

Vinje Lutheran Church

Constitution

Constitutional Provisions, Bylaws
and Continuing Resolutions

2011

January 30, 2011

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Vinje Constitution codifications and explanations January 2011

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 or deletions).
parts of a constitution

The “C” before the Chapter numbers refers to “Congregational” rather than the Synod or the Church wide Constitution

Major sections are designated as chapters

Example: The provisions in “Chapter 8. Membership” are preceded by “8.”

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.

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. The model constitution does not have any bylaws in it. We add these. Changing a bylaw is less cumbersome. Bylaw changes can only be changed by a congregational meeting. They are then changed at that meeting if passed.

Continuing Resolutions They are codified with three sets of numbers except that the third set is preceded by a capital letter. For example, C13.04.A07, “C13” designates chapter 13, “.04” identifies the subject matter within the chapter, and “A07” indicates the year 2007 and the A indicates this is the first continuing resolution regarding that subject.

These are most easily amended. The Congregation in a legally called meeting or the Congregational Council may enact continuing resolutions. They require a majority vote at a congregational meeting or a two-thirds majority vote at a Congregational Council Meeting. A continuing resolution is a very specific action of the council which is intended to be inserted into the constitution.

Changing a constitutional provision is a lengthy process. The constitution has to be amended according to Chapter 17 *C17.01. It can only be changed at a specially called meeting of the congregation, and then ratified at the next annual meeting of the congregation.

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 Vinje Lutheran Church .

C1.02. For the purpose of this constitution and the accompanying bylaws, the congregation of Vinje 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.

*C2.05. This congregation accepts the Unaltered Augsburg Confession as a true witness to the

Gospel, acknowledging as one with it in faith and doctrine all churches that likewise accept the teachings of the Unaltered Augsburg Confession.

*C2.06. This congregation accepts the other confessional writings in the Book of Concord, namely, the Apology of the Augsburg Confession, the Smalcald Articles and the Treatise, the Small Catechism, the Large Catechism, and the Formula of Concord, as further valid interpretations of the faith of the Church.

*C2.07. This congregation confesses the Gospel, recorded in the Holy Scriptures and confessed in the ecumenical creeds and Lutheran confessional writings, as the power of God to create and sustain the Church for God's mission in the world.

Chapter 3 Nature of the Church

*C3.01. All power in the Church belongs to our Lord Jesus Christ, its head. All actions of this congregation are to be carried out under his rule and authority.

***C3.02. The church confesses the one, holy, catholic and apostolic Church and is resolved to serve Christian Unity throughout the world.**

*C3.03. The Church exists both as an inclusive fellowship and as local congregations gathered for worship and Christian service. Congregations find their fulfillment in the universal community of the Church, and the universal Church exists in and through congregations. 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 of the gospel of Jesus Christ and in service for the sake of God's mission in the world.**

***C3.05. The name Evangelical Lutheran Church in America (ELCA or "this church") as used herein refers in general references to this whole church, including its three expressions: congregations, synods, and the churchwide organization. The name Evangelical Lutheran Church in America is also the name of the corporation of the churchwide organization to which specific references may be made herein.**

Chapter 4 Statement of Purpose

*C4.01. The Church is a people created by God in Christ, empowered by the Holy Spirit, called and sent to bear witness to God's creative, redeeming, and sanctifying activity in the world.

*C4.02. To participate in God's mission, this congregation as a part of the Church shall:

- a. Worship God in proclamation of the Word and administration of the sacraments and through lives of prayer, praise, thanksgiving, witness, and service.
- b. Proclaim God's saving Gospel of justification by grace for Christ's sake through faith alone, according to the apostolic witness in the Holy Scripture, preserving and transmitting the Gospel faithfully to future generations.
- c. Carry out Christ's Great Commission by reaching out to all people to bring them to faith in Christ and by doing all ministry with a global awareness consistent with the understanding of God as Creator, Redeemer, and Sanctifier of all.
- d. Serve in response to God's love to meet human needs, caring for the sick and the aged, advocating dignity and justice for all people, working for peace and reconciliation among the nations, and standing with the poor and powerless, and committing itself to their needs.
- e. Nurture its members in the Word of God so as to grow in faith and hope and love, to see daily life as the primary setting for the exercise of their Christian calling, and to use the gifts of the Spirit for their life together and for their calling in the world.
- f. Manifest the unity given to the people of God by living together in the love of Christ and by joining with other Christians in prayer and action to express and preserve the unity which the Spirit gives.

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

- a. Provide services of worship at which the Word of God is preached and the sacraments are administered.
- b. Provide pastoral care and assist all members to participate in this ministry.
- c. Challenge, equip, and support all members in carrying out their calling in their daily lives and in their congregation.
- d. Teach the Word of God.
- e. Witness to the reconciling Word of God in Christ, reaching out to all people.
- f. Respond to human need, work for justice and peace, care for the sick and the suffering, and participate responsibly in society.

g. Motivate its members to provide financial support for the congregation's ministry and the ministry of other parts of the Evangelical Lutheran Church in America.

h. Foster and participate in interdependent relationships with other congregations, the synod, and the 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 Council.~~ [Such descriptions shall be contained in continuing resolutions in the section on the Congregation Committees.]

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

~~*C4.06. References herein to the nature of the relationship between the three expressions of this church—congregations, synods, and the churchwide organization—as being interdependent or as being in a partnership relationship describe the mutual responsibility of these expressions in God's mission and the fulfillment of the purposes of this church as described in this chapter, and do not imply or describe the creation of partnerships, co-ventures, agencies, or other legal relationships recognized in civil law.~~

Chapter 5 Powers of the Congregation

*C5.01. The powers of this congregation are those necessary to fulfill its purpose.

*C5.02. The powers of this congregation are vested in the Congregation Meeting called and conducted as provided in this constitution and bylaws.

*C5.03. Only such authority as is delegated to the Congregation Council or other organizational units in this congregation's governing documents is recognized. All remaining authority is retained by the congregation. The congregation is authorized to:

a. call a pastor as provided in Chapter 9;

b. terminate the call of a pastor as provided in Chapter 9;

c. call or terminate the call of associates in ministry, deaconesses, and diaconal ministers in conformity with the applicable policy of the Evangelical Lutheran Church in

America;

d.adopt amendments to the constitution, as provided in Chapter 16, ~~and~~ amendments to the bylaws, as specified in Chapter 17; **and continuing resolutions, as provided in Chapter 18.**

e. approve the annual budget;

f. acquire real and personal property by gift, devise, purchase, or other lawful means.

g. hold title to and use its property for any and all activities consistent with its purpose;

h.sell, mortgage, lease, transfer, or otherwise dispose of its property by any lawful means;

i. elect its Congregation Council and require the members of the council to carry out their duties in accordance with the constitution, bylaws, and continuing resolutions;

j.terminate its relationship with the Evangelical Lutheran Church in America as provided in Chapter 6.

*C5.04. This congregation shall choose from among its voting members laypersons to serve as voting members of the Synod Assembly as well as persons to represent it at meetings of any conference, cluster, coalition, or other area subdivision of which it is a member. The number of persons to be elected by the congregation and other qualifications shall be as prescribed in guidelines established by this synod.

Mission Endowment Fund

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

C5.05.01 The congregational council shall be the custodian of the Fund.

C5.05.02 The Fund through the council, shall be authorized to refuse any gift or bequest when designated use is considered improper or inappropriate to the congregation's overall purposes. The council may refuse a gift of property or other gift that would have an adverse affect on the financial well being of the Fund.

C5.05.03 A Mission Endowment Fund Committee shall be established to administrate, manage and promote the Fund.

C5.05.A05 Continuing Resolutions to Administer and Manage the Fund

A. Administration and Management

1. The Mission Endowment Fund Committee shall consist of a minimum of five members. The congregation shall elect members to staggered three-year terms, renewable once. At all times at least one member of the committee shall serve on the Congregation Council. The Treasurer of the congregation shall maintain the account of the Mission Endowment Fund and serve as an ex-officio, without voice or vote, member of the committee. In addition to the elected members, a pastor shall serve as an ex-officio, with voice and vote, member of the board. Each member shall be a member of Vinje Lutheran Church. The purpose of the committee shall be to implement the guidelines of the mission endowment fund. It shall be the expectation that each member of the committee shall also be a contributor to the FUND.
2. The Committee shall meet as frequently as deemed in the best interest of the FUND but not less than quarterly.
3. A quorum shall consist of four members. No motion or resolution shall pass without the affirmative vote of three members.
4. The Committee shall elect from its membership a chairperson and recording secretary. The chairperson, or member designated by the chairperson, shall preside at all committee meetings.
5. The recording secretary of the Committee shall maintain complete and accurate minutes of all meetings and supply a copy thereof to each member of the Committee. Each member shall keep a complete copy of minutes to be delivered to his or her successor. The recording secretary shall also supply a copy of the minutes to the Business Affairs Committee of the Church Council.
6. The Treasurer of the Congregation shall work with the Endowment Committee and church staff in maintaining and coordinating complete and accurate accounts for the FUND. The books of the FUND shall be reviewed annually by a certified public accountant or other appropriate person who is not a member of the committee.
7. The Committee shall encourage gifts to the FUND through education and promotion of the FUND. The committee may use the services of professionals to assist members with the best way to include the Mission Endowment Fund in their current giving and estate plans.
8. The Committee shall receive and celebrate gifts given for ministry through the FUND and maintain a permanent book of remembrance of donors to the FUND. Ten percent of each such gift will be distributed immediately beyond the operating budget of the congregation. The remaining portion will be added to the Mission Endowment Fund.
9. The Committee shall accept undesignated gifts received by this congregation, such as, but not limited to bequests, life insurance proceeds and remainders from life income

agreements. Ten percent of each such gift will be distributed immediately beyond the operating budget of the Congregation. The remaining portion will be added to the FUND.

10. The Committee shall report on an annual basis to the Congregation Council and at any time upon special request by the Church Council. Such report shall be a full and complete account of the administration of the FUND during the preceding year.
11. The Committee may request, at the expense of FUND income, to have such professional investment counseling, legal advice, or related advice as it deems to be in the best interest of the FUND.
12. Members of the Committee shall not be liable for any losses which may be incurred upon the investments of the assets of the FUND except to the extent such losses shall have been caused by bad faith or gross negligence. No member shall be personally liable as long as he/she acts in good faith and with ordinary prudence. Each member shall be liable only for his/her own willful misconduct or omissions and shall not be liable for the acts or omissions of any other member. No member shall engage in any self dealing or transactions with the FUND in which the member has direct or indirect financial interest and shall at all times refrain from any conduct in which his/her personal interests could conflict with the interest of the FUND.
13. Actions to hold, sell, exchange, rent, lease, transfer, convert, invest, reinvest, and in all other respects to manage and control the assets of the FUND, including stocks, bonds, debentures, mortgages, notes, or other securities in the Committee's judgment and discretion it deems wise and prudent, are to be the sole dominion of the Vinje Church Council, with the council delegating such actions to the Endowment Fund Committee as it sees fit.

B. Distribution of Income

1. The Mission Endowment Fund Committee shall provide annual distributions beyond the operating budget of this congregation to ministries as stated below:
 - a. Minimum of 20% for outreach into the local community or synod as the Committee determines and shall include the following restricted fund:
 - a. Local Outreach Fund
 - b. Minimum of 20% for ELCA church-wide and global ministries and shall include the following restricted funds:
 - a. Vinje Scholarship Fund for students attending Seminary/Lutheran Colleges
 - b. Global Ministry Fund
 - c. Minimum of 20% for extraordinary programs, capital improvements or other ministry initiatives within Vinje Lutheran Church and shall include the following restricted funds
 - a. Children's Ministry Fund

- b. Youth Ministry Fund
 - c. Music Ministry Fund.
 - d. Vinje Cemetery Fund
 - d. Remaining 40% distributed through any of the above categories.
2. The long term intent of Mission Endowment Committee is to maintain and grow the principle of the FUND at the 3% above the rate of inflation. With this in mind, the council shall normally distribute no more than 5% to 6% of the corpus of the FUND annually for appropriate purposes. During market cycles of decline, annual distributions shall be limited to 4% or 5%. The corpus of the Fund shall be the market value of the fund as of first of January for that year.
 3. When, in the opinion of the Council, circumstances are so dire and of such an emergency nature that the future of ~~VLC~~ Vinje is at stake and that the only recourse is use a significant portion of the FUND principal, the Council may, upon a two-thirds majority vote, utilize such portion of the income or principal as necessary to meet these potential emergency situations.
 4. The ~~VLC~~ Vinje Lutheran Church Mission Endowment Fund may have separate accounts, which are also called funds, and the investment gain/loss is allocated to each account in proportion to the dollars in these separate accounts.
 5. The ~~VLC~~ Vinje Lutheran Church Mission Endowment Fund will allow individuals to establish a named fund within the FUND as long as the following conditions are met.
 - a. The fund must have a purpose consistent with that of the ~~VLC~~ Vinje Lutheran Church Mission Endowment Fund.
 - b. The fund must have a minimum starting balance of \$25,000 and must support, on its own.
 6. The Mission Endowment Fund shall include the following named funds.
 - a. Dorothy Olson Seminary/Lutheran College Scholarship Fund.
 - b. Tallakson Children and Youth Ministry Fund
 - c. Vinje Cemetery Fund
 7. If the purpose no longer exists for any restricted fund within the Mission Endowment Fund, the Council may terminate that restricted fund. The monies remaining in the fund will then be transferred to another fund within the mission endowment fund as long as it would be consistent with the donor's intent. If possible, the donor or donor's family will be contacted for advice for the reallocation of said fund, but ultimate decision shall be by the Council.
 8. Disposition of Transfer of THE FUND
 In the event ~~VLC~~ Vinje ceases to exist through dissolution, the ~~VLC~~ Vinje Lutheran Church Mission Endowment Fund shall be transferred to another Lutheran organization

that would satisfy the purposes and intents of the FUND. If the dissolution is due to a merger and the FUND can still function under its original purpose and honor all donor intents, the FUND name will be changed to recognize that of the new organization.

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 Southwestern Minnesota Synod of the Evangelical Lutheran Church in America. This congregation is subject to the discipline of the Evangelical Lutheran Church in America.

*C6.02. This congregation accepts the Confession of Faith and agrees to the Purposes of the Evangelical Lutheran Church in America and shall act in accordance with them.

*C6.03. This congregation acknowledges its relationship with the Evangelical Lutheran Church in America in which:

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

*C6.04. Affiliation with the Evangelical Lutheran Church in America may be terminated as follows:

- a. This congregation takes action to dissolve.
- b. This congregation ceases to exist.
- c. This congregation is removed from membership in the Evangelical Lutheran Church

in America according to the procedures for discipline of the Evangelical Lutheran Church in America.

d. This congregation follows the procedures outlined in C6.05.

*C6.05. This congregation may terminate its relationship with the Evangelical Lutheran Church in America by the following procedure:

- 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. ~~Such meeting may be held no sooner than 30 days after written notice of the meeting is received by the bishop of the synod, during which time the congregation shall consult with the bishop and the bishop's designees, if any. The times and manner of the consultation shall be determined by the bishop in consultation with the Congregation Council. Unless he or she is a voting member of the congregation, the bishop and the bishop's designees, if any, shall have voice but not vote at the meeting.~~
- b. The secretary of 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 this 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, and the congregation shall continue in consultation, as specified in paragraph a. above, during a period of at least 90 days after receipt by the synod of the notice as specified in paragraph b. above.~~
- d. If 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. ~~Unless he or she is a voting member of the congregation, the bishop and the bishop's designees, if any, shall have voice but not vote at the meeting.~~
- e. ~~A 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 the Evangelical Lutheran Church in America shall be terminated.~~ A copy of the resolution, attesting that the special meeting was legally called and conducted and certifying the outcome of the vote, shall be sent to the bishop within 10 days after the resolution has been adopted, at which time the relationship between the congregation and this church shall be terminated subject to paragraphs g., h., and i. below. Unless this notification to the bishop also certifies that the congregation has voted by a two-thirds vote to affiliate with another Lutheran denomination, the congregation will be conclusively presumed to be an independent or non-Lutheran church.

f. Notice of termination shall be forwarded by the synodical bishop to the secretary of the ELCA, ~~and published in the periodical of this church.~~ who shall report the termination to the Churchwide Assembly.

g. This congregation shall abide by these covenants by and among the three expressions of this church.

1. Congregations seeking to terminate their relationship with this church which fail or refuse to comply with each of the foregoing provisions in *C6.05. shall be required to receive Synod Council approval before terminating their membership in this church.

2. Congregations which had been members of the Lutheran Church in America shall be required, in addition to complying with the foregoing provisions in *C6.05., to receive synodical approval before terminating their membership in this church.

3. Congregations established by the Evangelical Lutheran Church in America shall be required, in addition to complying with the foregoing provisions in *C6.05., to satisfy all financial obligations to this church and receive Synod Council approval before terminating their membership in this church.

h. If this congregation fails to achieve the required two-thirds vote of voting members present at the congregation's first meeting as specified in paragraph a. above, another special meeting to consider termination of relationship with this church may be called no sooner than six months after that first meeting. If this congregation fails to achieve the required two-thirds vote of voting members present at the congregation's second meeting as specified in paragraph d. above, another attempt to consider termination of relationship with this church must follow all requirements of *C6.05. and may begin no sooner than six months after that second meeting.

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

*C6.07 If this congregation considers developing an additional site to be used for worship, it shall confer with the bishop of the synod in which it is territorially located and the appropriate program 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

Southwestern Minnesota Synod of the Evangelical Lutheran Church in America.

*C7.02. If this congregation is removed from membership in the Evangelical Lutheran Church in America according to its procedure for discipline, title to property shall continue to reside in this congregation.

*C7.03. If two-thirds of the voting members of this congregation present at a legally called and conducted special meeting of this congregation vote to transfer to another Lutheran church body, title to property shall continue to reside in this congregation, **provided the process for termination of relationship in *C6.05. has been followed.** Before this congregation takes action to transfer to another Lutheran church body, it shall consult with representatives of the Southwestern Minnesota 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, title to property of this congregation shall continue to reside in this congregation only with the consent of the Synod Council. The Synod Council, after consultation with this congregation by the established synodical process, may give approval to the request to become independent or to relate to a non-Lutheran church body, in which case title shall remain with the majority of this congregation. If the Synod Council fails to give such approval, title shall remain with those members who desire to continue as a congregation of the Evangelical Lutheran Church in America.

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.

C8.02.A10. When neither parents or guardians of a child are members of this congregation, the child's baptism shall be duly recorded as a ministerial act. The child shall be received as a baptized member of this congregation, unless the child will be enrolled as a baptized member of another congregation. In such case, notice of the baptism shall be given to the congregation in which the child is to be enrolled as a baptized member.

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 of this congregation who have communed in this congregation and given a contribution of record to this congregation during the current or preceding calendar year. Members of this congregation who have satisfied these basic standards shall have the privilege of voice and vote at every regular meeting **and special meeting** of the congregation **as well as the other rights and privileges ascribed to voting members by the provisions of this constitution and its bylaws.**
- d. **Associate** members are persons holding membership in other [ELCA] [Lutheran] [Christian] congregations who wish to retain such membership but desire to participate in the life and mission of this congregation. These individuals have all the privileges and duties of membership except voting rights ~~and eligibility for elected offices or membership on the Congregational Council of this congregation~~ or other rights and privileges ascribed to voting members by the provisions of this constitution and its bylaws.
- e. Seasonal members are voting members of other ELCA congregations who wish to retain such membership but desire to participate in the life and mission of this congregation, including exercising limited voting rights in this congregation. The Congregation Council may grant seasonal membership to such persons provided that this congregation is a member of a synod where the Synod Council has approved seasonal member voting on its territory. Such seasonal members shall have all the privileges and duties of voting members except that:
- 1) They shall not be eligible for elected office in, or for membership on the Congregation Council or on a call committee of, this congregation;
 - 2) They shall not have the right to vote on any matter concerning or affecting the call or termination of call of any minister of this congregation;
 - 3) They shall not have the right to vote on any matter concerning or affecting the affiliation of this congregation with the ELCA;
 - 4) They shall not be eligible to serve as voting members from this congregation of the Synod Assembly or the Churchwide Assembly;
 - 5) They shall not, even if otherwise permitted by this congregation, vote by proxy or by absentee ballot; and
 - 6) They shall not, within any two calendar month period, exercise voting rights in this congregation and in the congregation where they remain voting members.
- f. **Inactive** members are persons who have been removed from the active roster reported to the ELCA for reasons of inactivity or moving away, but for pastoral care reasons are placed on a separate inactive membership roster. Persons shall be removed from the inactive roster upon their request or removed by action of council when after contact there is no interest expressed to remain on an inactive roster of this congregation..

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

approval of the Congregation Council.

*C8.04. It shall be the privilege and duty of members of this congregation to:

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

C8.04.01. This congregation invites all of its members who have been prepared to receive Holy Communion, to participate regularly in the Sacrament.

- a. Preparation for Holy Communion will normally be provided for persons who are not yet confirmed.
- b. Participation in Holy Communion shall be open to members of other congregations who accept Lutheran teaching in regard to this Sacrament.
- c. It shall be made known to prospective participants the belief of this congregation is: Participation in the Lord's Supper is the reception of "the body and blood of our Lord Jesus Christ given in and with bread and wine, instituted by Christ Himself for us to eat and drink.

We hold that a person is well prepared and worthy who believes these words, 'given and shed for you for the remission of sins.' But anyone who does not believe these words, or doubts them, is neither prepared nor worthy, for the words 'for you' require simply a believing heart." (Luther's Small Catechism)

- d. Record of participation in Holy Communion may be maintained. If a member of another congregation communes, notice may be sent to the pastor of the home congregation.

*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 ~~by the Congregation Council; or~~ in accordance with ELCA

constitutional provision 20.41 and the accompanying bylaws; or

- e. removal from the roll due to inactivity ~~as defined in the bylaws~~ 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. Members who move away shall be encouraged to transfer. Any confirmed member in good standing desiring to change membership to another Lutheran church shall, upon request, be entitled to a letter of transfer.

C8.05.01.A10 Confirmed members who have not communed in this congregation and/or given a contribution of record to this congregation during for a period of two years shall receive follow-up pastoral care by a pastor or appropriate parish care team. After such appropriate care and continued absence, the member will be removed from the active membership role by the Church Council and placed on the inactive member roster. Inactive members shall lose the right to vote and shall not be counted in the membership statistics of the congregation. The person's name and record shall be kept on an inactive membership list for a period of at least one year thereafter. Such a person shall be encouraged to participate in the ministry of this congregation or to seek release for membership elsewhere. If the person resumes activity, the person shall be restored to active membership.

C8.05.01.B10. When a confirmed member and family move away from the community to a distance so that they cannot participate in the life and work of the congregation, they shall be contacted by an appropriate parish care team or pastor to seek a congregation where they now live. If after one year from that parish care contact the person/family has not transferred membership, they shall be removed from active membership and placed on the inactive roster. If they return to the community before transferring to another congregation and resume participation in the life and work of the congregation, they shall again be placed on the active membership roll.

C8.05.01.C10. From time to time members /and their family may move out of the community at a distance that they cannot participate in the life and work of the congregation. This should trigger an appropriate parish care team to contact them about their seeking out a congregation where they now live. If after one year from that parish care contact the person/family has not transferred membership, they shall be removed from membership and placed on an inactive list. After a second year on the inactive list, they shall be removed from the membership listing of the congregation. If they return to the community before transferring to another congregation and resume participation in the life and work of the congregation, they shall again be placed on the active membership roll.

C8.05.01.D10 A child baptized at this congregation who has no parent or guardian as member of this congregation shall be a baptized member of this congregation. A parish care team shall try to make contact with the parent or guardian to invite them to become a member of the congregation. If there is no participation by the child or parent and there is no interest in

participation, the parish care team shall make a recommendation to the council for continued membership or placement on the inactive roster of the baptized child.

C8.05.01.E10 Persons who have been excommunicated, dismissed or who have resigned from this congregation or who have transferred membership from this congregation to other Lutheran congregations, or who are known to have become members of other congregations without transfer, shall no longer be considered members of this congregation.

Chapter 9 The Pastor

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

*C9.02. Only a member of the clergy roster of the Evangelical Lutheran Church in America or a candidate for the roster of ordained ministers who has been recommended for the congregation by the synodical bishop may be called as a pastor of this congregation.

*C9.03. Consistent with the faith and practice of the Evangelical Lutheran Church in America,

a. Every ordained minister shall:

- 1) preach the Word;
- 2) administer the sacraments;
- 3) conduct public worship;
- 4) provide pastoral care; and
- 5) speak publicly to the world in solidarity with the poor and oppressed, calling for justice and proclaiming God's love for the world.

b. Each ordained minister with a congregational call shall, within the congregation:

- 1) offer instruction, confirm, marry, visit the sick and distressed, and bury the dead;
- 2) supervise all schools and organizations of this congregation;
- 3) install regularly elected members of the Congregation Council; and
- 4) with the council, administer discipline.

c. Every pastor shall:

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

*C9.04. The specific duties of the pastor, compensation, and other matters pertaining to the service of the pastor shall be included in a letter of call, which shall be attested by the bishop of the synod.

*C9.05. Termination of Call of a Pastor

a. The call of a 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;
- 2)resignation of the pastor, which shall become effective, unless otherwise agreed, 30 days after the date on which it was submitted;
- 3)inability to conduct the pastoral office effectively in the congregation in view of local conditions, without reflection on 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;~~ suspension of the pastor through discipline for more than three months;
 - a) resignation or removal of the pastor from the roster of ordained ministers of this church
 - b) termination of the relationships between this church and the congregation
- 6)the dissolution of the congregation ~~or the termination of a parish arrangement;~~ or

7) suspension of the congregation ~~as a result of~~ through discipline ~~proceedings~~ for more than six months.

b. When allegations of physical or mental incapacity of the pastor or ineffective conduct of the pastoral office have come to the attention of the bishop of the synod, the bishop in his or her sole discretion may, or when such allegations have been brought to the synod's attention by an official recital of allegations by the Congregation Council or by a petition signed by at least one-third of the voting members of the congregation, the bishop shall, investigate such conditions personally in company with a committee of two ordained ministers and one layperson. under paragraph a.4) above, or ineffective conduct of the pastoral office under paragraph a.3) above, have come to the attention of the bishop of this synod,

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

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

d. In the case of alleged local difficulties that imperil the effective functioning of the congregation, ~~all concerned persons shall be heard, after which the bishop of the synod together with the committee described in *C9.05.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 and voting at a legally called meeting after consultation with the bishop.~~ under paragraph a.3) above, the bishop's committee shall endeavor to hear from all concerned persons, after which the bishop together with the committee shall present

their recommendations first to the pastor and then to the congregation. The recommendations of the bishop's committee must address whether the pastor's call should come to an end and, if so, may suggest appropriate severance arrangements. The committee may also propose other actions that should be undertaken by the congregation and by the pastor, if appropriate. If the pastor and congregation agree to carry out such recommendations, no further action need be taken by the synod.

~~e. If, in the course of proceedings described in *C9.05.d., the committee concludes that there may be grounds for disciplinary action, the committee shall make recommendations concerning disciplinary action to the synodical bishop who may bring charges, in accordance with the provisions of the constitution and bylaws of the Evangelical Lutheran Church in America and the constitution of this synod. If either party fails to assent to the recommendations of the bishop's committee concerning the pastor's call, the congregation may dismiss the pastor only at a legally called meeting after consultation with the bishop, either (a) by a two-thirds majority vote of the voting members present and voting where the bishop and the committee did not recommend termination of the call, or (b) by a simple majority vote of the voting members present and voting where the bishop and the committee recommended termination of the call.~~

~~f. If, following the appointment of the committee described in *C9.05.b. or d., it should become apparent that the pastoral office cannot be conducted effectively in the congregation(s) 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(s) without prejudice and with pay provided through a joint synodical and churchwide fund and with housing provided by the congregation(s). If, in the course of proceedings described in paragraph c. or paragraph d. above, the bishop's committee concludes that there may be grounds for disciplinary action, the committee shall make recommendations concerning disciplinary action in accordance with the provisions of this church's constitution, bylaws, and continuing resolutions.~~

*C9.06. At a time of pastoral vacancy, an interim pastor shall be appointed by the bishop of the synod with the consent of this congregation or the Congregation Council.

*C9.07. During the period of service, an interim pastor shall have the rights and duties in the congregation of a regularly called pastor and may delegate the same in part to a supply pastor with the consent of the bishop of the synod and this congregation or Congregation Council. The interim pastor and any ordained pastor providing assistance shall refrain from exerting influence in the selection of a pastor. ~~Unless previously agreed upon by the Synod Council, an interim pastor is not available for a regular call to the congregation served.~~

*C9.08. This congregation shall make satisfactory settlement of all financial obligations to a former pastor before calling a successor. A pastor shall make satisfactory settlement of all

financial obligations to this congregation before beginning service in a call to another congregation or employment in another setting related to the Evangelical Lutheran Church in America.

*C9.09. When a pastor is called to serve in company with another pastor or pastors, the privileges and responsibilities of each pastor shall be specified in documents to accompany the call and to be drafted in consultation involving the pastors, the Congregation Council, and the bishop of the synod. As occasion requires, the documents may be revised through a similar consultation.

*C9.11. With the approval of the bishop of the synod, the congregation may depart from *C9.05.a. and call a pastor for a specific term. Details of such calls shall be in writing setting forth the purpose and conditions involved. Prior to the completion of a term, the bishop or a designated representative of the bishop shall meet with the pastor and representatives of the congregation for a review of the call. Such a call may also be terminated before its expiration in accordance with the provisions of C9.05.a.

*C9.12. The pastor of this congregation:

a. shall keep accurate parochial records of all baptisms, confirmations, marriages, burials, communicants, members received, members dismissed, or members excluded from the congregation;

b. shall submit a summary of such statistics annually to the synod; and

c. shall become a member of this congregation upon receipt and acceptance of the letter of call. In a parish of multiple congregations, the pastor shall hold membership in one of the congregations.

*C9.13. The pastor(s) shall submit a report of his or her ministry to the bishop of the synod at least 90 days prior to each regular meeting of the Synod Assembly.

*C9.14. The parochial records of this congregation shall be maintained by the pastor and shall remain the property of the congregation. The secretary of this congregation shall attest in writing to the bishop of this synod that such records have been placed in his or her hands in good order by a departing pastor before the installation of that pastor in another field of labor or the granting by the synod of retired status to the pastor.

C9.21. Under special circumstances, subject to the approval of the synodical bishop and the concurrence of this congregation, an ordained minister of a church body with which the Evangelical Lutheran Church in America officially has established a relationship of full communion may serve temporarily as pastor of this congregation under a contract between the congregation and the ordained minister in form proposed by the synodical bishop and approved by the congregation.

Chapter 10 Congregational Meeting

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

C10.01.01 The annual meeting of the congregation where the budget is adopted shall be held in the months of January or February and contain reports from the previous year.

C10.02. A special Congregation Meeting may be called by the **lead** pastor, the Congregation Council, or the president of this congregation, and shall be called by the president of the congregation upon the written request of 35 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.

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 to all voting members at least 10 days in advance of the date of the meeting. The posting of such notice **via email or** in the regular mail, with the regular postage affixed or paid, sent to the last known address of such members shall be sufficient.

C10.04. A quorum shall consist of **85 50** voting members.

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

C10.06. All actions by the congregation shall be by majority vote except as otherwise provided in this constitution.

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

Chapter 11 Officers

C11.01. The officers of this congregation shall be a president, vice president(~~president elect~~), secretary, and treasurer.

C11.01.01 Duties of the officers shall be specified in the bylaws.

- a. The officers shall be voting members of the congregation.
- b. Officers of this congregation shall serve similar offices of the Congregation Council and shall be voting members of the Congregation Council.
- c. The Congregational Council shall elect the president and vice president from the elected membership of the Congregational Council.
- d. The Congregational Council shall elect a secretary and treasurer who need not be members of the Congregational Council. Terms of Secretary and Treasurer are two

years and can be renewed twice.

C11.01.01.A10. The officers shall be elected annually by written ballot and shall serve for ~~two one~~ years or until their successors are elected. ~~The Vice President shall be considered the President elect, serving the first year as vice president and the second year as president.~~ Terms shall begin June 1st or at the close of the Congregation Council meeting at which they are elected, whichever is last. The congregational council meeting for election of officers shall be the meeting following the spring congregational meeting which elects congregational council members.

C11.02. No officer shall hold more than one office at a time.

C11.02.01. ~~The President shall preside over meetings of the Congregational Council, the Executive Committee and meetings of the Congregation.~~ The President this congregation shall serve a one year term in office and may not be eligible to serve more than two (2) consecutive terms. The President shall preside over all meetings of this congregation, the Congregation Council, and any other congregation assemblies called for the purpose of conducting Church business. The President shall be an ex-officio member of all church committees. The President, with Congregation Council approval, shall have the power to appoint committee members to special committees created by the Congregation Council.

C11.02.02. ~~The Vice President shall preside in the absence of the President~~ The vice-president shall serve a one year term in office and may not be eligible to serve more than two (2) consecutive terms. The vice-president shall perform the duties of the president during any absences of the president or at the direction of the president. The vice-president shall perform such duties as assigned by this congregation, president or Congregation Council.

C11.02.03. ~~The Secretary shall keep the minutes of the council and of the congregation and shall preserve its archives.~~ The secretary shall serve a two year term of office and may not be eligible to serve more than three (3) consecutive terms. The secretary shall record the minutes of all Congregational meetings and maintain a permanent record in the archives. The secretary shall record the minutes of all Congregation Council meetings and maintain a permanent record in the archives. The secretary shall keep a record of all Congregation Policies, by-laws and Continuing Resolutions of this congregation. The secretary shall keep a current record of all officer, Congregation Council and committee members elected by this Congregation together with the respective terms of office. The secretary shall, in advance of every meeting, provide members of the Congregation Council with the minutes of the previous meeting. The secretary shall perform other duties as directed by the president, the Congregation Council or this Congregation.

C11.02.04. ~~The Treasurer shall be custodian of all funds of the congregation, and shall disburse all such funds in accordance with the decisions of the congregation or the congregational council. The Treasurer shall present a report to the annual congregation meeting and such other reports as the congregational council may require.~~ The treasurer shall serve a two year term of

office and may not be eligible to serve more than three (3) consecutive terms. The treasurer shall maintain and keep an accurate record and account of all funds of the congregation. The treasurer shall make payment of all expenses authorized by the Congregation or the Congregation Council. The treasurer shall pay current obligations in accordance with standard business practices at the first of each month, or by the date specified; as directed by this Congregation or the Congregation Council. The treasurer shall render a full written report of this Congregation's financial condition to the Congregation at the annual meeting and to the Congregation Council monthly. The treasurer shall assure that all specifically designated funds are distributed properly. The treasurer shall perform any and all other duties as directed or assigned by this Congregation or the Congregation Council, but shall not serve as an offering counter of the congregation.

Chapter 12 Congregational Council

C12.01. The voting membership of the Congregation Council shall consist of the pastor(s), the officers of the congregation, and *not more than 18 members* of the congregation **one of whom shall be a confirmed youth under the age of 18 at time of election**. Any voting member of the congregation may be elected, ~~subject only to the limitation on the length of continuous service permitted in that office unless another family member is a member of the Congregational Council; this restriction does not apply to the youth member.~~ Paid employees of the congregation, or their family members are also prohibited from Council membership, **this exception does not apply to the pastors, but does apply to their family members.** A member's place on the Congregation Council shall be declared vacant if the member a) ceases to be a voting member of this congregation or b) is absent from four successive regular meetings of the Congregation Council without cause or c) submits a resignation to the president of the Congregation Council. Consistent with the laws of the state in which this congregation is incorporated, the congregation may adopt procedures for the removal of a member of the Congregation council in other circumstances.

C12.02. Annually, the members of the Congregation Council except the pastor(s) shall be elected at a legally called meeting of the congregation at a time specified in the bylaws. Their term of office shall be for 3 years, with the dates of service specified in the bylaws. **The youth member of the Congregational Council shall be elected to serve for one year or until a successor is elected.** Newly elected Congregation Council members shall be installed at worship at a Sunday worship service.

C12.02.01 A congregational meeting shall be held in the spring of year (March, April, or May) for the purposes of elections. The elections shall include congregational council members, and may include members of all committees.

C12.02.02 Term of council membership shall be three years, non-renewing. The dates of service for congregational council members shall begin June 1 or at the council meeting following the spring congregational election meeting, whichever is later.

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 congregation meeting when elections are scheduled.

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

- a. To lead this congregation in stating its mission, to do long-range planning, to set goals and priorities, and to evaluate its activities in light of its mission and goals.
- b. To seek to involve all members of this congregation in worship, learning, witness, service, and support.
- c. To oversee and provide for the administration of this congregation to enable it to fulfill its functions and perform its mission.
- d. To maintain supportive relationships with the pastor(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 partnership with the synod and churchwide organization of the Evangelical Lutheran Church in America as well as cooperation with other congregations, both Lutheran and non-Lutheran, subject to established policies of the synod and the Evangelical Lutheran Church in America.
- i. To recommend and encourage the use of program resources produced or approved by the Evangelical Lutheran Church in America.
- j. To seek out and encourage qualified persons to prepare for the ministry of the Gospel.

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

- a. The Congregation Council shall be the board of directors of this congregation, and as such shall be responsible for maintaining and protecting its property and the management of its business and fiscal affairs. It shall have the powers and be subject to the obligations that pertain to such boards under the laws of the State of Minnesota,

except as otherwise provided herein.

b. The Congregation Council shall not have the authority to buy, sell, or encumber real property unless specifically authorized to do so by a meeting of the congregation.

C12.05.01. The Congregation Council may enter into contracts of up to **\$ 5,000** for items not included in the budget or undesignated reserve funds.

C12.05.02 The Congregation Council shall prepare an annual budget for adoption by this congregation, shall supervise the expenditure of funds in accordance therewith following its adoption, and may incur obligations of no more than **\$10,000** in excess of the anticipated receipts only after approval by a congregation meeting. The budget shall include this congregation's full indicated share in support of the wider ministry being carried on in partnership with the synod and churchwide organization .

C12.05.03 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.

C12.05.03 The Congregation Council shall be responsible for this congregation's investments and its total insurance program.

C12.06. The Congregation Council shall see that the provisions of this constitution, bylaws, and continuing resolutions are carried out.

C12.07. The Congregation Council shall provide for an annual review of the membership roster.

C12.08. The Congregation Council shall be responsible for the employment and supervision of the salaried lay workers of this congregation.

C12.09. The Congregation Council shall submit a comprehensive report to this congregation at the annual meeting.

C12.11. The Congregation Council shall normally meet once a month. Special meetings may be called by the pastor or the president, and shall be called by the president at the request of at least one-half of its members. Notice of each special meeting shall be given to all who are entitled to be present.

C12.12. A quorum for the transaction of business shall consist of a majority of the members of the Congregation Council, including the **lead** pastor or interim pastor, except when the **lead** pastor or interim pastor requests or consents to be absent and has given prior approval to the agenda for a particular regular or special meeting, which shall be the only business considered at that meeting. Chronic or repeated absence of the **lead** pastor or interim pastor who has

refused approval of the agenda of a subsequent regular or special meeting shall not preclude action by the Congregation Council, following consultation with the synodical bishop.

Chapter 13 Congregational Committees

C13.01. Standing Committees

C13.01.01 The president, vice-president, ~~secretary, and~~ treasurer, ~~and one two~~ members -at-large of the Congregation Council, and the pastors shall constitute the Executive Committee.

C13.01.02. A Nominating Committee of at least five voting members of this congregation, two of whom, if possible, shall be outgoing members of the Congregation Council, shall be elected at the annual meeting for a term of one year. Three Members of the Nominating Committee are eligible for consecutive reelection.

C13.01.03. An Audit Committee of three voting members shall be elected by the Congregation Council. Audit Committee members shall not be members of the Congregation Council. Term of office shall be three years, with one member elected each year. Members shall be eligible for reelection.

C13.01.04. When a pastoral vacancy occurs, a Call Committee of not less than six voting members shall be elected by the Congregation Council. Term of office will terminate upon installation of the newly called pastor.

C13.02 The Senior Pastor of this congregation shall be an ex-officio member of all committees and boards of this congregation. The president of this congregation shall be an ex officio member all committees and boards of the congregation, except the Nominating Committee

C13.03 Other committees/teams of this congregation may be formed, as the need arises, by decision of the Congregational Council in continuing resolutions and their duties may also prescribed also in those continuing resolutions or be maintained within the committee itself.

C13.03.A10. Terms of all committee members shall be for two years, renewable once unless otherwise noted in the bylaws or continuing resolutions of that committee or board. Committee members may be elected at a congregational meeting or be approved by the Congregational Council.

C13.03.B10. Mutual Ministry Committee (in the absence of a mutual ministry committee, the duties shall be fulfilled by the executive committee) shall be appointed jointly by the president and the pastor. Term of office shall be ~~two~~ three years with ~~three-two~~ members to be appointed each successive year. **Members of the Mutual Ministry Committee may not hold membership on the Congregational Council or Personnel Committee, or have family members who do.**

C13.03.C10. Worship Committee

Co-ordinate worship support of Ushers, Lectors, Altar Guild, Communion Servers.

Responsible for Worship Planning and Music. Oversee Word and Sacrament gathering of our congregation.

C13.03.D10. Early Family Ministries

Attend to the programs, opportunities, and needs of families with children from before birth to the beginning of first grade. Ministries include Little Vinje Village, Vacation Bible School, Nursery, Micah Families, Joy School, Milestones, and Newborn Nurture Team.

C13.03.E10. Children and Family Ministries

Parish Education Committee oversees children and family ministries of the congregation for families with children in first grade through grade 6. Ministries include Vinje Village, Teacher training, recruitment and nurture, Milestone ministries of First Communion, Bibles, and Catechism. Review curriculum and manage resource center and library.

C13.03.F10. Youth and Family Ministry Board Committee

Oversee the Ministry to - for - and by Youth through Vinje Co-ordinate programs for 5th and 6th, Jr High. and Sr. High. Nurture Adult and Youth leadership for this program.

C13.03.G10. Parish Care Coordinators Committee

Co-ordinate congregational Nurture groups: ~~Befrienders Ministry, Deaconess program,~~ **Visitation ministries**, Friendly visitors, Van Transportation etc. Give leadership in empowering a caring ministry.

C13.03.H10. Mission Partner Committee

Direct a program for global mission awareness and outreach beyond our community. Lead the congregation in its support for Sponsored Missionaries and Companion Synod, as well as interpret Missionary goals of synod and ELCA.

C13.03.I10. Adult Discipleship Vision Team

Support and plan for Adult Spiritual Growth, Small Group and Fellowship opportunities within the congregation.

C13.03.J10. Property Committee

Oversee Physical Plant - maintenance, supplies, improvement, capital needs. Co-ordinate Member involvement in maintenance program.

C13/03.K10. Vinje Cemetery Board

Oversight and maintenance of Cemetery

C13.03L10. ~~Business Affairs Committee~~ Faith and Finance-

Oversee spending plan approved by the congregation. Recommend direct investments, loans, contracts, insurance bids. Prepare budget for Council and congregational approval.

C13.03.M10. Stewardship Committee

~~Give leadership to formation of biblical Stewardship among the members of Vinje and beyond.
Direct annual Stewardship emphasis of Time, Talent and Treasure.~~

C13.03.N10. Personnel Committee

~~Give leadership to formation of biblical Stewardship among the members of Vinje and beyond.
Direct annual Stewardship emphasis of Time, Talent and Treasure.~~

C13.03.O10. Evangelism Committee

Direct a ministry of welcome and hospitality for those who visit Vinje as well as receive New Members. Guide the training for Evangelism outreach by members of our congregation.

Chapter 14 Organizations within the Congregation

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

C14.02. Special interest groups, other than those of the official organizations of the Evangelical Lutheran Church in America, may be organized only after authorization has been given by the Congregation Council and may be specified in a continuing resolution as deemed necessary.

C14.02.01. Ceremonies and symbols of lodges or other such secret organizations shall not be permitted in the church or on the church premises of this congregation.

C14.02.02. The pastor of this congregation shall take no part in any such ceremonies even if conducted outside of the church premises.

C14.03. The Congregation shall establish a parish child care center which shall be known as Loving Arms Child Care Center here after referred to as "Loving Arms."

C14.03.01. Overall operations are under the guidance of the Congregational Council.

C14.03.02 Loving Arms is established under the 501©3 status of the congregation and shares the same tax identification status. It operates as a non-profit entity within the church structure. The center and its employees are covered under the Church insurance policy.

C14:03.03 A Loving Arms Advisory Board shall be established .

C14.03.A05 The advisory board shall consist of the elected Congregational Council representative, 4 additional members of the congregation, 2 parent representatives of currently

enrolled children, and the center Director. Each of these members has voting rights except the Director. One member of the Board shall serve as Chairperson and one person will serve as Personnel Liaison.

C14.03.B05 Prior to the development of the Loving Arms budget each year, the level of facility use expense will be determined by the Business Affairs Committee. The annual operating budget for the center will be prepared by the center director and a representative member of the Board. Tuition fees and staff salaries will be set by the Board. The Business Affairs committee shall provide consultation and support on ambiguities or recommend format changes in budgets. Loving Arms shall include employee expenses in their operating budget, including: staff salaries, benefits, taxes, and workers compensation insurance.

C14.03.C05 In the event that facility use expenses cannot be met by Loving Arms at any time, the congregational council will make determination for remuneration.

C14.03.D05 Applications for grants and fundraising activities shall be approved by the Board and presented to the Congregational Council on a regular and timely basis.

Chapter 15 Discipline of Members and Adjudication

~~*C15.01. 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: a) 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. If for any reason, the pastor is unable to administer the admonitions required by a. and b. hereof, the president or vice president shall administer such admonitions. Persistent and public denial of the Christian faith, willful or criminal conduct grossly unbecoming a member of the Church of Christ, continual and intentional interference with the ministry of the congregation, or willful and repeated harassment or defamation of member(s) of the congregation is sufficient cause for discipline of a member. Prior to disciplinary action, reconciliation and repentance will be attempted following Matthew 18:15-17, proceeding through these successive steps, as necessary: a) private counsel and admonition by the pastor, b) censure and admonition by the pastor in the presence of two or three witnesses, c) written referral of the matter by the Congregation Council to the vice president of the synod, who will refer it to a consultation panel drawn from the Consultation Committee of the synod, and d) written referral of the matter by the consultation panel to the Committee on Discipline of the synod. If, for any reason, the pastor is unable to administer the admonitions required by paragraphs a. and b. hereof, those steps may be performed by another pastor chosen by the Executive Committee of the Congregation Council.~~

*C15.02. The process for discipline of a member of the congregation shall be governed as prescribed by the chapter on discipline in the Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America. ~~If discipline against a member proceeds-~~

~~beyond counseling and admonition by the pastor, charges against the accused member(s) of the congregation who 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 Congregational 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 Congregational 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 Congregational Council and requests the presence of a member charged with the offense shall be sent a least ten days prior to the meeting. If the member charged with the offense fails to appear at the scheduled hearing, the Congregational Council may proceed with the hearing and may pass judgment in the member's absence. If the counseling, censure, and admonitions pursuant to C15.01 do not result in repentance and amendment of life, charges against the accused member(s) that are specific and in writing may be prepared by the Congregation Council, signed, and submitted to the vice president of the synod. The vice president shall select from the synod's Consultation Committee a panel of five members (three lay persons and two clergy). A copy of the written charges shall be provided to the consultation panel and the accused member(s). The consultation panel, after requesting a written reply to the charges from the accused member(s), shall consider the matter and seek a resolution by means of investigation, consultation, mediation, or whatever other means may seem appropriate. The panel's efforts to reach a mutually agreeable resolution shall continue for no more than 45 days after the matter is submitted to it.~~

~~*C15.03. 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;~~
- ~~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.~~

~~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 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.~~ 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. 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.~~

By the vote of at least two-thirds of the members of the discipline hearing panel who are present and voting, one of the following disciplinary sanctions can be imposed:

- a. suspension from the privileges of congregation membership for a designated period of time;
- b. suspension from the privileges of congregation membership until the pastor and Congregation Council receive evidence, satisfactory to them, of repentance and amendment of life;
- c. termination of membership in the congregation; or
- d. termination of membership in the congregation and exclusion from the church property and from all congregation activities.

~~*C15.06. For disciplinary actions in this congregation, "due process" shall be observed as specified in 10.41.04. in the Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America.~~ 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 a congregation shall be subject to discipline ~~for offenses that the Congregational Council has previously heard and decided, unless so ordered by the Synod Council after an appeal.~~ a second time for offenses that a discipline hearing panel has heard previously and decided pursuant to this chapter.

***C15.10. Adjudication**

*C15.11. When there is disagreement among factions within this congregation on a substantive issue that cannot be resolved by the parties, members of this congregation shall have access to the synodical bishop for consultation after informing the *president* of the Congregation Council

of their intent. If the consultation fails to resolve the issue(s), the Consultation Committee of the synod shall consider the matter. If the Consultation Committee of the synod shall fail to resolve the issue(s), the matter shall be referred to the Synod Council, whose decision shall be final.

Chapter 16 Amendments

*C17.01. Amendments to this constitution may be proposed by at least 35 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 its regular or special meeting called for that purpose. The Congregation Council shall notify the members of the proposal with the council's recommendations at least 30 days in advance of the meeting. **Notification may take place by mail or electronic means, as permitted by state law.**

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

- a. be approved at a legally 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. ~~Such an effective date must be stated in relation to the requirements of C17.03, to allow time for synodical review of the amendment.~~

*C17.03. Any amendments to this constitution ~~shall be sent by the secretary of this 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 the Evangelical Lutheran Church in America or the constitution of the Southwestern Minnesota Synod of the ELCA. Any amendments to this constitution that result from the processes provided in *C17.01. and *C17.02. shall be sent by the secretary of this congregation to the synod. The synod shall notify the congregation of its decision to approve or disapprove the proposed changes; the changes shall go into effect upon notification that the synod has approved them.~~

*C17.04. ~~Whenever the Model Constitution for Congregations is amended by the Churchwide Assembly, this constitution may be amended to reflect any such amendment by a simple majority vote at any subsequent meeting of the congregation without presentation at a prior meeting of the congregation, provided that the Congregation Council has submitted by mail notice to the congregation of such an amendment or amendments at least 30 days prior to the meeting. Following the adoption of an amendment, the secretary of the congregation shall submit a copy thereof to the synod, consistent with C17.03. This constitution may be amended to bring any section into conformity with a section or sections, either required or not required,~~

of the *Model Constitution for Congregations of the Evangelical Lutheran Church in America* as most recently amended by the Churchwide Assembly. Such amendments may be approved by a simple majority vote of those voting members present and voting at any legally called meeting of the congregation without presentation at a prior meeting of the congregation, provided that the Congregation Council has submitted by mail or electronic means, as permitted by state law, notice to the congregation of such an amendment or amendments, together with the council's recommendations, at least 30 days prior to the meeting. Upon the request of **35** voting members of the congregation, the Congregation Council shall submit such notice. Following the adoption of an amendment, the secretary of the congregation shall submit a copy thereof to the synod. Such provisions shall become effective immediately following a vote of approval.

Chapter 17 ***Bylaws***

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

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

*C16.03. 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.

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

Chapter 18 ***Continuing Resolutions***

*C18.01. ~~The Congregation Council may enact continuing resolutions which describe the function of the various committees or organizations of this congregation.~~ The congregation in a legally called meeting or the Congregation Council may enact continuing resolutions. Such continuing resolutions may not conflict with the constitution or bylaws of this congregation.

*C18.02. ~~Continuing resolutions shall be enacted or amended by a two-thirds vote of all voting members of the Congregation Council.~~ Continuing resolutions shall be enacted or amended by a majority vote of a meeting of the congregation or a two-thirds vote of all voting members of the Congregation Council.

Chapter 19 ***Indemnification***

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