

CONSTITUTION: LANDS LUTHERAN CHURCH – Revised 09/07/2011

Zumbrota, Minnesota

With proposed changes effective after January 2011 meeting.

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 of the Son and of the Holy Spirit.

Chapter 1

NAME AND INCORPORATION

- 1.01. The name of this congregation shall be Lands Lutheran Church.
- 1.02. For the purpose of this constitution and the accompanying bylaws, the Lands Lutheran Church congregation is hereinafter designated as "this congregation."
- 1.03. This congregation shall be incorporated under the laws of the State of Minnesota.

Chapter 2

CONFESSION OF FAITH

- 2.01. This congregation confesses the Triune God, Father, Son, and Holy Spirit.
- 2.02. 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.
- 2.03. 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.
- 2.04. The congregation accepts the Apostles', Nicene, and Athanasian Creeds as true declarations of the faith of this congregation.

- 2.05. This congregation accepts the Unaltered Augsburg Confession as a true witness of the Gospel, acknowledging as one with it in faith and doctrine all churches that likewise accept the teachings of the Unaltered Augsburg Confession.
- 2.06. 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 faith of the Church.
- 2.07. This congregation confesses the Gospel, recorded in the Holy Scriptures and confessed in the ecumenical creeds and Lutheran confessional writings, as the power of God to create and sustain the Church of God's mission in the world.

Chapter 3

NATURE OF THE CHURCH

- 3.01. 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.
- 3.02. The Church exists both as an inclusive fellowship and as local congregations gathered for worship and Christian service. Congregations find their fulfillment in the universal community of the Church, and the universal Church exists in and through congregations. This church, therefore, derives its character and powers both from the sanction and representation of its congregations and from its inherent nature as an expression of the broader fellowship of the faithful. In length, it acknowledges itself to be in the historic continuity of the communion of saints; in breadth, it expresses the fellowship of believers and congregations in our day.

Chapter 4

STATEMENT OF PURPOSE

- 4.01. 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.
- 4.02. To participate in God's mission, this congregation as part of the Church shall:
- Worship God in proclamation of the Word and administration of the sacraments and through lives of prayer, praise, thanksgiving, witness, and service.
 - Proclaims 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.
 - 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.
 - Serve in response to God's love to meet human needs, caring for the sick and the aged, advocating dignity and justice for all people working for peace and reconciliation among the nations, and standing with the poor and powerless, and committing itself to their needs.
 - 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.

4.03. To fulfill these purposes, this congregation shall:

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

4.04. 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 groups and shall review their actions.

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

Chapter 5

POWERS OF THE CONGREGATION

5.01 The powers of this congregation are those necessary to fulfill its purpose.

5.02. The powers of this congregation are vested in the Congregation Meeting called and conducted as provided in this constitution and bylaws.

5.03 Only such authority as is delegated to the Congregation Council or other organizational units in the congregation's governing documents is recognized. All remaining authority is retained by the congregation. The congregation is authorized to:

- a. call a pastor;
- b. terminate the call of a pastor;
- c. appoint or terminate the appointment of associates in ministry in conformity with the applicable policy of the Evangelical Lutheran Church of America;
- d. approve the annual budget;
- e. acquire real and personal property by gift, devise, purchase, or other lawful means;
- f. hold title to and use its property for any and all activities consistent with its purpose;
- g. sell, mortgage, lease, transfer, or otherwise dispose of its property by any lawful means;

- h. elect its officers, Congregation Council and Congregational Committees and require them to carry out their duties in accordance with the constitution and bylaws;
- i. terminate its relationship with the Evangelical Lutheran Church in America as provided in Chapter 6.

Chapter 6

CHURCH AFFILIATION

- 6.01. This congregation shall be an interdependent part of the Evangelical Lutheran Church in America or its successor, and of the Southeastern Minnesota Synod of the Evangelical Lutheran Church in America. This congregation is subject to the discipline of the Evangelical Lutheran Church in America.
- 6.02. 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.
- 6.03. This congregation acknowledges its relationship with the Evangelical Lutheran Church in America in which:
- a. This congregation agrees to be responsible for its life as a Christian Community.
 - b. This congregation pledges its financial support and participation in the life and mission of the Evangelical Lutheran Church in America.
 - c. This congregation agrees to call pastoral leadership from the clergy roster of the Evangelical Lutheran Church in America in accordance with its call procedures except in special circumstances and with the approval of the bishop of the synod.
 - d. This congregation agrees to consider associates in ministry for appointment to other staff positions in the congregation according to the procedures of the Evangelical Lutheran Church in America.
 - e. This congregation agrees to file this constitution and any subsequent changes to this constitution with the synod for review to ascertain that all of its provisions are in agreement with the constitution and bylaws of the Evangelical Lutheran Church in America or with the constitution of the synod.
- 6.04. Affiliation with the Evangelical Lutheran Church in America may be terminated as follows:
- a. This congregation takes action to dissolve.
 - b. This congregation ceases to exist.
 - c. This congregation is removed from membership in the Evangelical Lutheran Church in America according to the procedures for discipline of the Evangelical Lutheran Church in America.
 - d. This congregation follows the procedure outlined in 6.05.
- 6.05. This congregation may terminate its relationship with the Evangelical Lutheran Church in America by the following procedures:
- a. A resolution indicating the desire of this congregation to terminate its relationship must be adopted at a legally called and conducted special meeting of this congregation by a two-thirds majority of the voting members present.
 - b. The secretary of this congregation shall submit a copy of the resolution to the synodical bishop and shall mail a copy of the resolution to voting members of the congregation. This notice shall be submitted within 10 days after the resolution has been adopted.

- c. The bishop of the synod shall consult with this congregation during a period of at least 90 days.
- d. If this congregation, after consultation, still desires to terminate its relationship, such action may be taken at a legally called and conducted special meeting by a two-thirds majority of the voting members present, at which meeting the bishop of the synod or an authorized representative shall be present. Notice of the meeting shall be mailed to all voting members at least 10 days in advance of the meeting.
- e. A certified copy of the resolution to terminate its relationship shall be sent to the synodical bishop, at which time the relationship between this congregation and ELCA shall be terminated.
- f. Notice of termination shall be forwarded by the synodical bishop to the secretary of this church and published in the periodical of this church.

6.06. If this congregation is considering relocation, it shall confer with the bishop of the synod before any steps are taken leading to such action. The approval of the Synod Council shall be received before any such action is effected.

Chapter 7

PROPERTY OWNERSHIP

- 7.01. If this congregation ceases to exist, title to undisposed property shall pass to the Southeastern Minnesota Synod of the Evangelical Lutheran Church in America.
- 7.02. If this congregation is removed from membership in the Evangelical Lutheran Church in America according to its procedure for discipline, title to property shall continue to reside in this congregation.
- 7.03. If a two-thirds majority of the voting members of this congregation present at a regularly 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. Before this congregation takes action to transfer to another Lutheran church body it shall consult with representatives of the Southeastern Minnesota Synod.
- 7.04. If a two-thirds majority of the voting members of this congregation present at a regularly called and conducted special meeting of this congregation vote to become independent or relate to a non-Lutheran church body, 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 the congregation by the established synodical process, may give approval to the request to become independent or to relate to a non-Lutheran church body, in which case title shall remain with the majority of the congregation. If the Synod Council fails to give such approval, title shall remain with those members who desire to continue as a congregation of the Evangelical Lutheran Church in America.

Chapter 8

MEMBERSHIP

- 8.01. Members of this congregation shall be those baptized persons on the roll of the 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.

- 8.02. 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 from other Lutheran congregations or by affirmation of faith.
 - c. VOTING members are confirmed members. Such confirmed members shall have communed and made a contribution of record during the current or preceding year.
 - d. ASSOCIATE members are persons holding membership in other Lutheran congregations who wish to retain such membership but desire to participate in life and mission of this congregation. They have all the privileges and duties of membership except voting rights and eligibility for elected offices or membership on the Congregation Council of this congregation.
- 8.03. All applications for membership shall be submitted to and shall require the approval of the Congregation Council.
- 8.04. 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 and the Evangelical Lutheran Church in America through contributions of their time, abilities, and financial support as biblical stewards.
- 8.05. Membership in this congregation shall be terminated by any of the following:
- a. death;
 - b. resignation;
 - c. transfer or release;
 - d. disciplinary action by the Congregation Council;
- or
- e. removal from the roll due to inactivity as defined in the bylaws. Such person who have been removed from the roll of members shall remain persons for whom the church has a continuing pastoral concern.
- 8.05.01. A confirmed member shall be deemed inactive if he or she fails to commune and make a contribution of record for the period of five (5) consecutive years.
- 8.05.02. These confirmed members determined to be inactive according to 8.05.01. shall have their membership in this congregation terminated. Church records for these individuals shall be kept on file and made available upon request.
- 8.05.03. Baptized members who are not confirmed and who are minor children or wards of inactive members shall have their baptized membership in this congregation terminated when the membership(s) of their parent(s) or guardian(s) is/are terminated by inactivity.

- 8.05.04. The Congregational Council may determine that certain individuals shall remain on the roster of active members under the following circumstances:
- a. extreme physical and/or mental incapacitation.
 - b. extended military duty.
 - c. foreign service or employment.
 - d. special consideration as determined by Council.
- 8.05.05 A list of members who have failed to commune or make a contribution of record will be directed to the Evangelism Committee for follow-up. Individuals listed shall be contacted (or an honest attempt of contact shall be made) by the Evangelism Committee.

Chapter 9 THE PASTOR

- 9.01. Authority to call a pastor shall be in this congregation by at least a two-thirds majority ballot vote of members present and voting at a meeting regularly called for that purpose. Before a call is issued, the officers, or a committee elected by this congregation to recommend the call, shall seek the advice and help of the bishop of the synod.
- 9.02. Only a member of the clergy roster of the Evangelical Lutheran Church in America or who has been recommended for it by the synodical bishop may be called as a pastor of this congregation.
- 9.03. Consistent with the faith and practice of the Evangelical Lutheran Church in America, every ordained minister shall preach the Word, administer the sacraments, conduct public worship, provide pastoral care, and shall speak publicly to the world in solidarity with the poor and oppressed, calling for justice and proclaiming God's love for the world. Each ordained minister with a congregational call shall, within the congregation, offer instruction, confirm, marry, visit the sick and distressed, and bury the dead; supervise all schools and organizations of the congregation; shall install regularly elected members of the Congregation Council, and with the council administer discipline. Every pastor shall seek out and encourage qualified persons to prepare for the ministry of the Gospel and strive to extend the Kingdom of God in the community, in the nation, and abroad; shall impart knowledge of this church and its wider ministry through distribution of its periodicals and other publications; and shall endeavor to increase the support given by the congregation to the work of the Evangelical Lutheran Church in America and of the synod of the ELCA.
- 9.04. The specific duties of the pastor, compensation, and other matters pertaining to the service of the pastor shall be included in the letter of call.
- 9.05. a. The call of the congregation, when accepted by a pastor, shall constitute a continuing mutual relationship and commitment which, except in the case of the death of the pastor, shall be terminated only following consultation with the synodical bishop and for the following reasons:
- 1) mutual agreement to terminate the call or the completion of a call for a specific term of years
 - 2) resignation of the pastor;
 - 3) inability to conduct the pastoral office effectively in the congregation in view of local conditions, without reflection of the competence or the moral and spiritual character of the pastor;
 - 4) the physical or mental incapacity of the pastor;

- 5) disqualification of the pastor through discipline on grounds of doctrine, morality, or continued neglect of duty; or
 - 6) the dissolution of the congregation.
- b. In the case of alleged physical or mental incapacity of the pastor or ineffective conduct of the pastoral office, it shall be the responsibility of the bishop of the synod, when such difficulties are personally known or have been brought to the synod's attention by an official recital of allegations by the Congregation Council, or by a petition signed by at least one-third of the voting members of the congregation, to investigate such conditions personally in company with a committee of two ordained ministers and one layperson.
 - c. In case of alleged physical or mental incapacity competent medical testimony shall be obtained. When such disability is evident, the bishop of the synod with the advice of the committee shall declare the pastorate vacant. Upon the restoration of a disabled pastor to health, the bishop of the synod shall take steps to enable the pastor to resume the ministry, either in the congregation last served or in another field of labor.
 - d. In the case of alleged local difficulties which imperil the effective functioning of the congregation, all concerned persons shall be heard, after which the bishop of the synod together with the committee described in 9.05.b. shall decide on the course of action to be recommended to the pastor and the congregation. If they agree to carry out such recommendations, no further action shall be taken by the synod. If either party fails to assent, the congregation may dismiss the pastor by a two-thirds majority vote of the voting members present at a regularly called meeting after consultation with the bishop.
 - e. The foregoing procedure shall never be invoked when questions of doctrine, morality, or continued neglect of duty are involved, shall such cases being treated as disciplinary matters.
 - f. If in the course of the proceedings, it should become apparent that the pastoral office cannot be conducted effectively in the congregation being served by the ordained minister due to local conditions, the bishop of the synod may temporarily suspend the pastor from service in the congregation without prejudice and with pay provided through a joint churchwide/synod fund and with housing provided by the congregation.

- 9.06. At a time of pastoral vacancy, an interim pastor may be appointed by the bishop of the synod with the consent of this congregation or the Congregation Council.
- 9.07. During the period of service, an interim pastor shall have the right and duties of a regularly called pastor and may delegate the same in part to a supply pastor with the consent of the bishop of the synod and this congregation or Congregation Council. The interim pastor and any ordained pastor providing assistance shall refrain from exerting influence in the selection of a pastor.
- 9.08. 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.
- 9.09. 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.

- 9.10. With the approval of the bishop of the synod the congregation may depart from 9.05. and call a pastor for a specific term of years. 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 designated representative of the bishop, shall meet with the pastor and representatives of the congregation for a review of the call. Such call may also be terminated before its expiration in accordance with provisions of 9.05.
- 9.11. The pastor shall keep accurate parochial records of all baptism, confirmations, marriages, burials, communicants, members received, members dismissed, or members excluded from the congregation, and shall submit a summary of such statistics annually to the synod.
- 9.12. 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.

Chapter 10

CONGREGATIONAL MEETING

- 10.01. The annual meeting of this congregation shall be held at the time specified in the bylaws.
- 10.01.01. The annual meeting of this congregation shall be held within 60 days after the close of the calendar year.
- 10.01.02. The current roster of voting, confirmed and baptized members shall be determined prior to each annual meeting.
- 10.01.03. The order of business at the annual meeting shall be:
- a. Call to order
 - b. Secretary's Report
 - c. Treasurer's Report
 - d. Auditor's Report
 - e. Statistical Report
 - f. Other Reports
 - g. Unfinished Business
 - h. New business
 1. Elections
 2. Budget
 3. Other
 - i. Adjournment
- 10.01.04. In the following cases voting shall be by ballot:
- a. To elect Congregation Council
 - b. To elect Auditing Committee
 - c. To elect Nominating Committee
 - d. To adopt or amend the articles of incorporation, the constitution or by-laws of the congregation
 - e. To call or dismiss a pastor
 - f. To terminate membership in the ELCA
 - g. To dispose of, encumber or purchase real property

- h. When a division of the house is called
- i. When ten voting members present at the meeting request a ballot vote
- j. To elect Call Committee
- k. To elect tellers

- 10.02. A special Congregation Meeting may be called by the pastor, the Congregation Council, or the president of this congregation, and shall be called at the written request of 25 voting members. The call for each special meeting shall specify the purpose for which it is to be held and no other business shall be transacted.
- 10.03. Notice of all meetings of this congregation shall be given at the services of worship on the preceding two consecutive Sundays and by mail to all voting members at least 10 days in advance of the date of the meeting. The posting of such notice in the regular mail, with the regular postage affixed or paid, sent to the last known address of such members shall be sufficient.
- 10.04. 25% of average weekly worship attendance during the previous year shall constitute a quorum. Average weekly attendance will be based on numbers reported annually to the ELCA.
- 10.05. Voting by proxy or by absentee ballot shall not be permitted.
- 10.06. All actions by the congregation shall be by majority vote except as otherwise provided in this constitution.
- 10.07. Robert's Rules or Order, latest edition, shall govern parliamentary procedure of all meetings of this congregation.

Chapter 11 OFFICERS

- 11.01. The officers of this congregation shall be president, vice-president, secretary, and treasurer.
- a. Duties of the officers shall be specified in the bylaws.
 - b. The officers shall be voting members of the congregation.
 - c. Officers of this congregation shall serve similar offices of the Congregation Council and shall be voting members of the Congregational Council.
- 11.01.01. The President shall:
- a. Be the chief executive officer of this congregation.
 - b. Provide for the preparation of the agenda for Congregational Council, Executive Committee meetings and all Congregation meetings.
 - c. Supervise the work of the other officers.
 - d. Coordinate use of legal counsel.
 - e. Serve as an advisory member with voice but not vote on all congregational committees.
 - f. Appoint Congregational Committee members for which election procedures are not provided.
- 11.01.02. The Vice-President shall:
- a. Assume duties of the President in his/her absence.

b. Be the chairperson of the Call Committee.

11.01.03. The Secretary shall:

- a. Be responsible for the minutes and records of the Congregational meetings, Executive Committee, Congregation Council and arrangements for the management of Congregation meetings.
- b. Be responsible for the archives of the congregation.
- c. Maintain roster of the church membership.
- d. Provide for publication of reports necessary for congregational meetings.
- e. Have custody of the seal, maintain a necrology and attest documents.
- f. Convene Nominating Committee.

11.01.04 The Treasurer shall:

- a. Be responsible for the disbursement of the budgeted funds and all monies deposited on behalf of the congregation.
- b. Provide the Congregation Council with monthly reports of the status of the general and special funds.
- c. Present all accounts held by the treasurer for a yearly audit.
- d. Oversee the board of tellers who shall be responsible for:
 1. Receiving and depositing all offerings and contributions made to this congregation for the general and special funds.
 2. Providing the treasurer and church office with a weekly itemized statement of all deposits made to the general and special funds.
- e. Maintain a regular account with each giving member of this congregation and issue quarterly statements of these accounts.
- f. Maintain confidentiality of individual contribution records of all giving members.
- g. Upon request of the Auditing Committee and approval of the Congregational Council, records of individual contributions shall be made available for audit.
- h. Provide the Congregation Secretary with a list of members who have made a contribution of record during the calendar year.
- i. Provisions e, f, g and h may be handled by the Church Secretary or other person designated by the Church Council.

11.02. The congregation shall elect its officers and they shall be the officers of the congregation. The officers shall be elected by written ballot and shall serve for 3 years or until their successors are elected. Their terms shall begin at the close of the annual meeting at which they are elected.

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

Chapter 12

CONGREGATION COUNCIL

12.01. There shall be a Congregation Council. The voting members of this council shall be the president, vice-president, secretary, treasurer, pastor(s), two (2) at-large members and seven (7) committee representatives (one secretary from each of the working committees). Each working committee shall appoint, if desired, a chairperson, which may or may not be the committee representative.

- 12.01.01. There shall be a Worship Committee. This committee shall be supervised by the Congregational Council.
- 12.01.02. There shall be a Stewardship Committee. This committee shall be supervised by the Congregational Council.
- 12.01.03. There shall be a Property Committee. This committee shall be supervised by the Congregational Council.
- 12.01.04. There shall be a Evangelism Committee. This committee shall be supervised by the Congregational Council.
- 12.01.05. There shall be a Education Committee. This committee shall be supervised by the Congregational Council.
- 12.01.06. There shall be a Congregational Life Committee. This committee shall be supervised by the Congregational Council.
- 12.01.07 There shall be a Youth Board. This committee will be supervised by the congregational council.
- 12.01.08 The Working Committees may appoint sub-committees as necessary.
- 12.02. 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 two (2) successive regular meetings of the Congregation Council without cause.
- 12.03. The members of the Congregation Council except the pastor(s) shall be elected by written ballot to serve for three (3) years or until their successors are elected. Elected members are not eligible for consecutive re-election. Their terms shall begin at the close of the annual meeting at which they are elected.
- 12.04. 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.
- 12.05. The Congregational Council shall have a general oversight of the life and activities of this congregation, an in particular its worship life, to the end that everything be done in accordance with the Word of God and the faith and practice of the Evangelical Lutheran Church in America. The duties of the Congregation Council shall include the following:
- a. To lead this congregation in stating its mission, to do long-range planning, to set goals and priorities, and to evaluate its activities in light of its mission and goals.
 - b. To seek to involve all members of this congregation in worship, learning, witness, service, and support.
 - c. To oversee and provide for the administration of this congregation to enable it to fulfill its functions and perform its mission.
 - d. To maintain supportive relationships with the pastor(s) and staff and help them annually to evaluate the fulfillment of their calling, appointment, or employment.
 - e. To be examples individually and corporately of the style of life and ministry expected of all baptized persons.

- f. To promote a congregational climate of peace and goodwill and as differences and conflicts arise, to endeavor to foster mutual understanding.
- g. To arrange for pastoral service during the sickness or absence of the pastor.
- h. To emphasize partnership with the synod and churchwide unites 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.

12.06. 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, except as otherwise provided herein.
- b. The Congregation Council shall not have the authority to buy, sell or encumber real property unless specifically authorized to do so by a meeting of the congregation.
- c. The Congregation Council may enter into contracts of up to \$5,000.00 for items not included in the budget.
- d. The Congregation Council shall prepare an annual budget for adoption by this congregation, shall supervise the expenditure of funds in accordance therewith following its adoption. The budget shall include this congregation's full indicated share in support of the wider ministry being carried on in partnership with the synod and churchwide organization.
- e. The Congregation Council shall ascertain that the financial affairs of this congregation are being conducted efficiently, giving particular attention to the prompt payment of all obligations and to the regular forwarding of benevolence monies to the synodical treasurer.
- f. The Congregation Council shall be responsible for this congregation's investments and its total insurance program.
- g. The Congregation Council shall be responsible for establishing administering and dissolving all special funds.

12.07. The Congregation Council shall see that the provisions of this constitution and its bylaws are carried out.

12.08. The Congregation Council shall provide for an annual review of the membership roster.

12.09. The Congregation Council shall be responsible for the appointment and supervision of the salaried lay workers of this congregation.

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

12.11. The Congregation Council shall normally meet once a month. Special meetings may be called by the pastor or the president, and shall be called at the request of at least one-half of its members. Notice of each special meeting shall be given to all who are entitled to be present.

12.12. A quorum for the transaction of business shall consist of a majority of the members of the Congregation Council, including the pastor or interim pastor, except when such person requests or consents to be

absent and has given prior approval to an agenda of routine matters which shall be the only business of the meeting.

Chapter 13

CONGREGATIONAL COMMITTEES

- 13.01. The officers of this congregation and the pastor shall constitute the EXECUTIVE COMMITTEE.
- 13.01.01. The Executive Committee shall:
1. Be authorized representatives of this congregation.
- 13.02. A Nominating Committee of six voting members of this congregation, two of whom shall be outgoing members of the Congregation Council, shall be elected at the annual meeting for a term of one year. Members of the Nominating Committee are not eligible for consecutive reelection.
- 13.02.01 The Nominating Committee shall:
1. Be convened by the Congregation Secretary.
 2. Nominate one or more candidates for each position to be filled and shall secure consent of each candidate to serve if elected.
 3. Publish its list of candidates by December 1 by posting on the bulletin board at church or mailing to voting members. Following the publication of this list, any voting member of the congregation may submit to the committee additional names for inclusion on the list, and such names shall be placed in nomination by the committee along with the candidates already chosen, provided: a) that such names shall be submitted by December 15, at which time all nominations cease, and b) that the Nominating Committee finds the nominees qualified for office and willing to serve. The Nominating Committee shall meet to approve any additional nominees. Names of such additional nominees shall be posted at least one week before election.
 4. When a pastoral vacancy occurs, nominate six (6) or more voting members of this congregation to serve as a call committee.
 - a. Publish the list of candidates two weeks prior to the called meeting by posting on the bulletin board at church and/or mailing to voting members. Following the publication of this list, any voting member of the congregation may submit to the committee additional names for inclusion on the list, and such names shall be placed in nomination by the committee along with the candidates already chosen, providing the Nominating Committee finds them qualified and willing to serve.
- 13.02.02. A vacancy in the congregationally elected membership of the Nominating Committee shall be filled by the Congregation Council.
- 13.03. A Audit Committee of three voting members shall be elected at the annual meeting by the congregation. Audit Committee members shall not be members of the Congregation Council. Term of office will be three years, with one member elected each year. Members shall be eligible for reelection.
- 13.03.01 The Audit Committee shall:
1. Audit all financial records of the congregation and all organizations within the congregation.

2. Upon the request of the Congregation Council, be available at anytime to audit any books of the congregation or organization.
3. Present its report at the annual Congregation Meeting.

13.04. A Staff Support Committee (in absence of a staff support committee, their duties shall be fulfilled by the Executive Committee) shall be appointed jointly by the president and pastor. Term of office shall be two years, three members to be appointed each successive year.

13.04.01 The Staff Support Committee shall:

1. Recommend to the Congregation Council personnel policies for the organization of this church including salaries, fair practices, staff positions, descriptions and training.
2. Upon approval by the Congregation Council, this committee shall be responsible for the implementation and evaluation of the personnel policies.
3. Be responsible for the hiring and dismissing of employees.

13.05. When a pastoral vacancy occurs, the congregation Vice-President along with six (6) voting members elected by the Congregation shall serve as the Call Committee. The Vice-President shall convene and serve as chairperson. Term of office will terminate at the installation of the newly-called pastor.

13.05.01 The Call Committee shall:

1. Establish criteria desired by the congregation for a new pastor.
2. Contact Synod Bishop for names of candidates.
3. Contact candidates and schedule interviews.
4. Visit pastoral candidates at their present congregation for final evaluation.
5. Bring name of chosen candidate to a special meeting of the congregation for a vote.
6. Send a letter of call to chosen candidate and if accepted, a letter of rejection to others.
7. Notify Bishop of new pastor.
8. Follow all guidelines pertaining to calling a pastor as established for the Evangelical Lutheran Church in America.

13.06 Other congregational committees may be formed as the need arises, by decision of the Congregation Council.

13.07 Duties of congregational committees shall be specified in the by-laws.

Chapter 14

ORGANIZATIONS WITHIN THE CONGREGATION

14.01. 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.

14.02. Special interest groups, other than those of the official organizations of the Evangelical Lutheran Church in America, may be organized only after authorization has been given by the Congregation Council.

Chapter 15

DISCIPLINE OF MEMBERS

- 15.01. Denial of the Christian faith as described in this constitution, conduct grossly unbecoming a member of the Church of Christ, or persistent trouble-making in this congregation 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: 1) private admonition by the pastor, b) admonition by the pastor in the presence of two or three witnesses, and c) citation to appear before the Congregation Council.
- 15.02. A member charged with the offense shall appear before the Congregation Council having received a written notice, specifying the exact charges that have been made against the member, at least 10 days prior to the meeting.
- 15.03. Should the allegations be sustained by a two-thirds majority vote of the Congregation Council, the council shall impose one of the following disciplinary actions:
- a. censure before the council or congregation;
 - b. suspension from membership for a definite period of time; or
 - c. exclusion from membership in this congregation.
- Disciplinary actions b and c shall be delivered to the member in writing.
- 15.04. The member against whom disciplinary action has been taken by the Congregation Council shall have the right to appeal the decision to the Synod Council. Such right may not be abridged and the decision of the Synod Council shall be final.
- 15.05. 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.

Chapter 16

BYLAWS

- 16.01. This congregation may adopt bylaws. No bylaw may conflict with this constitution.
- 16.02. Bylaws may be adopted or amended at any legally called meeting of this congregation with a quorum present by a majority vote of those voting members present and voting.
- 16.03. Changes to the bylaws may be proposed by any voting member provided however, 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 and that the Congregation Council notify the members of the proposal with its recommendations at least 30 days in advance of the Congregation Meeting.
- 16.04. Approved changes to the bylaws shall be sent to the synod.

Chapter 17

AMENDMENTS

- 17.01. Amendments to this constitution may be proposed by at least 10 voting members or by the Congregation Council. Proposals must be filed in writing with the Congregation Council 60 days before formal consideration by the congregation at its regular or special meeting called for that purpose. The Congregation Council shall notify the members of the proposal with their recommendations at least 30 days in advance of the meeting.
- 17.02. A proposed amendment to this constitution shall:
- a. be approved at a properly called meeting according to this constitution by a majority vote of those present and voting;
 - b. be ratified without change at the next annual meeting by a two-thirds majority vote of those present and voting; and
 - c. have the effective date included in the resolution and noted in the constitution.
- 17.03. Any amendments to this constitution shall be sent by the secretary of the congregation to the synod. The amendment shall become effective within 120 days from the date of the receipt of the notice by the synod unless the synod informs this congregation that the amendment is in conflict with the constitution and bylaws of this Evangelical Lutheran Church in America, or the constitution of the Southeastern Minnesota Synod.