

**CONSTITUTION
OF
ST. JOHN'S LUTHERAN CHURCH
JACKSON, WISCONSIN**

***PREAMBLE**

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

**Chapter 1
NAME AND INCORPORATION**

C1.01. The name of this congregation shall be St. John's Evangelical Lutheran Church .

C1.02. For the purpose of this constitution and the accompanying bylaws, the congregation of St. John's Evangelical Lutheran Church is hereinafter designated as "this congregation."

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

**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 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.

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.

B4.04.01 The Congregation Council shall establish an organizational structure for the congregation as may be necessary for the congregation to carry out its mission and purposes. In so doing, the Congregation Council may establish such committees in addition to the committees specified in Chapter 13 as it may deem appropriate. The Congregation Council shall arrange for the election or appointment of a chairperson for each committee. With the approval of the Congregation Council, each committee may establish such task forces or subcommittees as are necessary for the performance of its functions.

***C4.05.** 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

***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. 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 Congregation Council, boards, and committees, and require them to carry out their duties in accordance with the constitution, and bylaws, and continuing resolutions; and
- i. 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.

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 Greater Milwaukee 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.
- 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.
- 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.
- 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 the Evangelical Lutheran Church in America 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.

***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.

Chapter 7

PROPERTY OWNERSHIP

***C7.01.** If this congregation ceases to exist, title to undisposed property shall pass to the Greater Milwaukee 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 a two-thirds majority of the voting members of this congregation present at a legally called and conducted special meeting of this congregation vote to transfer to another Lutheran church body, title to property shall continue to reside in this congregation. Before this congregation takes action to transfer to another Lutheran church body, it shall consult with representatives of the Greater Milwaukee Synod.

***C7.04.** If a two-thirds majority of the voting members of this congregation present at a legally called and conducted special meeting of this congregation vote to become independent or relate to a non-Lutheran church body, 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.
- b. **Confirmed** members are baptized persons who have been confirmed in this congregation, those who have been received by adult baptism or by transfer as confirmed members from other Lutheran congregations, or baptized persons received by affirmation of faith.
- c. **Voting** members are confirmed members. Such confirmed members shall have communed and made a contribution of record during the current or preceding year.
- d. **Associate** members are persons holding membership in other Christian congregations who wish to retain such membership but desire to participate in the life and mission of this congregation. They have all the privileges and duties of membership except voting rights and eligibility for elected offices or membership on the Congregation Council of this congregation.

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

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

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

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

- a. death;
- b. resignation;
- c. transfer or release;
- d. disciplinary action by the Congregation Council; or
- e. removal from the roll due to inactivity as defined in the bylaws.

B8.05.01 A member who has elected not to fulfill the provisions of membership as described in *C8.04 of this constitution for one year shall be contacted by the Pastor and/or representatives of the congregation towards restoring active membership. If, during the second year, the member does not respond, that member's name shall be removed from the active member roster but retained on a responsibility list as one for whom the Church has a continuing pastoral concern.

Chapter 9 THE PASTOR

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

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

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

a. Every ordained minister shall:

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

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

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

c. Every pastor shall:

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

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

***C9.05.** a. The call of a congregation, when accepted by a pastor, shall constitute a continuing mutual relationship and commitment, which, 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;
- 6) the dissolution of the congregation; or
- 7) suspension of the congregation as a result of discipline proceedings.

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.

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 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.

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.

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).

***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.

***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.

***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.

C9.21. 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 under contract as pastor of this congregation.

Chapter 10 CONGREGATION MEETING

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

B10.01.01 The annual congregational meeting will be held on a date and time in January, as called by the Congregation Council.

B10.01.02 On an annual basis, reports in writing shall be presented by the pastor(s), the treasurer, and the different committees and societies of this congregation regarding the spiritual and financial progress, audit standings, and work of this congregation during the year. The budget shall be published to this congregation prior to its annual meeting.

C10.02. A special Congregation Meeting may be called by the pastor, the Congregation Council, or the president of this congregation, and shall be called by the president of the congregation upon the written request of 10 of the 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 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. Attending voting members shall constitute a quorum.

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, secretary, and treasurer.

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

d. If the Congregation Council elects its officers, the president, vice president, and secretary shall be selected from the elected membership of the Congregation Council. The Treasurer may be selected from the voting membership of the congregation.

B11.01.01. The President shall conduct all meetings of this congregation and the Congregation Council, and shall be an ex officio member of all committees and task forces.

B11.01.02. The Vice-President shall perform the duties of the President in the President's absence, incapacity or at the President's request.

B11.01.03. The Secretary shall keep an accurate record of all proceedings of congregational meetings and the Congregation Council.

B11.01.04. The Treasurer shall hold in safe keeping all of the monies entrusted to him or her, belonging to this congregation, and shall disburse funds as directed by the Council and congregation. He or she shall report regularly to the Council and make full annual report to this congregation.

C11.02. The Congregation Council shall elect its officers and they shall be the officers of this congregation. The officers shall be elected by written ballot and shall serve for one year or until their successors are elected. Their terms shall begin at the first Council meeting after they are elected. Officers may serve up to three consecutive one year terms, except for the Treasurer, whose term is not limited.

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

Chapter 12 CONGREGATION COUNCIL

C12.01. The voting membership of the Congregation Council shall consist of 9 members elected by the congregation, the officers, and the pastor(s). Any voting member of the congregation may be elected, subject only to the limitation on the length of continuous service permitted in that office. A member's place on the Congregation Council shall be declared vacant if the member a) ceases to be a voting member of this congregation or b) is absent from four successive regular meetings of the Congregation Council without cause. Consistent with the laws of the State of Wisconsin, the congregation may adopt procedures for the removal of a member of the Congregation Council in other circumstances.

C12.02. The term of office for the Congregation Council members shall be three (3) years. Council members may succeed themselves only once, except in the case where the member was originally elected to fill an unexpired term.

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

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

- a. To lead this congregation in stating its mission, to do long-range planning, to set goals and priorities, and to evaluate its activities in light of its mission and goals.
- b. To seek to involve all members of this congregation in worship, learning, witness, service, and support.
- c. To oversee and provide for the administration of this congregation to enable it to fulfill its functions and perform its mission.
- d. To maintain supportive relationships with the 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 Wisconsin , 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% of the budget for items not included in the budget.
- d. The Congregation Council shall prepare an annual budget for adoption by this congregation, shall supervise the expenditure of funds in accordance therewith following its adoption. The congregation must approve any non-budgeted expenses in excess of 5% of the budget. 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 except for those investments which are to be supervised by the Mission Endowment Committee.
- g. The Congregation Council shall appoint a Financial Secretary annually who shall be responsible for the accurate recording and reporting of all contributions and income. The Financial Secretary shall be involved in the receipt of income and shall not be involved in the disbursement of any funds.

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

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

C12.08. The Congregation Council shall be responsible for the employment and supervision of the 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 pastor or interim pastor, except when the 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 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
CONGREGATION COMMITTEES

C13.01. The officers of this congregation and the pastor shall constitute the *Executive Committee*.

B13.01.01 The Executive Committee shall supervise support of the pastor(s) according to the letter of call; prepare the agenda for regular and special congregation meetings; act as personnel committee in the absence of a separate committee for that purpose; act as budget and planning committee in the absence of separate committees for those purposes.

C13.02. The Nominating Committee shall consist of three voting members of this congregation. Two shall be elected by the congregation at the annual meeting to three year terms. The Congregation Council shall appoint a third member and will appoint replacements for the vacancies on the Nominating Committee. Nominating Committee members shall be eligible to serve two consecutive terms of three years. (change ratified at the January 2009 Annual Meeting).

B13.02.01 The Nominating Committee shall nominate one or more candidates for each office to be filled and announce the nominees and their qualifications to the congregation.

C13.03. 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.

B13.03.01. The Audit Committee shall audit the financial books and procedures prior to the annual meeting and may conduct an audit during the year without prior announcement. The committee will report their findings to the congregation in writing and include them with the annual report, signed and dated by each member of the committee.

C13.04. A *Mutual Ministry Committee* (in the absence of a mutual ministry committee, the duties shall be fulfilled by the Executive Committee) of six persons shall be appointed jointly by the President and the pastor(s). Term of office shall be two years, with three members to be appointed each successive year.

C13.05. When a pastoral vacancy occurs, a *Call Committee* of seven voting members shall be elected by this congregation. Term of office will terminate upon installation of the newly called pastor.

B13.05.01. The Call Committee shall notify the Synod Bishop who will assist them when a pastoral vacancy occurs ; gather information regarding the congregation's mission and pastoral needs; receive recommendations of nominees from the Synod Bishop; interview and evaluate pastoral candidates; recommend one candidate to the congregation at a special meeting called for that purpose.

C13.06. Other committees or task forces of this congregation may be formed, as the need arises, by decision of the Congregation Council.

C13.07. Duties of committees of this congregation shall be specified in the bylaws as follows.

B13.07.01 The Worship Committee shall be responsible for planning an active and meaningful worship life for the congregation under the supervision of the pastor(s).

B13.07.02. The Education Committee shall be responsible for supervising the Sunday School along with the Sunday School Coordinator, planning adult education programs along with the Pastor, and other educational programs for the congregation.

B13.07.03. The Property Committee shall be responsible for the care of the church facilities, parsonage and grounds and make recommendations to the Congregation Council.

B13.07.04. The Cemetery Committee shall be responsible for supervising the use, care and assignment of lots in the cemetery.

B13.07.05. The Finance Committee shall include the Treasurer, Financial Secretary and another member of the Congregation Council to attend to the receipt, expenditure and recording of funds and contributions.

Chapter 14

ORGANIZATIONS WITHIN THE CONGREGATION

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

C14.02. Special interest groups, other than those of the official organizations of the Evangelical Lutheran Church in America, may be organized only after authorization has been given by the Congregation Council.

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.

***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*. A member charged with the offense shall appear before the Congregation Council after having received a written notice, at least ten days prior to the meeting, specifying the exact charges that have been made against the member.

***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.

***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.

***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.

***C15.10. Adjudication**

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

Chapter 16 BYLAWS

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

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

*C16.03. Changes to the bylaws may be proposed by any voting member provided, 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 17 AMENDMENTS

*C17.01. Amendments to this constitution may be proposed by at least 5 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.

*C17.02. A proposed amendment to this constitution 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.

*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 Greater Milwaukee Synod of the ELCA.

*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.

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.

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

Chapter 19
INDEMNIFICATION

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

Chapter 20
MISSION ENDOWMENT FUND

B20.01. There shall be a separate fund to be known as the St. John's Lutheran Church Mission Endowment Fund (hereafter referred to as the "Fund") into which gifts can be received to include: bequests in wills, charitable remainder and other trusts, charitable gift annuities, assignment of life insurance, and transfers of property (cash, stocks, bonds, real estate) of any amount designated to the Fund.

B20.02. The purpose of the Fund is to enhance the mission and ministry of St. John's Lutheran Church beyond the general operation of the congregation; that no portion of the income generated by the Fund shall be used for the general operating budget of the congregation except where authorized or designated otherwise in the terms of the gift.

B20.03. The Mission Endowment Committee (hereinafter called the "Committee") shall be the custodian of the Fund.

B20.04. The Committee shall consist of five members, all of whom shall be voting members of St. John's Lutheran Church. Except as herein limited, the term of each member shall be three (3) year staggered terms. No member shall serve more than 2 consecutive 3 year terms. After a lapse of 1 year, former committee members may be reelected. The senior pastor, the president of the Church Council, and the Church Treasurer shall be advisory members of the Committee. The Church Council of the congregation shall nominate for the Committee and report at the annual congregational meeting in the same manner as for other offices and committees. In the event of a vacancy on the Committee, the Church Council shall appoint a member to fill the vacancy until the next annual meeting of the congregation, at which time the congregation shall elect a member to fulfil the term of the vacancy.

B20.05. The Committee shall meet at least quarterly, or more frequently as deemed by it in the best interest of the Fund.

B20.06. A quorum shall consist of at least three (3) members, and one advisory member. A majority vote shall be required to carry any motion or resolution.

B.20.07. The Committee shall elect from its membership a chairperson, recording secretary, a financial secretary. The chairperson, or member designated by the chairperson, shall preside at all Committee meetings.

B20.08. 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 Church Council.

B20.09. The financial secretary of the Committee shall work with the congregation's treasurer in maintaining and coordinating complete and accurate accounts for the Fund and shall sign checks and all other necessary documents on behalf of the congregation in furtherance of the purposes of the Fund. The books shall be reviewed annually by a certified public accountant or other appropriate person who is not a member of the Committee.

B20.10. The Committee shall report on a quarterly basis to the Church Council and, at each annual congregational meeting or duly called special meeting (if it pertains to the Mission Endowment Fund), shall render a full and complete account of the administration of the Fund during the preceding year.

B20.11. The Committee may request other members of the congregation to serve as advisory members and, at the expense of the Fund, may provide for such professional counseling on investments or legal matters as it deems to be in the best interest of the Fund.

B20.12. 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 willful misconduct. No member shall be personally 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 person interest would conflict with the interest of the Fund.

B20.13. All assets are to be held in the name of St. John's Lutheran Church Mission Endowment Fund. (Or in the name of the Evangelical Lutheran Church in America, for the benefit of St. John's Lutheran Church Mission Endowment Fund.)

B20.14. Recommendations to hold, sell, exchange, rent, lease, transfer, convert, invest, reinvest, and in all other respects to manage and control the assets of the Fund, or other securities, as in their judgment and discretion they deem wise and prudent, are to be made by the Committee for approval by the Church Council, with subsequent execution by the delegated member of the committee.

B20.15. The Committee shall determine what is principal and income according to accepted accounting procedures.

- a. The Fund shall maintain the principal in perpetuity, except as otherwise stipulated in these bylaws (B20.19.)
- b. All unrestricted gifts and bequests to the Fund shall be retained according to paragraph B20.15.a. The income generated from the investment of the principal shall be expended, according to these bylaws. Restricted gifts and bequests shall be allocated in accordance with their stated restrictions.

B20.16. Income and assets, as permitted, from the Fund shall be distributed annually, and/or at such times as deemed necessary and/or feasible to accomplish the following purposes:

- a. Minimum of 20% for outreach into the community and synod, including, but not limited to, grants to ELCA seminaries, colleges, or students attending such schools, social service agencies, institutions, and agencies to which this congregation relates, and to special programs designed for those persons in our parish area who are in spiritual and/or economic need.
- b. Minimum of 20% for missions of the ELCA in the continent and worldwide, including, but not limited to grants to the ELCA for new congregational development in North America, professional leadership, educational ministries, global mission, ecumenism, evangelism, social ministries, and capital financing.
- c. Minimum of 20% for capital improvements, debt reduction, or a building program of St. John's Lutheran Church.
- d. Up to 40% for any one or all of the above designated areas in any proportion as determined by the Committee, or for causes and programs, which at the discretion of the Committee are consistent with the Fund purpose of enhancing the mission outreach of St. John's Lutheran Church.

B20.17. Causes and programs for support and consideration can be recommended to the Committee by the Church Council or members of the congregation. The Committee will review and recommend to the Church Council which proposals are to be funded. The Church Council will make the final decision.

B20.18. Disbursement of income from the Fund need not occur annually in the event causes and programs have not been approved by the Committee sufficient to utilize total income available, or if in the judgement of the Committee total annual disbursement of income is not recommended.

B20.19. When, in the opinion of the Committee, circumstances are so unusual and of such an emergency nature that the only recourse is to use the Fund principal, the Committee may, upon unanimous vote, recommend such authorizing action to the congregation.

B20.20. The congregation may authorize the use of up to 1/2 of the principal of the Fund at any one time by a 2/3 vote of those present and voting at 2 special congregational meetings at least 30 days apart after an initial congregational meeting at least 30 days before the congregational meeting at which the first vote is taken, which shall present only the proposal and information on the request by the Committee for the disposition of principal. Distribution of principal under this procedure shall not be subject to the provisions of B20.15a.

B20.21. In the event St. John's Lutheran Church ceases to exist either through merger or dissolution, disposition or transfer of the Fund shall be at the discretion of the Church Council in a manner consistent with the congregational constitution. It shall be used exclusively for religious, charitable, or educational purposes allowed by Section 501(c)(3) of the Internal Revenue Code. This should be done in consultation with the bishop of the synod to which this congregation belongs at such time. Consultation with the ELCA may be desirable for continuation of Mission Endowment Fund obligations.

Notes:

*Items with an * are required by the ELCA and are not alterable.*

Items marked with a "C" are Constitutional items.

Items marked with a "B" are Bylaw items.

Effective date of this constitution will be the day it is ratified by a two-thirds vote of those present and voting. We anticipate that happening at the January 20, 2001 annual meeting.

Bylaws

Article I Membership

- A. Baptized members:
1. The congregation is commissioned to baptize candidates for membership into the body of Christ with water and the Holy Spirit in the name of the triune God. The baptized member is thereafter privileged to live in that sacrament forever.
 2. Admission to the congregation as baptized members are those who:
 - A. Are baptized in this congregation; or
 - B. Having been previously baptized in the name of the triune God, re received by letter of transfer, confirmation, or affirmation of faith.
 3. The congregation will welcome newly baptized members into the Lord's family, receive them as fellow members of the body of Christ and fellow workers in the Kingdom of God.
 4. Communing members are baptized members who have received the Sacrament of Holy Communion at least once within the preceding calendar year.
- B. Confirmed members:
1. Confirmation is a pastoral and educational ministry of the church "which helps the baptized member through Word and Sacrament to identify more deeply with the Christian community and participate more fully in its mission" (Joint Commission on the Theology and Practice of Confirmation, 1970, p.21)
 2. The rite of confirmation will be made available to baptized members after satisfactory completion of courses of study and acknowledgment by the Church Council.
- C. Associate members:
The roster of associate members will be reviewed annually.
- D. Voting members:
The Church Council shall determine and review prior the regular annual meeting, the roster of voting members of the congregation in accordance with the provisions of the constitution and bylaws. The roster of voting members shall be available at all regularly called meetings of the congregation. The term "In good standing" shall be defined to include:
1. Those who in the preceding calendar year or present year partake of Holy Communion.
 2. Those who in the preceding calendar year or present year contribute to the congregation treasury according to the congregation's record.
 3. Those who in the preceding calendar year or present year participate in the life and worship of the congregation.
- E. Care of members:
1. The congregation will issue a letter of certificate of transfer to another Lutheran congregation on a member's request. Should a member, having moved to a distant community, fail to request a transfer, a Lutheran congregation in or near that community shall be notified.
 2. A member who has elected not to fulfill the provisions of membership as described in C8.04 of this constitution for one year shall be contacted by the Pastor and or representatives of the congregation towards restoring active membership. If, during the second year, the member does not respond, that member's name shall be removed from the active member roster but retained on a responsibility list as one who is in special need of the congregation's prayer and concern.
- F. Discipline of members: (Chapter 15 of Constitution)

Article 2 The Pastor

- A. After the congregation has voted to call a Pastor, it shall issue a letter of call to the pastor-elect in a form approved by The ELCA or its successor organization. The letter of call shall be signed by the President and the Secretary of the congregation and shall be attested by the Synod Bishop.
- B. If a Pastor receives a letter of call to another ministry, the Pastor will consult the Church Council or congregation before reaching a decision. Thereafter, the Pastor will announce a decision to the congregation with 21 days and notify the Synod Bishop. Following acceptance of the call, the Pastor's ministry in this congregation shall usually terminate within an additional 45 days.
- C. If in the judgment of the congregation the Pastor is unable to serve it satisfactorily, the Pastor may be asked to resign. Before the resignation is requested, all parties, including the Pastor, shall have the opportunity to speak at a special meeting of the Church Council at which the Synod Bishop or an authorized representative shall be present. After the hearing before the Church Council, a special meeting of the congregation shall be called with a written notice at least 10 days in advance of the meeting. A resolution requesting the Pastor's resignation shall require a majority ballot vote of those present and voting. Following adoption, the resolution will be submitted in writing to the pastor. On the Pastor's acceptance of the resolution, the Pastor will vacate the office within the time specified in the resolution. Should the Pastor reject or ignore the resolution after 10 days, the Church Council shall declare the office of pastor vacant and so notify the Synod Bishop.
- D. The call to a Pastor shall normally be for an Indefinite time.

Article 3 Congregation Meetings

- A. Announcement of the time and place of the annual and semi-annual or special meeting of the congregation will be made at two public services immediately preceding the meeting. said services to be at least a week apart. (See C10.03)
- B. The annual congregational meeting normally will be held on the 3rd Sunday of January, as called by the Executive Committee and the semi-annual meeting normally will be held on the 2nd Sunday of July, as called by the Executive Committee.
- C. The official roster or voting members will be available meeting of the congregation. Only voting members present at the meeting may vote; proxy, mail or absentee will not be accepted.
- D. Each organization of the congregation shall furnish a report before the annual meeting. The report will include the year's activities, finances and goals for the coming year. Members will receive a brief report prior to the annual meeting containing a proposed budget, nominating committee report and agenda of annual meeting. At the annual meeting the members will receive any remaining reports, such as: Pastor's report, Treasurers report, auxiliaries~ reports, audit committee report and President's report.
- E. The agenda for the annual meeting shall be prepared by the Executive Committee. Five (5) members may petition the President to propose an agenda item. The agenda will include:
1. Opening worship
 2. Secretary's report (minutes and membership statistics).
 3. Pastor's report.
 4. Treasurer's report.
 5. Election of officers and committees.
 6. Adoption of budget.
 7. President's report.
 8. Resolutions.
 9. Benediction.

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

G. Except as herein provided, parliamentary procedures shall be according to Robert's Rules of Order, latest edition. (see C10.07)

Article 4 Officers

A. The President shall:

1. Preside at all meetings of the congregation, the church council and executive committee.
2. Coordinate the work of the committees and be an ex officio member without vote.
3. Carry out the will of the congregation as ordered by this constitution, bylaws, and resolution of the congregation.
4. Deliver an annual report to the congregation.
5. Report the delegates elected by the congregation or in consultation with the Church Council.
6. Execute letters of call on behalf of the congregation.

B. The Vice-President shall:

1. Perform the duties of the President in the President's absence, incapacity or at the President's request.
2. Act as parliamentarian at congregational and Church Council meetings.

C. The Secretary shall:

1. Record proceedings of the congregation and church council, distribute copies to council members and make them available to other members.
2. Retain and codify secretarial records to be filed permanently in the church office, keep duplicate personal set of records which shall be turned over to the successor.
3. Keep attendance record of each council meeting, advise President of absentees and their reason for absence, notify members having two unexcused absences.
4. Announce all congregational and council meetings and arrange for meeting places.
5. Assist President on agenda items, calling to attention matters deferred or referred to committees for further study and recommendation.
6. Maintain a register of congregational and Church Council resolutions and policies, recommend closure when appropriated.
7. Execute letters of call to Pastors on behalf of the congregation.

0. The Treasurer shall:

1. Supervise the financial procedures, records and investments of the congregation.
2. Render a monthly statement of income and expense, compared to budget, to the Church Council.
3. Sign all checks.
4. Deliver an annual and semi-annual financial report to the congregation.
5. Be a member of the Finance Committee.
6. Recommend financial policies and procedures for cash management, e.g., annual budgeting, fund accounting and annual audit to the Church Council.

E. The Financial Secretary shall, in co-operation with the Treasurer:

1. Direct the counting, depositing and recording of all contributions, fees collected, gifts and bequests received.
2. Reconcile each deposit to contributors' records.
3. Issue quarterly statements to contributors.
4. Keep individual giving records confidential.
5. Monitor cash management policies and procedures, make recommendations for changes to the Treasurer.

Article 4
The Church Council

- A. The Church Council of this congregation shall consist of 9 members, 3 elected at each annual meeting for a term of 3 years each. (An unexpired term of less than one year shall not be considered a term of office.)
- B. Council members shall, through the power of the gospel lead the congregation towards its purpose and mission In their personal worship, witness, learning, service and stewardship. Council members shall represent the people of this congregation, not lust its programs, having been elected at large.
- C. The council shall have responsibilities in these areas:
1. Congregational Membership.
 - a. Supervise the rosters of baptized, confirmed. associate and voting members.
 - b. Elect (by majority vote) a person to till a vacancy on the council until the next annual meeting.
 - c. Provide procedures for reception of new members.
 - d. Encourage all members of the congregation to participate in ministries of worship, learning, witness, service, fellowship and support.
 - e. Support the once-active (inactive) member through prayers, visitation and caring ministries.
 - f. Recognize the service of members to congregational and community ministry.
 2. Meetings.
 - a. The date, time and place for regular meetings of the Church Council shall be set by the Church Council. Regular meetings shall be held normally, once a month.
 - b. Special meetings of the Church Council may be called by the Pastor, President or three members of the council. Notice of the special meeting will be given at least three days In advance of the meeting.
 - c. A majority of the Church Council members must be present to constitute a quorum.
 - d. Parliamentary procedures shall be governed by Robert's Rules of Order, latest edition.
 - e. Church Council members will support each other, the decisions made and participate in open debate to the avoidance of conflict of interest.
 - f. Three unexcused absences in one year shall constitute forfeiture of the office of council member and said office shall be declared vacant.
 3. Personnel.
 - a. Secure necessary staff other than the Pastor, such as Organist, Custodian, Office Secretary and set salary recommendations.
 - b. Review staff salaries annually, including the Pastor, using Synod guidelines.
 - c. Consult with the Synod Bishop if the resignation of the Pastor is required.
 - d. Develop and maintain written position descr i ptions for the staff.
 - e. Should the office of the Pastor be vacant, provide for the services of an interim pastor in consul tation with the Synod Bishop.
 - f. Adopt policies for the staff regarding sick leave, vacations, etc.
 4. Finance.
 - a. Prescribe a process for developing the annual budget and recommend the budget to the congregation.
 - b. Authorize expenditures, borrowing, loans or use of restricted funds up to \$1,000.00 in excess of budgeted funds. (Any need exceeding this amount must be authorized by the congregation.)
 - c. Encourage the congregation members of all ages to proportionate biblical stewardship.. and determine congregations proportion of income to be committed to The ELCA mission support and benevolence.
 - d. Approve audit procedures and inspect all insurance policies for adequate coverages. Report findings to congregation.
 - e. Authorize all extra budgetary appeals for fund raising events and causes inside and outside the congregation.
 - f. Establish funds necessary to receive endowments, bequests, special or deferred gifts to the congregation. Review and accept or decline all otters of unsolicited gifts to the congregation.

5. Property Management.

a. As the legal board of trustees:

(1) Except as limited by the constitution, act as managing authority and may make contracts proper to the purpose of the congregation, including to borrow money, pledge or mortgage property, and settle claims, but not including radical changes which affect the corporate purpose.

(2) Are liable to the corporation for their willful breaches of trust or misapplication of funds, and acts in excess of corporate power, but are not liable for mere errors of judgment provided acting in good faith.

- b. Maintain the building, parsonage and premises of the congregation including equipment and furnishings, keep a record inventory of physical assets: maintenance performed thereon, and recommend appropriate replacement.
- c. Approve or reject the use of congregational facilities by outside groups who have made written application to the Church Council, and access any usage fees and restrictions. Application for occasional use will be approved by Church Council. Applications for regular use will be approved by the congregation.
- d. See that fire safety inspections are performed annually with or without the assistance of the local fire department. Fire safety procedures will be reviewed annually.
- e. Prescribe a policy for building and premises security, distribution of keys, fire extinguishers, smoke detector, and responsibility for locking or unlocking of building especially on evenings and weekends.
- f. Inspect the premises regularly for purpose of sound maintenance, safety, insurance and building code requirements.

6. Administration.

- a. Designate standing committees and specify their number, duties, authority, budget and accountability to the Church Council.
- b. Appoint members of standing committees of the Church Council to 3-year terms, renewable once.
- c. Offer opportunities for the members of the congregation to serve on special purpose task forces or committees (e.g. hunger concerns, anniversary, etc.)
- d. Support the Pastor according to the letter of call.
- e. Administer discipline in the congregation.
- f. Provide for internal and external communications of the congregation (e.g. newsletter, advertisements).
- g. Support auxiliary organizations. Invite representatives from each auxiliary to attend council meetings with voice, but without vote.
- h. Require each organization of the congregation to be accountable to the mission statement or the congregation
- i. Preserve historical archives and records of the congregation.
- j. Prepare and distribute a directory of members of the congregation at least biannually

7. Spiritual Care.

- a. Acknowledge candidates for the rite of confirmation in consultation with the Pastor.
- b. Exercise general oversight of the spiritual life, mission, and ministry of the congregation that all may be done in accordance with the Word of God and this constitution
- c. Approve modifications in worship as recommended by the worship committee
- d. Approve applications for membership into the congregation.
- e. Provide for the spiritual care of members.

D. Committees of the Church Council

- 1. The Worship Committee shall have the special responsibility under the supervision of the Pastor, for planning for an active and meaningful worship life for every member of the congregation, and shall make recommendations to the Church Council toward that end.
- 2. The Education Committee shall have the special responsibility of supervising the Sunday School, planning adult education programs and other activities toward the goal of encouraging every member to nurture their faith in Christ and providing opportunities for them to do the same.
- 3. The Property Committee shall have the special responsibility for the care of the church facilities, parsonage and grounds, and shall make recommendation to the church council.

4. The Cemetery Committee shall have the special responsibility of supervising the use, care and the assignment of lots in the cemetery.
5. The Finance Committee shall include the Treasurer, Financial Secretary and another member of the church council and shall work as a team to attend to the receipt, expenditure and recording of funds and each member's contribution.

Article 6 Congregational Committees

- A. The nominating committee shall:
 1. Be convened by the Pastor as advisor; elect a chairperson from their midst who will call and preside at subsequent meetings.
 2. Nominate one or more candidates for each office to be filled.
 3. Ask candidates to serve the full term of office if elected.
 4. Announce the nominees and their qualifications to the congregation.
 5. Provide nominations for:
 - a. Church Council members.
 - b. Nominating committee members.
 - c. Call committee members.
 - d. Other offices which may be specified in these bylaws as revised.
- B. The Audit Committee shall:
 1. Audit the financial books and procedures of records prior to the annual meeting and may conduct an audit during the year without prior announcement.
 2. Follow the audit procedures adopted by the Church.
 3. Report their findings to the congregation in writing and include them with the annual report, signed and dated by each member of the committee.
- C. The Executive Committee shall:
 1. Unless otherwise provided herein, supervise support of the Pastor according to the letter of call.
 2. Prepare the agenda for the regular and special congregational meetings and Church Council meetings.
 3. Develop and recommend a mission statement to the congregation.
 4. Act as personnel committee in the absence of a separate committee for that purpose.
 5. Act as budget and planning committee in the absence of separate committees for those purposes.
 6. Interpret and publicize the work of the congregation to the community and its leaders; listen to and report community needs for Christian service to the congregation.
- D. The Call Committee shall:
 1. When a pastoral vacancy occurs, notify the Synod Bishop who will assist them in providing interim pastoral service and the call process.
 2. Help study the congregation's mission and pastoral needs with synod staff.
 3. Gather descriptive information congregation, e.g. history building, directory, map, annual report, etc.
 4. Receive recommendations of nominees from the Synod Bishop.
 5. Evaluate pastoral candidates by interview and other means; furnish information about the congregation and its mission to each candidate.
 6. Recommend one candidate to the congregation at a special meeting called for that purpose.

Article 7 Holy Communion

- A. The sacrament will be offered at least once each month during regular worship services.
- B. Members and visitors are invited to participate in the sacrament and will be advised of the Lutheran teachings regarding preparation and worthiness:
 1. Acceptance of the real presence in, with, and under the bread and wine.
 2. Firm belief in the words "given and shed for you for the remission of sins."

- C. Preparation for Holy Communion will be provided for baptized members at such age as the congregation deems appropriate.
- D. A record of participation in Holy Communion shall be maintained for all members.

Article 6 Fellowship

- A. The congregation will cooperate with other organizations whose purposes are compatible with this Constitution.
- B. The use of the building and facilities of this congregation shall be limited to this congregation's activities and those of outside groups, approved by the Church Council, who meet the provision above.
- C. Ceremonies of lodges or any organization which does not confess the Triune God and Jesus as Lord and Savior shall not be permitted in the buildings or premises of this congregation. The Pastor will not take part in such ceremonies inside or outside the building or premises.

Article 9 Congregation Records

- A. The records of the congregation shall be the property of the congregation and shall not be removed or used for commercial purposes. The records are:
 - 1. The roster of baptized, confirmed, associate and voting members;
 - 2. The ministerial acts performed by the Pastor;
 - 3. The minutes and reports of the cluster/synod; The ELCA Handbook and the yearbook of The ELCA or its successor organization;
 - 4. The minutes of the meetings of the congregation and Church Council;
 - 5. The financial records of the congregation; all official and legal documents including this constitution and bylaws, deeds, mortgages, contracts, etc.
- B. The Pastor shall be responsible for the maintenance and security of the records, except as provided herein.
- C. The Pastor and Church Council (or Executive Committee) shall furnish an annual congregational report to the general secretary of The ELCA or its successor organization and a report of ministerial acts performed shall be made to the congregation.
- D. In the event of dissolution or cessation of ministry, the official records of the congregation shall be deposited in the archives of The ELCA or its successor.