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-

C12.04.02 The Congregation Council shall develop and maintain continuing resolutions to provide the rules and procedures governing its own operation as well as any committees or organizations it may create.

C12.04.03 The Congregation Council shall exercise jurisdiction over all auxiliary organizations of the congregation.

C12.04.04 The Congregation Council shall ensure that the provisions of this constitution, and its bylaws are carried out.

C12.04.05 The Congregation Council shall provide for an annual review of the membership roster including the designation as either active or inactive in order to establish an official number of voting members for that year.

C12.04.06 The Congregation Council shall submit a comprehensive report to this congregation at the annual meeting.

C12.05. The Congregation Council shall elect voting members to church assemblies according to the following continuing resolution.

C12.05.B19 The process for electing voting members to church assemblies shall be as follows:

- A. Whenever the Council President becomes aware of an opportunity or need to send voting members to church assemblies outside this congregation, the president and/or person designated by the president shall assemble a list of candidates by soliciting volunteers from the roster of active church members to be nominated to serve as voting members. The final number of voting members to be elected to attend any given assembly shall be determined by the Congregation Council at its discretion prior to any solicitation of volunteers.
- B. At a minimum, the means of communication to be used in soliciting volunteers to serve as voting members shall include regular electronic and printed church publications. The solicitation shall designate a specified time period for accepting volunteers.
- C. No limit shall be placed on the number of church members who may volunteer to be considered as voting members.
- D. If, at the end of the time period for people to volunteer, an insufficient number of church members have volunteered to be considered as voting members, the president or president's designee may recruit individual church members to volunteer to be considered as voting members.
- E. The task of assembling a list of would be voting members shall be completed in a timely manner such that the Congregation Council will have an opportunity to vote on who shall be elected as voting members prior to any assembly registration deadlines.
- F. The Congregation Council shall determine the extent to which the church will cover any expenses related to sending voting members to church assemblies prior to the solicitation of volunteers.

C12.06. The Congregation Council shall be responsible for the financial and property matters of this congregation.

- A. The Congregation Council shall be the board of trustees 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 Statute Chapter 315 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 (5%) of approved budget for items not included in the budget.
- D. The Congregation Council shall approve an annual budget prepared by the Finance Committee for adoption by this congregation and shall supervise the expenditure of funds in accordance therewith following its adoption. The budget shall include this congregation's full indicated share in support of the wider ministry being carried on in collaboration with the synod and church-wide 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 mission support monies to the synod ~~ical treasurer~~.
- F. The Congregation Council shall be responsible for this congregation's investments and its total insurance program.

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C12.06.01 The Congregation Council shall determine the use of the church facilities.

C12.06.02 The property of the congregation shall be for the use of the congregation in its normal function as a Lutheran Church and shall not be used in any way not in harmony with mission of this congregation.

C12.06.03 Buildings which are the property of the congregation shall not be lent or rented to any group or individual not affiliated with the congregation or the Evangelical

Lutheran Church in America unless application for such use has been approved by the Congregation Council by a two-thirds majority vote.

C12.07. Meetings of the Congregation Council shall be held at least once each calendar month unless otherwise decided by the Congregation Council. Special meetings may be called by the pastor or the president¹, 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.

¹If the pastor is the president of the congregation, the congregation may consider giving the vice president the authority to call a special meeting.

C12. 08. A quorum for the transaction of business shall consist of a majority of the members of the Congregation Council.

C12.09. The Congregation Council and its committees may hold meetings by remote communication, including electronically and by telephone conference, as long as there is an opportunity for simultaneous aural communication or its equivalent, and, ~~to~~ To the extent permitted by state law, notice of all meetings may be provided electronically.

C12.10 DISCIPLINE OF COUNCIL MEMBERS AND ADJUDICATION

C12.10.01. Denial of the Christian faith as described in this constitution, conduct grossly unbecoming a member of the Church of Christ, persistent trouble-making in this congregation, or failure to perform the duties of the Congregation Council as enumerated in this Constitution and governing documents are sufficient cause for discipline of a member. Prior to disciplinary action, reconciliation will be attempted following Matthew 18:15-17, proceeding through these successive steps:

- A. Private admonition by executive committee,*
- B. Citation to appear before the Congregation Council.*

C12.10.02. If discipline against a member is to proceed beyond admonition and citation, charges against the accused member that are specific and in writing shall be prepared by member(s) of the congregation who shall sign the charges as the accuser(s). The written charges shall be filed with the pastor, who shall advise the Congregation Council of the need to issue a written citation to the accused and the accusers that specifies the time and place of the hearing before the Congregation Council. The written charges shall accompany the written citation to the accused. The written citation that specifies the time and place of the hearing before the Congregation Council and requests the presence of a member charged with the offense shall be sent at least ten days prior to the meeting. If the member charged with the offense fails to appear at the scheduled hearing, the Congregation Council may proceed with the hearing and may pass judgment in the member's absence.

C12.10.03. Members of the Congregation Council who participate in the preparation of the written charges or who present evidence or testimony in the hearing before the Congregation Council are disqualified from voting upon the question of the guilt of the accused member. Should the allegations be sustained by a two-thirds majority vote of the members of the Congregation Council who are not disqualified but who are present and voting, and renewed admonition prove ineffectual, the council shall impose one of the following disciplinary actions:

- A. censure before the council or congregation or*
 - B. removal from membership in this Congregation Council.*
- Disciplinary action B. shall be delivered to the member in writing.*

C12.10.04. Disciplinary actions may be reconsidered and revoked by the Congregation Council upon receipt of a) evidence that injustice has been done or b) evidence of repentance and amendment.

C12.10.05. For disciplinary actions in this congregation, “due process” shall be observed as specified in 20.41.04. in the Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America.

Chapter 13. CONGREGATION COMMITTEES

- C13.01. An Executive Committee of the Congregation Council shall serve as its administrative body. The membership of this committee shall consist of the officers of the congregation and the designated pastoral leader. Others may be invited to attend in a strictly advisory or informational capacity. The duties of this committee shall include the following:**
- A. To preview, assess, and oversee all business and matters of this church including finances, operations, personnel, strategic planning, ministries, programs, property.**
 - B. To determine the agenda items for the monthly Council meetings by consensus.**
 - C. To be responsible for the supervision of the designated pastoral leader.**
- C13.02. A Nominating Committee of five voting members of this congregation shall be formed as follows: One will be the current Secretary of the Congregation, one will be the designated pastoral leader who shall serve as the Committee Chair, one shall be elected every other year by the congregation at the annual meeting to serve a two year term, and two shall be elected in each year following the single member election year by the congregation at the annual meeting to serve two year terms. One of the three elected members shall be a current and/or past member of the Congregation Council. Members of the Nominating Committee are not eligible for consecutive reelection.**
- C13.02.01 In the year bylaw section is adopted one individual shall be elected to one-year terms as elected members of the Nominating Committee and two individuals shall be elected to two-year terms as elected members of the Nominating Committee. Thereafter, this bylaw section shall cease to be in effect and the terms of the elected members of the Nominating Committee shall be as in C13.02.*
- C13.02.02 The Nominating Committee shall meet as often as is necessary to fulfill its duties as stated in C13.02.04 with its first meeting following the Annual Meeting being held no later than the first week in October prior to the next Annual Meeting. All meetings shall be called by the designated pastoral leader.*
- C13.02.03 Prior to its first meeting, the designated pastoral leader shall ask the Executive Committee to prepare a list of known vacancies on all boards, agencies, and commissions in addition to the Council positions that will need to be filled at the next annual meeting.*
- C13.02.04 It shall be the duty of the Nominating Committee to compile a list of candidates for all the known vacancies for presentation to the Congregation Council at Council's December meeting. Should the list not be complete by the December Council meeting, the Council shall direct the designated pastoral leader to continue working with the Nominating Committee to find qualified candidates as needed to fill any remaining openings on the list of vacancies.*
- C13.02.05 The Nominating Committee shall maintain a record of all persons contacted and/or recommended by the Nominating Committee for future reference by the committee.*
- C13.03. An Audit Committee of four voting members who are not also Council or Finance Committee members shall be appointed by the president with approval by the Congregation Council. The committee shall audit all financial records of the congregation proper, and present its report to the annual meeting in writing.**
- C13.04 In accordance with a resolution duly adopted by the congregation, an Endowment Committee shall be created for the purpose of administering any Endowment Fund authorized and created by the congregation. This committee shall be governed by a set of its own separate by-laws also contained in said resolution.**
- C13.05 A Memorial Fund Committee of five voting members of this congregation for the purpose of administering any undesignated memorial monies given to the church. The Secretary of the Congregational Council will be a liaison to the council and a**

non voting member. This committee shall be governed by a set of its own separate bylaws also contained in said resolution.

C13.06 There shall be a *Finance Committee* consisting of five members elected by the congregation from among its members. The Congregation Council will elect one member of the committee to serve as the Treasurer. The terms of the finance committee will be 3 years, with no member serving more than two consecutive terms unless at least one year has lapsed between terms. The Finance Committee shall report and be responsible to the Congregation Council.

C13.06.01 The Finance Committee shall be responsible for guiding and protecting the Church in all financial matters. Their responsibilities include creating, recommending and monitoring the annual budget. They will work with the Business Manager to manage financial matters and provide oversight of the financial recordkeeping. In the event the Treasurer is unable to attend the regular Council meeting a member of the Finance Committee shall attend as requested, serving in a non-voting capacity to participate as needed in all matters relating to church finances.

C13.06.02 In the first year following adoption of this bylaw section, two individuals shall be elected to one-year terms as elected members of the Finance Committee and three individuals shall be elected to two-year terms as elected members of the Finance Committee. Thereafter, this bylaw section shall cease to be in effect and the terms of the elected members of the Finance Committee shall be as in C13.06.

C13.07. When a vacancy occurs in a position for which this congregation calls a rostered minister, a *Call Committee* of six voting members, two of which are Congregation Council, shall be elected by the Congregation Council. Term of office will terminate upon installation of the newly called pastor. If other called pastoral vacancies occur the committee will consist of seven voting members, one of which will be the rostered minister.

C13.08. Other committees of this congregation may be formed, as the need arises, by decision of the Congregation Council.

C13.08.01 The Congregation Council shall develop and adopt a policy for the establishment of any standing or ad hoc committees it deems necessary to further the mission, operation, and ministries of the church.

C13.08.01.A10 The purpose of this continuing resolution is to provide for the establishment, structure and operation of standing or ad hoc committees of the Congregation Council.

- A. It is the policy of the Congregation Council to establish standing or ad hoc committees when it is determined that a committee process facilitates the mission, operation, and ministries of the church.
- B. The Congregation Council has determined that the standing committees listed and described forthwith will, in fact, facilitate the mission, operation, and ministries of the church. The Council may, from time to time, add or delete committees to or from this list along with the mission, membership, primary responsibilities, and duration for each committee.
- C. Ad hoc committees may be established for a finite duration for specific purposes (e.g. call committees), as the Congregation Council deems appropriate.
- D. All committees are advisory in nature and have only such authority as specified by the Congregation Council.
- E. The Congregation Council will receive reports or recommendations from a committee for consideration. It is the Congregation Council's responsibility to make all final decisions related to such reports or recommendations.
- F. Committees of the Congregation Council may appoint subcommittees consistent with their assigned purpose when it is deemed appropriate. The Congregation Council is to be informed of the formation and duties of any subcommittee.

C13.08.01.B19 STANDING MINISTRY TEAMS, The Congregation Council hereby establishes the following ministry teams:

A. Worship & Music Ministry Team:

Mission: It is the mission of the Worship and Music Ministry Team to provide the FLC family and visitors with worship and music opportunities and experiences that address the diverse spiritual, evangelical, societal, theological, educational and healing needs of our intergenerational congregation.

Membership: Members include a Council representative, the Director of Music Ministry and lay volunteers.

Primary Responsibilities:

- Schedule, set guidelines and provide oversight for worship services:
- Set guidelines and provide oversight for the sacrament of communion.
- Provide oversight for groups offering opportunities for lay participation in the worship program.
- Provide oversight for the music program.

B. Children's Ministry Team (2 years old to 5th grade):

Mission: It is the mission of Children's Ministry Team to surround children with the love of Christ, support families as they pass the faith to the next generation, and send our families into the community to share their faith with those around them.

Membership: Members include a Council representative, the Director of Children's Ministries and lay volunteers.

Primary Responsibilities:

- Set guidelines and provide oversight for the educational opportunities for children 2 years old through 5th grade.
- Set guidelines and provide oversight for a Vacation Bible School.
- Set guidelines and provide oversight for other ministries and activities. Examples of other ministries and activities include those involving children and their families.

C. Youth Ministry Team (6th grade to 12th grade):

Mission: It is the mission of the Youth Ministry Team to teach and lead the young adults of FLC in faith to Word of God and mission of Jesus Christ.

Membership: Members include a Council representative, the Director of Youth Ministries and lay volunteers.

Primary Responsibilities:

- Set guidelines and provide oversight for a confirmation program.
- Set guidelines and provide oversight for an annual mission trip.
- Set guidelines and provide oversight for other ministries and activities involving the youth and their families

D. Spiritual Growth Ministry Team:

Mission: It is the mission of the Spiritual Growth Ministry Team to teach and lead the adult members of FLC in faith to Word of God and mission of Jesus Christ.

Membership: Members include a Council representative, the Associate Pastor, and lay volunteers.

Primary Responsibilities:

- Set up education programs and opportunities for adult members of the congregation.

E. Community Outreach Ministry Team:

Mission: To raise awareness, educate and provide meaningful opportunities to engage in our congregation, our community, and our world.

Membership: Members include a Council representative and lay volunteers.

Primary Responsibilities:

- Inform and update congregation on the needs and successes at Garland Hall, Idete, and our local community.
- Oversee efforts to obtain and disperse resources to help in supporting the needs of the staff and children in the Garland Hall Orphanage in Anchovy Bay Jamaica, our sister congregation in Idete, Tanzania, and members of FLC, Farmington, and the surrounding communities.
- Coordinate giving events with other ministry teams.
- Partner with local non-profits organization to raise awareness and provide education
- Keep the congregation informed on the activities of the ministry team
- Oversee efforts to obtain and disperse resources that support the work of the Ministry team.

F. Engagement Ministry Team:

Mission: It is the mission of the Engagement Ministry Team to build a culture of participation in the work of God, by helping people identify their gifts and creating systems to move people into volunteer ministry.

Membership: Members include the Shared Ministry Coordinator and lay volunteers.

Primary Responsibilities:

- Help design and implement protocols that provide a seamless way for people to get involved.
- Be the point of contact for new members—to welcome them, get to know them, and find ways to get them involved.
- Be aware of all the ministry opportunities in the congregation and look to create new opportunities where needed.
- Manage and continuously update the ministry job descriptions and the list of ministry positions at the congregation.
- Help to find ways to educate congregational members to identify their spiritual gifts, skills, and talents for ministry.
- Assist and support the Shared Ministry Coordinator.
- Coordinate w/Stewardship Ministry Team

G. Fellowship & Service Ministry Team:

Mission: As all members are considered volunteers in the ministry of God's work, it is the mission of the Fellowship & Service Ministry Team to promote and facilitate volunteerism and fellowship in support of the many church programs and church upkeep.

Membership: Members include a Council representative and lay volunteers.

Primary Responsibilities:

- To work with all committees and groups at FLC to find ways for all church members to become involved and work together to make the church and its ministries a friendly and welcoming place of worship and fellowship.

H. Stewardship Ministry Team:

Mission: The Stewardship Ministry Team has the mission of encouraging church members to share their gifts from God in support of His work in the world.

Membership: Members includes a Council representative, lay volunteers, the Senior Pastor, and the Shared Ministry Coordinator.

Primary Responsibilities:

- Promote and encourage the use of multiple means of financial giving.
- Assist with appeals and fund drives as necessary.
- Promote “Time and Talent” type opportunities for members.
- Develop, maintain, and make available “Time and Talent” lists and information for use by all ministry teams.
- Develop and offer training and educational programs to enable church members to find ways to become involved in the ministries of FLC.
- Coordinate w/Engagement Ministry Team.

I. Property Ministry Team:

Mission: It is the mission of the Property Ministry Team to keep the church facility and grounds in top shape aesthetically and functionally in support of the mission and ministries of FLC.

Membership: Members include a Council representative, the Facilities Manager, and lay volunteers.

Primary Responsibilities:

- To provide oversight for the care & maintenance of the church facility and grounds and make recommendations as appropriate to the Congregation Council.

J. Technology Ministry Team:

Mission: It is the mission of the Technology Ministry Team to provide technical support to Farmington Lutheran Church using members’ knowledge and resources to progress with ever changing technology utilized by the church.

Membership: Members will include a Council representative and support volunteers Who will-be designated by the Technology committee to specialize in the following categories:
Desktops, Cloud, Phones, Internet, Screens, Sound, Website, and Email

Primary Responsibilities:

- To provide support to all technology utilized by FLC.
- Evaluate current and future technology by researching products, equipment and software, and make recommendations for purchase to include vendor resources.
- Manage maintenance issues related to the equipment and programs and manage all Licenses. Work with staff to schedule updates and periodic maintenance.
- Work with Human Resources to evaluate any staff development or training that they may need to effectively and efficiently utilize technology to support their work.
- Create procedures and standards that provide clear direction and steps to protect and maintain hardware, software, etc. This may include "How to" manuals.

K. Human Resources:

Mission: It is the mission of the Human Resources Ministry Team to maintain a smooth running, caring, and positive work environment at Farmington Lutheran Church and keep in compliance with all legal requirements.

Membership: Members include The Council President or designated Council Member, Senior Pastor or designee, and qualified lay volunteers.

Primary Responsibilities:

- Set Guidelines and provide oversight for staff selection, training and development, performance evaluation, and wages and benefits recommendations.
- Maintain an employee handbook.
- Develop, update and maintain job descriptions.
- Write employment contracts as directed by the Congregation Council and in consultation with the Finance Committee on financial commitments.

C13.08.01.C10 Procedures for all committees of the Congregation Council

- A. All committees shall act only within the guidelines and mission established for that committee by the Congregation Council.
- B. All committees shall elect a chairperson from among its regular members who shall conduct meetings and act as the primary spokesperson.
- C. All committees have the discretion to create a committee structure and conduct business in the manner determined to best suit the fulfillment of their responsibilities.
- D. All committees shall designate a secretary or recorder to record the minutes of actions of the committee.
- E. The function of all committees of the Congregation Council regarding church policies is advisory only and is limited to making recommendations to the Congregation Council.
- F. It is the responsibility of either the Council representative on a committee or the committee chairperson if there is no Council representative to make periodic reports on committee activities to the Congregation Council.
- G. All committees of the Congregation Council shall, when appropriate, make clear in any dealings with members of the congregation that its powers are only advisory to the Congregation Council.

C13.08.02 The Congregation Council shall assign its members as it sees fit to serve as Council representatives on whatever standing committees that have been established according to an approved policy of the Congregational Council.

C13.08.03 The Congregation Council shall have the authority to appoint or elect members at-large to its standing or ad hoc committees who are not members of the Congregation Council.

C13.09. Duties of committees of this congregation shall be specified in the bylaws.

C13.09.01 All committees and organizations handling funds within the congregation shall submit accounts to the Treasurer of the church at least ten (10) days prior to the annual meeting.

C13.09.02 Any vacancy on a committee whose members are elected by the congregation may be filled by action of the Congregation Council in accordance with approved policy.

Chapter 14. ORGANIZATIONS WITHIN THIS 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. The Cemetery Board shall be managed and operated by four trustees and one member of the Congregation Council.

- A. At the first Congregation Council meeting following the annual meeting of the congregation, the Congregation Council shall appoint a trustee, upon recommendation of the Cemetery Board, to serve a term of four years and shall designate one of its members to serve on the board for a term of one year. Trustees need not be members of the congregation and all persons interested in the cemetery shall be eligible for appointment to the Cemetery Board
- B. Should any vacancy occur the Congregation Council will fill the position for the remainder of the unexpired term and each trustee shall serve until a successor has been duly appointed.
- C. The Cemetery Board shall elect from it own members, a chairman, a secretary, a treasurer and a caretaker.
- D. The Board shall have the power and authority to:
 1. Conduct all necessary business activities relating to the cemetery
 2. Determine the price at which lots or burial spaces shall be sold,

- 3. To sell lots or burial spaces and to arrange for and issue receipts for perpetual care,
 - 4. Adopt such rules and regulations from time to time as it shall deem suitable for the operation of the cemetery, including such rules and regulations for perpetual care as it may deem desirable
 - E. The cost of the maintenance and upkeep of the cemetery shall be met by the Cemetery Board from funds received for the sale of lots, assessments, donations, or other income. All funds not needed for current upkeep and maintenance shall be invested as the Cemetery Board deems wise and prudent in the name of the Cemetery Board and the control of said funds shall be in the hands of the cemetery board.
 - F. The Cemetery Board shall hold an annual meeting prior to the congregational annual meeting and shall then prepare its annual written report to be submitted to the annual meeting of the congregation. A special meeting of the Board may be called by the chairperson or any three members of the board at any time upon 3 days notice to all members of the Board.
 - G. The location of the Cemetery is Section 14, Township 113, Range 20- South 16 Rods of West 20 Rods of SW Quarter of NE Quarter. (#13 01400 010 03)
- 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.

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 this congregation, or willful and repeated harassment or defamation of member(s) of this 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 this 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 **rostered 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 Congregation Council receive evidence, satisfactory to them, of repentance and amendment of life;
- C. Termination of membership in this congregation; or
- D. Termination of membership in this 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 between or among factions within this congregation on a substantive issue which cannot be resolved by the parties, members of this congregation may petition the synod bishop for consultation after informing the president of this congregation of their intent to do so. The synod bishop shall seek a timely resolution of the dispute. If the issue relates directly to the pastor, the bishop may begin the process in †S14.18.d. In all other matters, if the bishop's consultation fails to resolve the issue, the bishop shall refer the matter to the Consultation Committee of the synod, which shall undertake efforts to find an appropriate solution. If the Consultation Committee's efforts fail to resolve the dispute, the entire matter shall be referred to the Synod Council for adjudication by whatever process the Council deems necessary. The Synod Council's 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 may be proposed by at least two (2) 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 this 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.

*C16.02. An amendment to this constitution, proposed under *C16.01., shall:
A. be approved at a legally called Congregation Meeting according to this constitution by a majority vote of those voting members present and voting;
and

B. be ratified without change at the next regular meeting of this congregation held pursuant to C10.01 by a two-thirds vote of those voting members present and voting; and
C. have the effective date included in the resolution¹ 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 two (2) 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 the congregation's a vote of approval.

Chapter 17. BY-LAWS

- *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 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. Adopted or amended bylaws shall be sent by the secretary of this congregation to the synod.

Chapter 18. CONTINUING RESOLUTIONS

- *C18.01. This 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 a two-thirds vote of all voting members of the Congregation Council.
- *C18.03. Adopted or amended continuing resolutions shall be sent by the secretary of this congregation to the synod.

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.