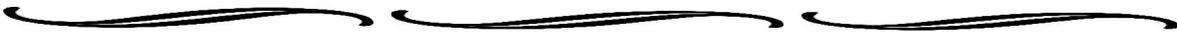


Proposed Changes to Immanuel's Constitution – October 3, 2021

Reading through the attached proposed document you will see many changes are simply updating language (“this congregation” instead of “the congregation”), correcting the name of our Synod, or a change in terms (“Boards” would now be called “Council Committees”). However, some changes affect how future business of Immanuel would be conducted. Listed below are some of the changes (but not all) by their reference number in the constitution:

- 8.02.e. – adds a new type of membership - “Seasonal Members”;
- Chapter 9. ROSTERED MINISTER - clarifies the processes for calling a pastor (minister of Word and Sacrament) or other rostered personnel (minister of Word and Service) and for terminating such calls;
- C10.04. - changes quorum for congregation meetings from a percentage of the voting members to 50 voting members;
- C10.08. and following paragraphs and C12.13. – allows use of electronic methods to conduct congregation meetings, Congregation Council meetings, etc.;
- C11.01.d – outlines process for electing a treasurer who is not a Council member;
- C12.01. - allows pastors & deacons to be voting members of the Congregation Council;
- C12.02. - changes the length of Council terms from three years to two years;
- C12.05.d and C12.05.e. - limits the dollar amount Council can borrow and the dollar amount of contracts Council can enter into without obtaining prior congregation approval;
- C12.14. and following - switches from five Boards (Stewardship, Congregational Life & Worship, Youth & Family Ministries, Mission & Outreach, and Facilities and Property) to eight Council Committees (the five previously mentioned plus Hospitality, Technology, and Finance);
- C.13.08. – defines the duties of the Personnel Committee; and
- Chapter 15. DISCIPLINE OF MEMBERS and Chapter 16. AMENDMENTS - updates language to the 2019 ELCA Model Constitution (pages 31 through 35).



NOTE 1: In the Trust Fund portion of the Constitution (Pages 37-41) the numbering of paragraphs has been changed from 13.06. to 13.07 to coordinate with the proposed constitution (See C13.07.A87. on page 31). No other changes were made to the Trust Fund portion.

NOTE 2: The 3 items above preceded by a dot are changes required by the 2019 ELCA model.

The 8 items above preceded by a checkmark are changes recommended by Immanuel's Constitution Committee and the Church Council.

Constitution Committee: Shirley Miller, Pastor Paul Brown, Dawn Bourdeaux, Michael Saterbak, Dale Mueller, Susan Bartholomew. Feel free to contact us if you have questions.

EDITING CODE

~~Strike through and Italicized:~~ Wording to be removed from current Constitution

Highlighted: Wording changed and/or Added to current Constitution

Immanuel Evangelical Lutheran Church of Princeton

Constitution, Bylaws, and Continuing Resolutions

~~Note: Constitutional provisions are numbered as C.###.##. Bylaws are numbered as B.###.##.##. Continuing Resolutions are numbered as R.###.##.##.##~~

Codification Summary:

An asterisk (*) preceding a Constitutional Provision indicates the provision is required by ELCA.

Cx.xx. (such as C1.01. on page 1) is a Constitutional Provision.

Cx.xx.xx. (such as C2.07.01. on page 2) is a Bylaw.

Cx.xx.Lxx. (such as C13.07.A87 on page 31) is a Continuing Resolution.

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~~

NAME AND INCORPORATION

- C1.01.** The name of this congregation shall be Immanuel Evangelical Lutheran Church of Princeton.
- C1.02.** For the purpose of this constitution and the accompanying bylaws, the **congregation of** Immanuel Evangelical Lutheran Church of Princeton ~~congregation~~ 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~~

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.
- 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.
 - 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.

~~B2.07.01.~~

C2.07.01. Ceremonies of lodges or other such organizations shall not be permitted in the church or on the church premises of this congregation.

~~B2.07.02.~~

C2.07.02. The pastor(s) of this congregation shall not take part in any such ceremonies even if they are conducted outside of the church premises.

~~B2.07.03.~~

C2.07.03. Clergy and lay people, who are consistent with the faith and practice of the Evangelical Lutheran Church in America, may occasionally perform pastoral functions in this congregation with the approval of the ~~congregational council~~ **Congregation Council** and its pastor(s).

Chapter 3. ~~NATURE OF THE CHURCH~~

NATURE OF THE CHURCH

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

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

~~C3.02.~~

***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. ~~This church~~ **The Evangelical Lutheran Church in America,** therefore, derives its character and powers both from the

sanction and representation of its congregations and from its inherent nature as an expression of the broader fellowship of the faithful. In length, it acknowledges itself to be in the historic continuity of the communion of saints; in breadth, it expresses the fellowship of believers and congregations in our day.

***C3.04.** This church, inspired and led by the Holy Spirit, participates in the Lutheran World Federation as a global communion of churches, engaging in faithful witness to the gospel of Jesus Christ and in service for the sake of God's mission in the world.

***C3.05.** The name Evangelical Lutheran Church in America (ELCA or "this church") as used herein refers in general references to this whole church, including its three (3) 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**

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; and
- 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. Conduct public services that conform to the liturgies and rituals of the Evangelical Lutheran Church in America. The official hymnbooks of the church shall be used in its worship and in its schools. Only variations as are authorized by the Congregational Council shall be~~

~~permitted.~~

- ~~e b.~~ provide pastoral care and assist all members to participate in this ministry;
- ~~d c.~~ challenge, equip, and support all members in carrying out their calling in their daily lives and in ~~their~~ this congregation;
- ~~e d.~~ teach the Word of God;
- ~~f e.~~ witness to the reconciling Word of God in Christ, reaching out to all people;
- ~~g f.~~ respond to human need, work for justice and peace, care for the sick and the suffering, and participate responsibly in society;
- ~~h g.~~ motivate its members to provide financial support for ~~the~~ this congregation's ministry and the ministry of the other ~~parts~~ expressions of the Evangelical Lutheran Church in America;
- ~~i h.~~ foster and participate in interdependent relationships with other congregations, the synod, and the churchwide organization of the Evangelical Lutheran Church in America; and
- ~~j 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 ~~groups~~ group and shall review their actions. Such descriptions shall be contained in continuing resolutions ~~of~~ in the section on the Congregation ~~Council~~ Committees.

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

***C4.06.** References herein to the nature of the relationship between the three (3) 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~~

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 ~~the~~ this congregation's governing documents is recognized. All remaining authority is retained by ~~the~~ this congregation. ~~The~~ This congregation is authorized to:

a. call a pastor as provided in Chapter 9;

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

c. call a minister of Word and Service;

~~ed.~~ Call or terminate the call of associates in ministry, deaconesses, and diaconal ministers a minister of Word and Service in conformity with the ~~applicable policy~~ constitution of the

Evangelical Lutheran Church in America;

- e. adopt amendments to the constitution, as provided in Chapter 16, amendments to the by-laws, as specified in Chapter 17, and continuing resolutions, as provided in Chapter 18;
- f. approve the annual budget;
- g. acquire real and personal property by gift, devise, purchase, or other lawful means;
- h. hold title to and use its property for any and all activities consistent with its purpose;
- i. sell, mortgage, lease, transfer, or otherwise dispose of its property by any lawful means (except as noted in C12.05b);
- j. elect its officers, Congregation Council, and committees, and require them ~~the members of the council~~ to carry out their duties in accordance with the constitution, bylaws, and continuing resolutions; and
- k. terminate its relationship with the Evangelical Lutheran Church in America as provided in Chapter 6.

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

~~C5.05. This congregation shall have a mission endowment fund that will operate as specified in this congregation's bylaw's and/or continuing resolutions. The purpose of the mission endowment fund is to provide for mission work beyond the operational budget of this congregation. Included in ELCA Model but not being included in this revision.~~

Chapter 6. **CHURCH AFFILIATION**

CHURCH AFFILIATION

- *C6.01.** This congregation shall be an interdependent part of the Evangelical Lutheran Church in America or its successor, and of the Northeastern 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 Ministers of Word and Sacrament of the Evangelical Lutheran Church in America in accordance with its call procedures except in special circumstances and with the approval of the bishop of the

synod. These special circumstances are limited either to calling a candidate approved for the roster of Ministers of Word and Sacrament of the Evangelical Lutheran Church in America or to contracting for pastoral services with a minister of Word and Sacrament of a church body with which the Evangelical Lutheran Church in America officially has established a relationship of full communion.

- d. This congregation agrees to consider ~~associates in ministry, deaconesses, and diaconal ministers~~ of Word and Service for call to other staff positions in ~~the~~ this congregation according to the procedures of the Evangelical Lutheran Church in America.
- e. This congregation agrees to file this constitution and any subsequent changes to this constitution with the synod for review to ascertain that all of its provisions are in agreement with the constitution and bylaws of the Evangelical Lutheran Church in America ~~or~~ and with the constitution of the synod.

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

- a. This congregation takes action to dissolve.
- b. This congregation ceases to exist.
- c. This congregation is removed from membership in the Evangelical Lutheran Church in America according to the procedures for discipline of the Evangelical Lutheran Church in America or in accordance with provision 9.23. of the constitution and bylaws of the Evangelical Lutheran Church in America.
- d. The Northeastern Minnesota Synod takes charge and control of the property of this congregation to hold, manage, and convey the same on behalf of the synod pursuant to †S13.24 of the synod constitution. This congregation shall have the right to appeal the decision to the next Synod Assembly.
- ~~e.~~ This congregation follows the procedures outlined in *C6.05.

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

- 1 a. A resolution indicating the ~~desire of this congregation~~ intent to terminate its relationship must be adopted at a two (2) legally called and conducted special meetings of this congregation by a two-thirds (2/3) majority vote of the voting members present. at each meeting. The first such meeting may be held no sooner than 30 days after written notice of the meeting is received by the bishop of the synod, during which time this congregation shall consult with the bishop and the bishop's designees, if any. The times and manner of the consultation shall be determined by the bishop in consultation with the Congregation Council. Unless he or she is a voting member of this congregation, the bishop and the bishop's designees, if any, shall have voice but not vote at the first meeting.

- 2 b. Within 10 days after the resolution has been voted upon at the first meeting, The the secretary of this congregation shall submit a copy of the resolution to the synodical bishop, attesting that the special meeting was legally called and conducted and certifying the outcome of the vote, and shall mail a copy send copies of the resolution and certification to voting members of the this congregation. This notice shall be submitted within 10 days after the resolution has been adopted.

~~3. The bishop of the synod shall consult with this congregation during a period of at least 90 days.~~

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

4 d. If this congregation, after such consultation, ~~still desires to terminate its relationship,~~ is still considering termination of its relationship with this church, such action may be taken at a legally called and conducted special meeting by a two-thirds majority vote of the voting members present, ~~at which meeting the bishop of the synod or an authorized representative shall be present.~~ Notice of the second meeting shall be mailed sent to all voting members and to the bishop at least 10 days in advance of the meeting. Unless he or she is a voting member of this congregation, the bishop and the bishop's designees, if any, shall have voice but not vote at the second meeting.

~~5. A certified copy of the resolution to terminate its relationship shall be sent to the synodical bishop, at which time the relationship between this congregation and ELCA shall be terminated.~~

~~6. Notice of termination shall be forwarded by the synodical bishop to the secretary of this church and published in the periodical of this church.~~

~~7. If this congregation was a member of the Lutheran Church in America it shall be required, in addition to the proceeding provisions, to receive synodical approval before terminating its membership in the Evangelical Lutheran Church in America.~~

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

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

g. This congregation shall abide by these covenants by and among the three (3) 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 have been members of the Lutheran Church in America shall be required, in addition to complying with the foregoing provisions of *C6.05., to receive synod approval before terminating their membership in this church.

3) Congregations established by the Evangelical Lutheran Church in America shall be re-

quired, in addition to complying with the foregoing provisions of *C6.05, to satisfy all financial obligations to this church and receive Synod Council approval before terminating their membership in this church.

h. If this congregation fails to achieve the required two-thirds vote of voting members present at this congregation's first meeting as specified in paragraph a. above or fails to achieve the required two-thirds vote of voting members present at this congregation's second meeting as specified in paragraph d. above, another attempt to consider termination of relationship with this church must follow all requirements of *C6.05. and may begin no sooner than six (6) months after the meeting at which the two-thirds vote was not achieved.

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

*C6.07. If this congregation considers developing an additional site to be used regularly for worship, it shall confer with the bishop of the synod in which it is territorially located and the appropriate unit of the churchwide organization before any steps are taken leading to such action.

Chapter 7. **PROPERTY OWNERSHIP**

PROPERTY OWNERSHIP

*C7.01. If this congregation ceases to exist, title to undisposed property shall pass to the ~~Northeast~~ **Northeastern** 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 or pursuant to 9.23. of the constitution and bylaws of the Evangelical Lutheran Church in America, title to property shall continue to reside in this congregation.

*C7.03. If ~~a two-thirds majority of~~ the voting members of this congregation present at a legally called and conducted special meeting of this congregation vote to transfer to another Lutheran church body, title to property shall continue to reside in this congregation, provided the process for termination of relationship in *C6.05. has been followed. Before this congregation takes action to transfer to another Lutheran church body, it shall consult with representatives of the ~~Northeast~~ **Northeastern** Minnesota Synod of the Evangelical Lutheran Church in America.

*C7.04. If ~~a two-thirds majority of~~ the voting members of this congregation present at a legally called and conducted special meeting of this congregation vote to become independent or relate to a nonLutheran church body, and have followed the process for termination of relationship in *C6.05., title to property of this congregation shall continue to reside in this congregation only with the consent of the Synod Council. The Synod Council, after consultation with ~~the~~ **this** congregation by the process established by the synodical process synod, may give approval to the request to become independent or to relate to a nonLutheran church body, in which case title shall remain with the majority of the congregation. If the Synod Council fails to give such approval, title shall remain with those members who desire to continue as a congregation of the Evangelical Lutheran Church in America. In neither case does title to this congregation's property transfer to the synod.

*C7.05. Notwithstanding the provisions of *C7.02. and *C7.03. above, where this congregation has re-

ceived property from the synod pursuant to a deed or other instrument containing restrictions under provision 9.71a. of the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*, this congregation accepts such restrictions and:

- a. shall not transfer, encumber, mortgage, or in any way burden or impair any right, title, or interest in the property without prior approval of the Synod Council; and
- b. shall – upon written demand by the Synod Council, pursuant to †S13.23. of the constitution of the Northeastern Minnesota Synod of the Evangelical Lutheran Church in America – reconvey and transfer all right, title, and interest in the property to the synod.

Chapter 8. **MEMBERSHIP**

MEMBERSHIP

- *C8.01.** Members of this congregation shall be those baptized persons on the roll of ~~the~~ this congregation at the time that this constitution is adopted and those who are admitted thereafter and who have declared and maintain their membership in accordance with the provisions of this constitution and its bylaws.
- *C8.02.** Members shall be classified as follows:
- a. **Baptized** members are those persons who have been received by the Sacrament of Holy Baptism in this congregation, or, having been previously baptized in the name of the Triune God, have been received by certificate of transfer from other Lutheran congregations or by affirmation of faith.
 - b. **Confirmed** members are baptized persons who have been confirmed in this congregation, those who have been received by adult baptism or by transfer as confirmed members from other Lutheran congregations, or baptized persons received by affirmation of faith.
 - c. **Voting** members are confirmed members. Such confirmed members, during the current or preceding calendar year, shall have communed in this congregation and shall have made a contribution of record ~~during the current or preceding year~~ to this congregation. Members of this congregation who have satisfied these basic standards shall have the privilege of voice and vote at every regular and special meeting of this congregation as well as other rights and privileges ascribed to voting members by the provisions of this constitution and its bylaws. They shall not have voted as a seasonal member of another congregation of this church in the previous two (2) calendar months.
 - 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~~ These individuals 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~~ privileges ascribed to voting members by the provisions of this constitution and its bylaws.
 - e. **Seasonal** members are voting members of other congregations of this church who wish to retain such membership but desire to participate in the life and mission of this congregation, including exercising limited voting rights in this congregation. The Congregation Council may grant seasonal membership to such persons provided that this congregation is a member of a synod where the Synod Council has approved seasonal member voting on its territory. Such seasonal members shall have all the privileges and duties of voting members except that:

- 1) they shall not be eligible for elected office in, or for membership on the Congregation Council or on a call committee of, this congregation;
- 2) they shall not have the right to vote on any matter concerning or affecting the call or termination of call of any minister of this congregation;
- 3) they shall not have the right to vote on any matter concerning or affecting the affiliation of this congregation with this church;
- 4) they shall not be eligible to serve as voting members from this congregation of the Synod Assembly or the Churchwide Assembly;
- 5) they shall not, even if otherwise permitted by this congregation, vote by proxy or by absentee ballot; and
- 6) they shall not, within any two (2) calendar month period, exercise voting rights in this congregation and in the congregation where they remain voting members.

~~B8.02.01.~~

C8.02.01.

Admission to Baptized Membership:

- a. The Sacrament of Holy Baptism shall be open to people of all ages, in faithfulness to the Great Commission (Matthew 28:16-20). Instruction surrounding the significance of this Sacrament shall be provided in preparation for the reception of Baptism. Baptism shall normally be done during services of worship. Members of this congregation shall act as sponsors for the stewardship of faith in the lives of all baptized children of God.
- Baptized children of God received from other congregations shall become baptized members of this congregation upon receipt of letter of transfer or upon stating that they are baptized in the name of the Triune God.

~~B8.02.02.~~

C8.02.02.

Admission to Confirmed Membership:

- a. This congregation acknowledges that confirmation is “a pastoral and educational ministry of the church which helps the baptized child through Word and Sacrament to identify more deeply with the Christian Community and to participate more fully in its mission” (ELCA Study of Confirmation Ministry, 1993). Confirmation begins in baptism and commences culminates in death. It is a lifelong walk of instruction for discipleship and growth in grace. The term “confirmation” in this section refers to this process of life-long growth. “Affirmation of Baptism” is the rite that marks this process.
- b. This congregation provides confirmation instruction for God’s children of all ages. A discipline of specific training in the faith and discipleship is required for, at least, confirmands in grades three (3) through nine (9). This discipline shall be developed by the pastor(s) in conjunction with the appropriate ~~Board(s)~~ Committee(s).
- c. Having completed this course of training, baptized members will be received into Confirmed Membership by the Affirmation of Baptism, at which time they will commit themselves to the greater participation in the life and mission of the church, and of this congregation.
- d. Individuals presenting evidence of confirmation in a Lutheran Congregation, or in a congregation with which the ELCA is in full communion, shall be received into Con-

firmed Membership in this congregation when their letter of transfer showing them to be in good standing is received ~~and~~ **or** they have publicly affirmed their baptismal faith during a service of worship.

- e. Adults seeking confirmed membership in this congregation who are baptized but have not been confirmed shall participate in a Lutheran Faith class offered periodically in this congregation. Class participants shall be received as Adult members upon completion of this course of Confirmation Ministry and public affirmation of their baptismal faith during a service of worship.

~~B8.02.03.~~

C8.02.03. Determination of Voting Membership. A list of confirmed members who are eligible to vote under C.8.02.c. shall be prepared before, and be available at, each ~~congregational~~ meeting **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 organizations** 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 according to Chapter 15 of this Constitution Discipline of Members~~ **in accordance with Chapter 20 of the constitution and bylaws of the Evangelical Lutheran Church in America; and**
- e. removal from the roll due to inactivity in accordance with the provisions of this constitution and its bylaws. ~~Such persons who have been removed from the roll of members shall remain persons for whom the Church has a continuing pastoral concern.~~ **Such persons who have been removed from the roll of members shall remain persons for whom the Church has a continuing pastoral concern.**

~~B8.05.01.~~

C8.05.01. Discontinuance of Membership.

- a. Members who move from the area shall be encouraged to transfer. Any member(s) in good standing desiring to change their membership to another Christian congregation shall, upon request, be entitled to a letter of transfer **and he/she will be removed from membership as set forth in C8.05.02. below.**
- b. A Confirmed member who does not ~~for a period of one year~~ partake of Holy Commun-

ion and **does not** support the congregation with an offering of record **for a period of one (1) year** shall be contacted by the pastor(s) ~~and a representative from the Congregation Council or of a Board~~ for the purpose of encouraging them **said member** to renew active membership. If, during the second year, said member does not take steps to renew active membership, he/she ~~the pastor(s) shall make recommendation to the Congregation Council that said member should be removed from membership. Upon approval by the Congregation Council said member~~ will be removed from membership **as set forth in C8.05.02. below.** ~~The Congregation~~ **This congregation** will seek to serve such persons with its mission and ministry as we have opportunity.

- c. Inactive adults **with whom contact is no longer possible** shall be removed from membership **as set forth in C8.05.02. below.** ~~when contact with them is no longer possible.~~
- d. Children, neither of whose parents or guardians are active members of this congregation, **and with whom contact is no longer possible**, shall be removed from the membership roster **as set forth in C8.05.02. below.** ~~when contact with them is no longer possible.~~
- e. Members who have transferred to another Lutheran congregation, or who are *definitely* known to have become members of another congregation without transfer, shall ~~no longer be members of this congregation~~ **be removed from membership as set forth in C8.05.02. below.**
- f. Exception may be made in special situations, such as for those serving in the military, those in college, those temporarily away from the area, and ~~other~~ **others** in similar situations.

~~B8.05.02.~~

C8.05.02. The ~~Senior Pastor~~ **pastor(s)** and office staff will confidentially maintain all membership records. Notification of recommended membership changes, **including removals from membership**, will be submitted by the pastor(s) to the ~~congregational council~~ **Congregation Council** for their approval. The ~~Senior Pastor~~ **pastor(s)** will make the final notification to said members of **their** membership change. If said member resumes activity, he/she will be restored to the active membership list.

Chapter 9. ~~THE PASTOR~~

ROSTERED MINISTER

- ***C9.01.** Authority to call a pastor shall be in this congregation by at least a two-thirds ~~majority ballot~~ vote of **voting** members present and voting at a meeting legally called for that purpose. ~~Before a call is issued, the officers, or a~~ **A** committee elected by this congregation ~~[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 **Ministers of the Word and Sacrament of** the Evangelical Lutheran Church in America, ~~or whom the synodical bishop has recommended for it,~~ a **candidate for the roster of Ministers of the Word and Sacrament who has been recommended for this congregation by the synod bishop** may be called as a pastor of this congregation.
- ***C9.03.** Consistent with the faith and practice of the Evangelical Lutheran Church in America, ~~every ordained minister shall preach the Word, administer the sacraments, conduct public worship, provide pastoral care, and shall speak publicly to the world in solidarity with the poor and op-~~

~~pressed, calling for justice and proclaiming God's love for the world. Ordained ministers with a congregational call shall, within the congregation: offer instruction, confirm, marry, visit the sick and distressed, bury the dead, supervise all schools and organizations of the congregation, install regularly elected members of the Congregation Council, and with the council administer discipline.~~

~~Every pastor shall: seek out and encourage qualified persons to prepare for the ministry of the Gospel, strive to extend the Kingdom of God in the community, nation, and abroad, impart knowledge of this church and its wider ministry through distribution of its periodicals and other publications, 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 Northeastern Minnesota Synod of the ELCA.~~

a. Every minister of Word and Sacrament shall:

1) preach the Word;

2) administer the sacraments;

3) conduct public worship;

4) provide pastoral care;

5) seek out and encourage qualified persons to prepare for the ministry of the Gospel;

6) impart knowledge of this church and its wider ministry through available channels of effective communication;

7) witness to the Kingdom of God in the community, in the nation, and abroad; and

8) speak publicly to the world in solidarity with the poor and oppressed, calling for justice and proclaiming God's love for the world.

b. Each pastor with a congregational call shall, within this congregation:

1) offer instruction, confirm, marry, visit the sick and distressed, and bury the dead;

2) relate to all schools and organizations of this congregation;

3) install regularly elected members of the Congregation Council;

4) with the council, administer discipline;

5) endeavor to increase the support given by this congregation to the work of the churchwide organization and of the ELCA Northeastern Minnesota Synod; and

6) encourage adherence to covenantal relationship with this church as expressed in the *Constitutions, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America.*

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

***C9.05.** The provisions for termination of the mutual relationship between a minister of Word and Sac-

rament and this congregation shall be as follows:

- a. The call of a this 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 by the pastor's death or, following consultation with the ~~synodical~~ synod bishop, ~~and~~ for the following reasons:
 - 1) mutual agreement to terminate the call or the completion of a call for a specific term ~~of year,~~
 - 2) resignation of the pastor, which shall become effective, unless otherwise agreed, no later than 30 days after the date on which it was submitted;
 - 3) inability to conduct the pastoral office effectively in this congregation in view of local conditions; ~~without reflection on the competence or the moral and spiritual character of the pastor,~~
 - 4) physical disability or mental incapacity of the pastor;
 5. ~~Disqualification of the pastor through discipline on the grounds of doctrine, morality, or continued neglect of duty~~
 - 5) suspension of the pastor through discipline for more than three (3) months;
 - 6) resignation or removal of the pastor from the roster of Ministers of Word and Sacrament of this church;
 - 7) termination of the relationship between this church and this congregation;
 6. ~~The dissolution of the congregation~~
 - 8) dissolution of this congregation or the termination of a parish arrangement; or
 - 9) suspension of this congregation through discipline for more than six (6) months.
- ~~b. In the case of alleged physical or mental incapacity of the pastor or ineffective conduct of the pastoral office, it shall be the responsibility of the bishop of the synod, when such difficulties are personally known or have been brought to the synod's attention by an official recital of allegations by the Congregation Council, or by a petition signed by at least one-third of the voting members of the congregation, to investigate such conditions personally in company with a committee of two ordained ministers and one layperson.~~
- b. When allegations of physical disability or mental incapacity of the pastor under paragraph a.4) above, or ineffective conduct of the pastoral office under paragraph a.3) above, have come to the attention of the bishop of this synod,
 - 1) the bishop in his or her sole discretion may investigate such conditions personally together with a committee of two (2) rostered ministers and one (1) lay person; or
 - 2) when such allegations have been brought to the synod's attention by an official recital of allegations by the Congregation Council or by a petition signed by at least one-third of the voting members of this congregation, the bishop personally shall investigate such conditions together with a committee of two (2) rostered ministers and one (1) lay person.
- ~~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.

- c. In case of alleged physical disability or mental incapacity under paragraph a.4) above, the bishop's committee shall obtain and document competent medical opinion concerning the pastor's condition. When a disability or incapacity is evident to the committee, the bishop of this synod may declare the pastorate vacant. When the pastorate is declared vacant, the Synod Council shall list the pastor on the roster of Ministers of Word and Sacrament with disability status. Upon removal 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 which imperil the effective functioning of the congregation, all concerned persons shall be heard, after which the bishop of the synod together with the committee described in "b." shall decide on the course of action to be recommended to the pastor and the congregation. If they agree to carry out such recommendations, no further action shall be taken by the synod. If either party fails to assent, the congregation may dismiss the pastor by a two-thirds majority vote of the voting members present at a regularly called meeting after consultation with the bishop.~~
- d. In the case of alleged local difficulties that imperil the effective functioning of this congregation under paragraph a.3) above, the bishop's committee shall endeavor to hear from all concerned persons, after which the bishop together with the committee shall present their recommendations first to the pastor and then to this congregation. The recommendations of the bishop's committee must address whether the pastor's call should come to an end, and, if so, may suggest appropriate severance arrangements. The committee may also propose other actions that should be undertaken by this congregation and by the pastor, if appropriate. If the pastor and congregation agree to carry out such recommendations, no further action need be taken by the synod.
- ~~e. The foregoing procedure shall never be invoked when questions of doctrine, morality, or continued neglect of duty are involved, all such cases being treated as disciplinary matters.~~
- e. If either party fails to assent to the recommendations of the bishop's committee concerning the pastor's call, this congregation may dismiss the pastor only at a legally called meeting after consultation with the bishop, either (a) by a two-thirds vote of the voting members present and voting where the bishop and the committee did not recommend termination of the call, or (b) by a majority vote of the voting members present and voting where the bishop and the committee recommended termination of the call.
- ~~f. If, in the course of the proceedings, it should become apparent that the pastoral office cannot be conducted effectively in the congregation being served by the ordained minister due to local conditions, the bishop of the synod may temporarily suspend the pastor from service in the congregation without prejudice and with pay provided through a joint church-wide/synod fund and with housing provided by the congregation.~~
- f. If, in the course of proceedings described in paragraph c. or paragraph d. above, the bishop's committee concludes that there may be grounds for discipline, the committee shall make recommendations concerning disciplinary action in accordance with the provisions of this church's constitution, bylaws, and continuing resolutions.

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

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

***C9.08.** This congregation shall make satisfactory settlement of all financial obligations to a former pastor before calling a successor. A pastor shall make satisfactory settlement of all financial obligations to this congregation before beginning service in a call to another congregation or employment in another ministry setting.

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

~~C9.10.~~

***C9.11.** With the approval of the bishop of the synod, ~~the~~ this congregation may depart from *_C9.05.a. and call a pastor for a specific term ~~of years~~. Details of such calls shall be in writing setting forth the purpose and conditions involved. Prior to the completion of a term, the bishop or a designated representative of the bishop, shall meet with the pastor and representatives of ~~the~~ this congregation for a review of the call. Such a call may also be terminated before its expiration in accordance with the provisions of *_C9.05.a.

~~C9.11.~~

***C9.12.** The pastor of this congregation ~~shall~~:

- a. shall keep accurate parochial records of all baptisms, confirmations, marriages, burials, communicants, members received, members dismissed, or members excluded from ~~the~~ this congregation;
- b. shall submit a summary of such statistics annually to the synod; and
- c. shall become a member of this congregation upon the receipt and acceptance of the letter of call. In a parish of multiple congregations, the pastor shall hold membership in one (1) of the congregations.

~~C9.12.~~

***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.

~~C9.13.~~

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

C9.15. Under special circumstances, subject to the approval of the synod bishop and the concurrence of this congregation, a minister of Word and Sacrament of a church body with which the Evangelical Lutheran Church in America officially has established a relationship of full communion may serve temporarily as pastor of this congregation under a contract between this congregation and the pastor in a form proposed by the synod bishop and approved by this congregation.

***C9.21.** Authority to call a deacon shall be in this congregation by at least a two-thirds vote of voting members present and voting at a meeting legally called for that purpose. Before a call is issued, the officers, or a committee elected by this congregation to recommend the call, shall seek the advice and help of the bishop of the synod.

***C9.22.** Only a member of the roster of Ministers of Word and Service of the Evangelical Lutheran Church in America or a candidate for the roster of Ministers of Word and Service who has been recommended for this congregation by the synod bishop may be called as a deacon of this congregation.

***C9.23.** Consistent with the faith and practice of the Evangelical Lutheran Church in America, every minister of Word and Service shall:

a. be rooted in the Word of God, for proclamation and service;

b. advocate a prophetic diakonia that commits itself to risk-taking and innovative service on the frontiers of the church's outreach, giving particular attention to the suffering places in God's world;

c. speak publicly to the world in solidarity with the poor and oppressed, calling for justice, and proclaiming God's love for the world, witnessing to the realm of God in the community, the nation, and abroad;

d. equip the baptized for ministry in God's world that affirms the gifts of all people;

e. encourage mutual relationships that invite participation and accompaniment of others in God's mission;

f. practice stewardship that respects God's gift of time, talents, and resources;

g. be grounded in a gathered community for ongoing diaconal formation;

h. share knowledge of this church and its wider ministry of the gospel and advocate for the work of all expressions of this church; and

i. identify and encourage qualified persons to prepare for ministry of the gospel.

***C9.24.** The specific duties of the deacon, compensation, and other matters pertaining to the service of the deacon shall be included in the letter of call, which shall be attested by the bishop of the synod.

***C9.25.** The provisions for termination of the mutual relationship between a minister of Word and Service and this congregation shall be as follows:

a. The call of this congregation, when accepted by a deacon, shall constitute a continuing mutual relationship and commitment, which shall be terminated only by the deacon's death or, following consultation with the synod bishop, for the following reasons:

1) mutual agreement to terminate the call or the completion of a call for a specific term;

2) resignation of the deacon, which shall become effective, unless otherwise agreed, no later than 30 days after the date on which it was submitted;

- 3) inability to conduct the ministry of Word and Service effectively in this congregation in view of local conditions;
- 4) physical disability or mental incapacity of the deacon;
- 5) suspension of the deacon through discipline for more than three (3) months;
- 6) resignation or removal of the deacon from the roster of Ministers of Word and Service of this church;
- 7) termination of the relationship between this church and this congregation;
- 8) dissolution of this congregation or the termination of a parish arrangement; or
- 9) suspension of this congregation through discipline for more than six (6) months.

b. When allegations of physical disability or mental incapacity of the deacon under paragraph a.4) above, or ineffective conduct of the office of minister of Word and Service under paragraph a.3) above, have come to the attention of the bishop of this synod,

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

c. In case of alleged physical disability or mental incapacity under paragraph a.4) above, the bishop's committee shall obtain and document competent medical opinion concerning the deacon's condition. When a disability or incapacity is evident to the committee, the bishop of this synod may declare the position vacant. When the position is declared vacant, the Synod Council shall list the deacon on the roster of Ministers of Word and Service with disability status. Upon removal of the disability and the restoration of the deacon to health, the bishop shall take steps to enable the deacon to resume the ministry, either in the congregation last served or in another appropriate call.

d. In the case of alleged local difficulties that imperil the effective functioning of this congregation under paragraph a.3) above, the bishop's committee shall endeavor to hear from all concerned persons, after which the bishop together with the committee shall present their recommendations first to the deacon and then to this congregation. The recommendations of the bishop's committee must address whether the deacon's call should come to an end and, if so, may suggest appropriate severance arrangements. The committee may also propose other actions that should be undertaken by this congregation and by the deacon, if appropriate. If the deacon and congregation agree to carry out such recommendations, no further action need be taken by the synod.

e. If either party fails to assent to the recommendations of the bishop's committee concerning the deacon's call, this congregation may dismiss the deacon only at a legally called meeting after consultation with the bishop, either (a) by a two-thirds vote of the voting members present and voting where the bishop and the committee did not recommend termination of the call, or (b) by a majority vote of the voting members present and voting where the bishop and the committee recommended termination of the call.

f. If, in the course of proceedings described in paragraph c. or paragraph d. above, the bishop's committee concludes that there may be grounds for discipline, the committee shall make recommendations concerning disciplinary action in accordance with the provisions of this church's constitution, bylaws, and continuing resolutions.

***C9.26.** This congregation shall make satisfactory settlement of all financial obligations to a former deacon before calling a successor. A deacon shall make satisfactory settlement of all financial obligations to this congregation before beginning service in a call to another congregation or employment in another ministry setting.

***C9.27.** When a deacon is called to serve in company with another rostered minister or other rostered ministers, the privileges and responsibilities of each rostered minister shall be specified in documents to accompany the call and to be drafted in consultation involving the rostered ministers, the Congregation Council, and the bishop of the synod. As occasion requires, the documents may be revised through a similar consultation.

***C9.28.** With approval of the bishop of the synod, this congregation may depart from *C9.25.a. and call a deacon for a specific term. Details of such calls shall be in writing setting forth the purpose and conditions involved. Prior to completion of a term the bishop or a designated representative of the bishop shall meet with the deacon and representatives of this congregation for a review of the call. Such a call may also be terminated before its expiration in accordance with the provisions of *C9.25.a.

***C9.29.** The deacon shall become a member of this congregation upon receipt and acceptance of the letter of call. In a parish of multiple congregations, the deacon shall hold membership in one (1) of the congregations.

***C9.31.** The deacon(s) shall submit a report of his or her ministry to the bishop of the synod at least 90 days prior to each regular meeting of the Synod Assembly.

Chapter 10. CONGREGATION MEETING

CONGREGATION MEETING

C10.01. ~~The annual meeting of this congregation shall be held at a time specified in the bylaws.~~ This congregation shall have at least one (1) regular meeting per year. The regular meeting(s) of this congregation shall be held at the time(s) specified by the Congregation Council. Consistent with the laws of the State of Minnesota, the bylaws shall designate one (1) regular meeting per year as the Annual Meeting of this congregation.

C10.02. A special congregation meeting may be called by the pastor, the Congregation Council, or the president of this congregation. ~~and~~ A special congregation meeting shall be called by the president of this congregation upon the written request of ten (10) percent 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~~ all services of worship during the two (2) weeks preceding the meeting and by mail or electronic means, as permitted by state law, to all voting members at least 10 days in advance of the date of the meeting.

C10.04. ~~Ten percent of the~~ Fifty voting members shall constitute a quorum.

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

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

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

~~B.10.07.01 Unless otherwise ordered, parliamentary procedures shall be in accordance with Robert's Rules of Order.~~

~~B.10.07.02~~

C10.07.01. The agenda for the Annual Meeting shall include:

- a. opening devotions;
- b. approval of the minutes of the previous meeting;
- c. reports of pastor(s), treasurer, auditing committees, ~~boards~~ Council Committees, and others;
- d. elections;
- e. approval of budget;
- f. unfinished business;
- g. new business; and
- h. closing prayer.

~~B10.07.03~~

C10.07.02. In the following cases voting shall be by written ballot:

- a. to elect the members of the ~~Congregational~~ Congregation Council;
- b. to adopt or amend the Articles of Incorporation, Constitution, or Bylaws of this ~~Congregation~~ congregation;
- c. to call a ~~pastor~~ minister of the Word and Sacrament or a minister of Word and Service or to request his/her resignation;
- d. to sever membership in the Evangelical Lutheran Church in America;
- e. to dispose of, encumber, or purchase real property; and
- f. when requested by ten (10) or more voting members present.

~~B10.07.04~~

C10.07.03. No one shall be declared elected unless he/she has received a majority of the votes cast.

~~B10.07.05~~

C10.07.04. If more than one (1) ballot is required in an election, a motion shall be in order to limit the balloting after the first ballot to the three (3) candidates receiving the highest number of votes on the first ballot and after the second ballot to limit the balloting to the two (2) candidates receiving the highest number of votes.

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

cally.

C.10.08.01. A voting member not physically present at an Annual Meeting or a special meeting of this congregation may participate by means of remote communication in a meeting held at a designated place. Such participation by a voting member constitutes presence at the meeting in person. In any meeting of this congregation held at a designated place in which one (1) or more voting members participate by means of remote communication pursuant to this section 10.08. the Church Council shall:

- a. implement reasonable measures to verify that each person deemed present and entitled to vote at the meeting by means of remote communication is a voting member of this congregation; and
- b. implement reasonable measures to provide each voting member participating by remote communication reasonable opportunities to participate in the meeting, including the opportunities to:
 - 1) read or hear the proceedings of the meeting substantially concurrent with those proceedings;
 - 2) if allowed by the procedures governing the meeting, have the member's remarks heard or read by other participants in the meeting substantially concurrent with the making of those remarks; and
 - 3) if otherwise entitled, vote on matters submitted to the voting members.

Chapter 11. OFFICERS

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 *elected from the* voting members of the Congregation Council.
- d. The Congregation Council shall elect its officers (the president, the vice president, the secretary, and the treasurer) from the elected membership of the Congregation Council. If the treasurer is not elected from the elected membership of the Congregation Council, the Congregation Council shall elect the treasurer from the voting members of this congregation, or if unable to elect from within this congregation, the Congregation Council may elect the treasurer from outside this congregation. A treasurer who is not an elected member of the Congregation Council shall have voice but not vote at the meetings of the Congregation Council.

~~B11.01.01.~~

C11.01.01. The president shall:

- a. preside at ~~Congregational~~ congregation, Congregation Council, and Executive Committee meetings; and
- b. set agenda for Executive Committee meetings in consultation with the pastoral staff.

~~B11.02.01.~~

C11.01.02. The vice president shall:

- a. preside in absence of the president at ~~Congregational~~ congregation, Congregation Council, and Executive Committee meetings; and
- b. chair joint ~~board~~ Council Committee meetings.

~~B11.03.01.~~

C11.01.03. The secretary shall:

- a. maintain minutes at all ~~Congregational~~ congregation, Congregation Council, and Executive Committee meetings;
- b. keep a record of attendance at Congregation Council meetings and report consecutive unexcused absences;
- c. notify all members of ~~Congregational~~ congregation meetings; and
- d. send official ~~Congregational~~ congregation correspondence.

~~B11.04.01.~~

C11.01.04. The treasurer shall:

- a. supervise the financial records and reports of the this congregation; and
- b. make recommendations to the ~~council~~ Congregation Council and the ~~congregational meeting~~ congregation meetings concerning the financial management of ~~the~~ this congregation. ~~and~~
- ~~c. with the approval of the Council, form an advisory committee to assist in carrying out these duties.~~

C11.02. The ~~congregation council~~ Congregation Council ~~shall elect its~~ officers shall be the officers of this congregation. The officers shall be elected ~~by written ballot~~ at the first Congregation Council meeting following the Annual Meeting and shall serve for one (1) year or until their successors are elected. Their terms shall begin ~~at the close of the annual meeting at which they are elected.~~ upon their election.

C11.03. No officer shall hold more than one (1) office at a time. ~~Officers may serve two consecutive one-year terms.~~ An officer may be re-elected if they continue to serve as an elected voting member of the Congregation Council. No elected officer shall be eligible to serve more than two (2) consecutive terms in the same office. With approval of the Congregation Council a treasurer who is not an elected voting member of the Congregation Council may serve consecutive terms.

Chapter 12. CONGREGATION COUNCIL

CONGREGATION COUNCIL

C12.01. The voting membership of the Congregation Council shall consist of the pastor(s), the deacon(s) if any, and not more than ~~seventeen (17) members of the congregation and the officers of the congregation.~~ fourteen (14) nor fewer than ten (10) voting members of this congregation

including the officers of this congregation. Any voting member of ~~the~~ this congregation who has been a member of this congregation for at least one (1) year, may be elected, and is subject only to the limitation on the length of continuous service permitted in that office. A member's place on the Congregation Council shall be declared vacant if the member a) ceases to be a voting member of this congregation or b) is absent from three (3) successive regular meetings of the Congregation Council without cause. Consistent with the laws of the state in which ~~the~~ this congregation is incorporated, ~~the~~ this congregation may adopt procedures for the removal of a member of the Congregation Council in other circumstances.

C.12.01.01. The pastor(s) and the deacons, if any, shall not be able to make, or vote on, any motion involving their individual letter of call or the letter of call of any other pastor(s) or deacon(s), including items such as salaries, benefits, and other terms of the call.

C.12.01.02. In case of any tie vote, the vote(s) of the pastor(s) and the deacons, if any, shall not be counted.

C.12.01.03. The vote(s) of the pastor(s) and the deacons, if any, shall not be the deciding vote on any motion.

~~B.12.01.01.~~

C.12.02. The Congregation Council shall be made up of twelve (12) members elected at large, with one-half (1/2) or six (6) members elected each year. The members of the Congregation Council except the pastor(s), and deacon(s) if any, shall be elected by written ballot to serve for one (1) ~~three (3)~~ two-year term; or until their successors are elected. Their terms shall begin at the close of the Annual Meeting at which they are elected. ~~No elected Congregational~~ Congregation Council members shall be eligible to serve two (2) consecutive terms. Newly elected Congregation Council members shall be installed at worship at a time appointed by the Congregation Council.

C.12.03. Should a member's place on the Congregation Council be declared vacant, the Congregation Council shall elect from the voting membership of this congregation, by majority vote, a successor until the next Annual Meeting at which time the unexpired term is filled by ~~the~~ this congregation.

C.12.04. 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 longrange 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)~~ rostered ministers 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 **congregation** 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~~ **support of** the synod and churchwide organization of the Evangelical Lutheran Church in America as well as cooperation with other congregations, both Lutheran and nonLutheran, 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; **and**
- 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 ~~trustees~~ **directors** of this congregation, and, as such, shall be responsible for maintaining and protecting ~~its~~ **this congregation's** property and ~~the management of~~ **managing** 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~~ **this** congregation. ~~The Congregational Council, the total not to exceed seven (7) percent of the current approved budget, may negotiate short term operating loan(s)~~
- ~~dc.~~ The Congregation Council shall prepare an annual budget for adoption by this congregation, **and** shall supervise the expenditure of funds in accordance therewith following its adoption. The budget shall include this congregation's full indicated share in support of the wider ministry being carried on in partnership with the synod and churchwide organization.
- d. The Congregation Council may negotiate short-term operating loan(s) for budgeted expenses with the total not to exceed ten (10) percent of the current adopted budget.**
- ~~ee.~~ The Congregation Council is authorized to ~~spend up to two (2) percent of the current approved budget on any single unbudgeted transaction without prior approval of the congregation.~~ **enter into contracts of up to \$5,000 for items not included in the budget. The total of such contracts shall not exceed \$25,000 without prior approval of this congregation.**
- ef.** 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~~ **mission support** monies to the ~~synodical~~ **synod** treasurer.
- fg.** The Congregation Council shall be responsible for this congregation's investments and its total insurance program.

~~B12-05-01-~~

C12.05.01. All Committees and organizations handling funds within this congregation shall submit accounts to the ~~Board of Finance and Planning~~ **Committee** prior to the Annual Meeting and such accounts shall be included in their report to the Annual Meeting.

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

C12.07. The Congregation Council shall provide for an annual review ~~and determination~~ of the membership roster. ~~prior to the Congregational Meeting.~~

C12.08. The Congregation Council shall be responsible for the employment and supervision of the ~~sal-
aried lay workers~~ **staff** of this congregation. **Nothing in this provision shall be deemed to affect this congregation's responsibility for the call, terms of call, or termination of call of any employees who are on a roster of this church.**

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

~~C12.10.~~

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 ~~that~~ **who** are entitled to be present.

~~C12.11.~~

C12.12. A quorum for the transaction of business shall consist of a majority of the members of the Congregation Council, including the pastor(s) 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.

C.12.13. **The Congregation Council and its Committees may hold meetings by remote communication, including electronically and by telephone conference and, to the extent permitted by state law, notice of all meetings may be provided electronically.**

~~B12.11.01~~

C12.14. The ~~Boards~~ **Committees of the Congregation Council (hereafter Council Committees)** shall consist of:

- a. **Stewardship Committee will provide leadership in establishing an ongoing program of stewardship education including: conducting an annual stewardship drive to raise funds necessary to the program and mission of the church; giving counsel and direction to this congregation in establishing a program for personal stewardship of one's time and talent; and working together with the synod's Creation Care committee.**
- b. ~~Board for Congregational Life and~~ **Worship Committee** will provide leadership in areas such as worship; **and** music. ~~member integration and formation, fellowship, and relational groups.~~

- c. **Hospitality Committee** will provide leadership in areas such as member integration and formation, fellowship, and relational groups.
- d. **Board for Youth and Family Ministries Committee** will provide leadership in working with families, including programs of education and youth activities.
- e. **Board for Mission and Outreach Committee** will provide leadership for extending our ministry to the Princeton area, our regions, and world in ways such as: maintaining and developing relationships with the ELCA, Synod and mission partners, evangelism. ~~and stewardship.~~
- f. **Board for Facilities and Property Committee** will provide leadership in maintaining a safe, functional, and attractive setting for ministry.
- g. **Technology Committee** will provide leadership in planning, implementing, managing, and supporting the technology needs of the congregation through social media, network, and sound to further the mission of the church.
- h. **Finance Committee** will provide leadership by assisting the Congregation Council treasurer in carrying out the supervision and management of the finances of this congregation.

~~B12.11.02.~~

C12.14.02. **Board Council Committee** Leadership: Each ~~board~~ **Council Committee** will select from ~~its~~ membership a ~~chair~~ **chairperson, a secretary,** and such other leadership as needed to carry out its programs.

~~B12.11.03.~~

C12.14.03. Membership and Composition: Each ~~board~~ **Council Committee** ~~will~~ shall have ~~at least two (2) council~~ **one (1) member** of the **Congregation** Council and such other members as needed to carry out its work. Membership terms will be for one (1) year and may be renewed. The Council shall **annually** approve ~~the~~ members **of each Council Committee.**

~~B12.11.04.~~

C12.14.04. **Board Council Committee** Meetings shall consist of:

- a. ~~time:~~ All of the boards meet regularly **scheduled meetings** at a time determined by each ~~board~~ **Council Committee**;
- b. ~~devotions:~~ ~~Each meeting shall begin with~~ **opening** devotions centered on their assigned task; ~~and~~
- c. **regular** attendance. Each member shall demonstrate his or her desire to serve on a ~~board~~ **Council Committee** by regular attendance at meetings. A member who is absent from three (3) consecutive regularly scheduled meetings shall be contacted by the secretary of the ~~board~~ **Council Committee** for an explanation. If, in the opinion of the ~~Congregational~~ **Congregation** Council, the member no longer desires to retain an active membership, the ~~Congregational~~ **Congregation** Council may declare the position vacant.

~~B12.11.05.~~

C12.14.05. Duties of the ~~Board~~ **Council Committee:** Each ~~board~~ **Council Committee** shall follow the list

of responsibilities as set forth in the Continuing Resolutions and in these Bylaws. Each ~~board~~ **Council Committee** shall develop goals and a performance timetable as part of the annual budget development process. **The secretary of** each ~~board~~ **Council Committee** shall maintain an on-going account of their activities.

Chapter 13. ~~CONGREGATIONAL COMMITTEES~~

CONGREGATION COMMITTEES

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

~~B13.01.01.~~

C13.01.01. The Executive Committee shall:

- a. serve in an advisory capacity;
- b. serve as the Personnel Committee;
- c. set **Congregation** Council agendas; and
- d. meet as needed.

~~B13.02.~~

C13.02. **A Nominating Committee** ~~of~~ **shall consist** of six (6) voting members of this congregation, two (2) of whom shall be outgoing members of the Congregation Council, appointed by said **Congregation** Council; **and** four (4) members and **a first alternate and a second alternate** ~~shall be~~ elected at the Annual Meeting for a term of one (1) year. Any additional vacancy shall be filled by a Special Congregation Meeting called for that purpose. Members of the Nominating Committee are not eligible for consecutive reelection.

~~B13.02.01.~~

C13.02.01. The Nominating Committee:

- a. A pastor shall serve as ~~convener~~ **convener**.
- b. The Nominating Committee shall complete nominations for the ~~council~~ **Congregation Council** and other elective offices from the entire congregation. Those elected offices should include **Congregation** Council members, ~~and these additional members~~; Audit Committee, members of the Synod Assembly and alternates, Trust Fund, Camp Onomia Delegates, and any additional office heretofore not mentioned. ~~These~~ Nominations shall be made public no less than 30 days before the Annual Meeting. This congregation shall then be informed that any additional nominations must be made in writing to the **Nominating** Committee, accompanied by at least five (5) signatures of voting members ~~no~~ **not** less than two (2) weeks prior to the Annual Meeting. No person shall be nominated without first obtaining the consent of that person to serve. **All nominees must be a voting member of this congregation.** The final slate shall be prepared by the Nominating Committee. It shall be made available one (1) week prior to the Annual Meeting.

~~R13.02.01.01.~~

C13.02.A06. The Nominating Committee is encouraged to seek members of the Synod Assembly who will

serve for multiple years. (adopted February 5, 2006).

C13.03. An **Audit Committee** of three (3) voting members shall be elected by the Congregation Council. Audit Committee members shall not be members of the Congregation Council. Term of office ~~will~~ **shall** be three (3) years, with one (1) member elected each year. Members shall be eligible for reelection.

~~B13.03.01.~~

C13.03.01. The Audit Committee shall:

- a. audit all financial records of this Congregation and its organizations;
- b. determine if procedures used are in accordance with good accounting practices and the policies of this Congregation;
- c. examine insurance policies of this Congregation; and
- d. ~~The Audit Committee shall~~ report findings to the ~~Congregational~~ **Congregation** Council after each audit and to this ~~Congregation~~ **congregation** at the Annual Meeting.

C13.04. ~~A Staff Support Committee~~ **Mutual Ministry Committee(s)** (in the absence of a ~~staff support~~ **Mutual Ministry** Committee, ~~their~~ **the** duties shall be fulfilled by the Executive Committee) ~~of five voting members~~ shall be appointed jointly by the ~~Council and the pastor(s)~~ **Congregation Council president and the rostered minister.** Term of office shall be ~~three~~ **two (2)** years-
with three (3) members to be appointed each successive year.

~~B13.04.01.~~

C13.04.01. The ~~Staff Support~~ **Mutual Ministry** Committee shall:

- a. select its own leadership; and
- b. ~~have~~ **hold** meetings ~~held~~ at least quarterly and more often if needed.

C13.05. Call Committee: When a ~~pastoral~~ vacancy occurs in **a position for which this congregation calls a rostered minister,** ~~the Congregation shall elect~~ a Call Committee of seven (7) voting members **shall be elected by this congregation.** Term of office will terminate ~~at~~ **upon** installation of the newly called ~~pastor~~ **rostered minister.**

~~B13.05.01.~~

C13.05.01. Election of Call Committee:

- a. The ~~Congregational~~ **Congregation** Council shall nominate a balanced and qualified slate of at least seven (7) voting members to be elected at a duly called ~~Congregational Meeting~~ meeting of **this congregation.** Nominations may be made from the floor.
- b. The president shall serve as an ex officio member.

~~B13.08.01.~~

C13.06. The **Cemetery Permanent Care and Improvement Committee** shall:

- a. oversee cemetery operations to ~~insure~~ **ensure** that the policies established by ~~the Congregation~~ **this congregation** are followed;
- b. submit an annual cemetery budget for approval by the ~~Congregational~~ **Congregation** Council;
- c. develop short and long-term plans for the cemetery;
- d. make recommendations to the ~~Congregational~~ **Congregation** Council regarding the investment of unused financial resources;

- e. ~~Membership~~ include five (5) members: the treasurer of this congregation, a representative from Facilities and Property Committee, a Sexton, an Assistant Sexton, and a member appointed by the ~~Congregational~~ Congregation Council;
- f. ~~This committee~~ make recommendations to the ~~Congregational~~ Congregation Council, but also maintain a liaison with the ~~Boards of Finance~~ Committee and ~~Church property~~ the Facilities and Property Committee; and
- g. ~~Meetings are to be held~~ meet quarterly and when otherwise necessary.

C13.06

C13.07.A87. *Immanuel Evangelical Lutheran Church Trust Fund Committee* shall be elected and will function according to the Immanuel Evangelical Lutheran Church of Princeton Trust Fund Resolution adopted February 1, 1987, and included in the Bylaws. (Attached at end of this document.)

13.08. The *Personnel Committee* is composed of the members of the Executive Committee.

13.08.01. The Personnel Committee shall:

- a. conduct the job interviews for all non-rostered staff and make recommendation for hiring to the Council;
- b. conduct evaluations of all rostered and non-rostered staff annually;
- c. conduct evaluations of a rostered or a non-rostered staff person as required by the terms of an individual's letter of call or employment contract, and at such other times as needed or requested by the Congregation Council; and
- d. report the results of all evaluations to the Congregation Council for their consideration and further action.

C13.07

C13.09. Other ~~congregational~~ committees of this congregation may be formed, as the need arises, by decision of the Congregation Council.

C13.08.

C13.10. Duties of ~~congregational committees~~ the committees of this congregation shall be specified in the bylaws and in the continuing resolutions.

Chapter 14. **ORGANIZATIONS WITHIN THE CONGREGATION**

ORGANIZATIONS WITHIN THE CONGREGATION

- C14.01.** All organizations within this congregation shall exist to aid it in ministering to the members of this congregation and to all persons who can be reached with the Gospel of Christ. As outgrowths and expressions of this congregation's life, the organizations are subject to its oversight and direction. This congregation at its meeting shall determine their policies, guide their activities, and receive reports concerning their membership, work, and finances.
- C14.02.** Special interest groups, other than those of the official organizations of the Evangelical Lutheran Church in America, may be organized only after authorization has been given by the Congregation Council, and must be specified in a continuing resolution.

Chapter 15. *DISCIPLINE OF MEMBERS*

DISCIPLINE OF MEMBERS

~~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~~

~~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 (if not the pastor) or vice president shall administer such admonitions.~~

***C15.01.** Persistent and public denial of the Christian faith, willful or criminal conduct grossly unbecoming a member of the Church of Christ, continual and intentional interference with the ministry of this congregation, or willful and repeated harassment or defamation of member(s) of this congregation is sufficient cause for discipline of a member. Prior to disciplinary action, reconciliation and repentance will be attempted following Matthew 18:15-17, proceeding through these successive steps, as necessary: a) private counsel and admonition by the pastor, b) censure and admonition by the pastor in the presence of two (2) or three (3) 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~~ **this** congregation shall be governed as prescribed by the chapter on discipline in the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church of America*. A member charged with an offense shall appear before the Congregation Council after having received a written notice, at least 10 days prior to the meeting, specifying the exact charges that have been made against the member. **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 (5) members (three (3) laypersons and two (2) ministers of Word and Sacrament). A copy of the written charges shall be provided to the consultation panel and the accused member(s). The consultation panel, after requesting a written reply to the charges from the accused member(s), shall consider the matter and seek a resolution by means of investigation, consultation, mediation, or whatever other means may seem appropriate. The panel's efforts to reach a mutually agreeable resolution shall continue for no more than 45 days after the matter is submitted to it.**

~~C15.03. 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 Congregational 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 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~~

~~a. Exclusion from membership in this congregation~~

~~Disciplinary actions b. and c. shall be delivered to the member in writing~~

***C15.03.** If the consultation panel fails to resolve the matter, that panel shall refer the case in writing, including the written charges and the accused member's reply, to the Committee on Discipline of the synod for a hearing. A copy of the panel's written referral shall be delivered to the vice president of the synod, the Congregation Council, and the accused member(s) at the same time it is sent to the Committee on Discipline of the synod. The Executive Committee of the Synod Council shall then select six (6) 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 (6) 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.~~

***C15.04.** The discipline hearing panel shall commence and conduct the disciplinary hearing in accordance with the provisions governing discipline of congregation members prescribed in the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*.

~~C15.05. 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.~~

***C15.05.** By the vote of at least two-thirds of the members of the discipline hearing panel who are present and voting, one (1) 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 the Congregation Council receive evidence, satisfactory to them, of repentance and amendment of life;

c. termination of membership in this congregation; or

d. termination of membership in this congregation and exclusion from the church property and from all congregation activities.

***C15.06.** The written decision of the discipline hearing panel shall be sent to the vice president of the synod, the accused member(s), and the Congregation Council as required by the *Constitution*,

Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America. The decision of the discipline hearing panel shall be implemented by the Congregational Council and recorded in the minutes of the next council meeting.

***C15.07** No member of this congregation shall be subject to discipline a second time for offenses that a discipline hearing panel has heard previously and decided pursuant to this chapter.

***C15.10. Adjudication**

***C15.11.** When there is disagreement between or among factions within this congregation on a substantive issue that cannot be resolved by the parties, members of this congregation may petition the synod bishop for consultation after informing the president of this congregation of their intent to do so. The synod bishop shall seek a timely resolution of the dispute. If the issue relates directly to the pastor, the bishop may begin the process in †S14.18.d. In all other matters, if the bishop's consultation fails to resolve the issue, the bishop shall refer the matter to the Consultation Committee of the synod, which shall undertake efforts to find an appropriate solution. If the Consultation Committee's efforts fail to resolve the dispute, the entire matter shall be referred to the Synod Council for adjudication by whatever process the Council deems necessary. The Synod Council's decision shall be final.

Chapter 17. AMENDMENTS

Chapter 16.

AMENDMENTS

~~C17.01.~~

***C16.01.** Unless provision *C16.04. is applicable, those sections of this constitution that are not required, in accord with the *Model Constitution for Congregations of the Evangelical Lutheran Church in America*, may be amended in the following manner. Amendments to this constitution may be proposed by at least ten (10) percent of the voting members or by the Congregation Council. Proposals must be filed in writing with the Congregation Council sixty (60) 60 days before formal consideration by this congregation at its a regular or special congregation meeting called for that purpose. The Congregation Council shall notify the this congregation's members of the proposal together with their the Congregation Council's recommendations at least thirty (30) 30 days in advance of the meeting. Notification may take place by mail or electronic means, as permitted by state law.

~~C17.02.~~

***C16.02.** A proposed An amendment to this constitution, proposed under *C16.01., shall:

- be approved at a legally called meeting according to this constitution of this congregation by a majority vote of those voting members present and voting;
- be ratified without change at the next annual regular meeting of this congregation held pursuant to C10.01. by a two-thirds majority vote of those voting members present and voting; and
- have the effective date included in the resolution² and noted in the constitution.

~~C17.03.~~

***C16.03.** Any amendments to this constitution that result from the processes provided in *C16.01 and *C16.02. shall be sent by the secretary of this congregation to the synod. ~~The 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 Northeast Minnesota Synod.~~ The synod shall notify this congregation of its decision to approve or disapprove the proposed changes; the changes shall go into effect upon notification that the synod has approved them.

***C16.04.** This constitution may be amended to bring any section into conformity with a section or sections, either required or not required, of the Model Constitution for Congregations of the Evangelical Lutheran Church in America as most recently amended by the Churchwide Assembly. Such amendments may be approved by a majority vote of those voting members present and voting at any legally called meeting of this congregation without presentation at a prior meeting of this congregation, provided that the Congregation Council has submitted by mail or electronic means, as permitted by state law, notice to this congregation of such an amendment or amendments, together with the council's recommendations, at least 30 days prior to the meeting. Upon the request of at least two (2) voting members of this congregation, the Congregation Council shall submit such notice. Following the adoption of an amendment, the secretary of this congregation shall submit a copy thereof to the synod. Such provisions shall become effective immediately following a vote of approval.

² Such effective date must be stated in relation to the requirements of *C16.03 to allow time for synod review of the amendment.

~~Chapter 16. BYLAWS~~

Chapter 17.

BYLAWS

~~C16.01.~~

***C17.01.** This congregation may adopt bylaws. No bylaw may conflict with this constitution.

~~C16.02.~~

***C17.02.** Bylaws may be adopted or amended at any legally called meeting of this congregation with a quorum present by a two-thirds vote of those voting members present and voting.

~~C16.03.~~

***C17.03.** 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 ~~sixty (60)~~ **60** days before a regular or special congregation meeting called for that purpose. ~~and that the~~ The Congregation Council shall notify ~~the~~ this congregation's members of the proposal with ~~its~~ the Congregation Council's recommendations at least ~~thirty (30)~~ **30** days in advance of the congregation meeting. Notification may take place by mail or electronic means, as permitted by state law.

~~C16.04.~~

***C17.04.** ~~Approved changes to the bylaws shall be sent~~ Adopted or amended bylaws shall be sent by the secretary of this congregation to the synod.

Chapter 18. ***CONTINUING RESOLUTIONS***

CONTINUING RESOLUTIONS

***C18.01.** This congregation in a legally called meeting or the Congregation Council may enact continuing resolutions, ~~that describe the function of the various committees or organizations of this congregation, except the Nominating Committee and the Audit Committee.~~ Such continuing resolutions may not conflict with the constitution or bylaws of this congregation.

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

***C18.03.** Adopted or amended continuing resolutions shall be sent by the secretary of this congregation to the synod.

Chapter 19. ***INDEMNIFICATION***

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.

~~B13.06.01.~~

C 13.07.01. IMMANUEL EVANGELICAL LUTHERAN CHURCH TRUST FUND:

- a. Immanuel Evangelical Lutheran Church, Princeton, Minnesota, has a living endowment of faithful members with rich gifts and varied talents. "As each has received a gift, employ it for one another, as good stewards of God's varied grace: whoever speaks as one who utters oracles of God; whoever renders service, as one who renders it by the strength which God supplies, in order that in everything God may be glorified". (1 Peter 4:10-11)
- a. Now, therefore, in order to establish a permanent Trust Fund within this Congregation to enable the further extension of the stewardship of our church
- c. **BE IT RESOLVED:** That the membership of this congregation establish a Trust Fund to receive and administer bequests, estates, insurance, memorials and other assets
- d. **BE IT FURTHER RESOLVED:** That the efforts of this congregation in establishing the Trust Fund be dedicated to the Glory of Almighty God
- e. **BE IT FURTHER RESOLVED:** That the purpose of the Trust Fund is to enhance the work of this congregation by establishing new ministries and stewardship opportunities additional to and apart from the general operation of this congregation
- f. **BE IT FURTHER RESOLVED:** That the Trust Fund Committee shall be the custodian of the Trust Fund, and decide for what purpose the Trust Fund principal and income is to be used An
- g. **BE IT FURTHER RESOLVED:** That while this congregation has every intention of using the Trust Fund as set forth in these resolutions, it does recognize that with the passage of time and changing circumstances, there may be a time when it is not feasible to utilize the Trust Fund as was intended. Should that situation develop, this congregation, or its successors in interest, shall then be free to make such other use of the income and principal as is consistent with the charitable and religious purposes of this congregation, in accordance with provisions of the laws of the State of Minnesota, and preserving the principal of those gifts designated to be perpetual, carrying out the donor's wishes
- h. **NOW, THEREFORE,** in order to carry out the purpose of the Trust Fund and to enable the further extension and stewardship work of our church

~~B13.06.02.~~

C13.07.02. The Trust Fund Committee.

- a. The committee shall consist of seven (7) members, all of whom shall be voting members of Immanuel Evangelical Lutheran Church. Except as herein limited, the term of each member shall be three (3) years. After the adoption of this resolution by this congregation, it shall elect seven (7) members to the committee - three (3) for a term of three (3) years; two (2) for a term of two (2) years; and two (2) for a term of one (1) year. Thereafter, at each annual meeting, this congregation shall elect the necessary number for a term of three (3) years. No member shall serve more than two (2) consecutive terms A partial term shall not be counted for this purpose. A former committee member may be re-elected after a lapse of twelve (12) months between his/her

election for a third term and the completion of his/her second term.

- b. In the event of a vacancy on the committee, the remaining members, by the affirmative vote of four (4) shall forthwith elect a member to fill the vacancy until the next annual meeting of this congregation, at which time this congregation shall elect a member to fill the vacancy.
- c. Committee members shall be nominated and elected in accordance with the applicable provisions of the Immanuel Evangelical Lutheran Church Constitution.
- d. All Trust Fund committee members shall endeavor to maintain a high degree of communication with the church council, other organizations within this congregation and members of this congregation to nurture the total life and mission of this congregation and of the Fund. Each committee member must be a member in good standing of Immanuel Evangelical Lutheran Church. A Trust Fund committee member may not serve concurrently on the church council. A Pastor of this congregation shall be an ex-officio non-voting member of the Trust Fund Committee.
- e. The committee shall elect from its membership a Chairperson, Treasurer and Secretary. A member of the Trust Fund Committee shall be selected annually by the Trust Fund Committee to serve as a liaison with the Executive Committee.
- f. The Committee shall meet at least once a month at the church at a time fixed by resolution of the committee and more frequently as it may be deemed by it for the best interests of the Fund. The committee, when it deems it unnecessary to hold a particular monthly meeting, may by resolution cancel a meeting. The Chairperson or any two (2) members may call special meetings on twenty-four (24) hours written or oral notice to the members of the committee. No notice other than recording of the resolution of the board fixing the time of the regular meetings need be given the members.
- g. A quorum shall consist of five (5) members. The affirmative vote of a majority present and voting shall carry any motion or resolution.
- h. The Committee shall establish written rules and regulations as may be necessary for the conduct of its business. It shall adopt standards and goals to guide the expenditure of the income from the Fund, which it may amend all within the stated purposes of this Fund.
- i. The committee shall maintain accounts with such financial institutions as it may by resolution authorize and determine. All checks and other documents transferring or expending any funds or assets in the Fund shall be executed by the Treasurer and either the Chairperson or the Secretary of the committee.
- j. Any members of the committee with check signing authority, at the expense of the Fund, shall provide a corporate fidelity bond in a principal amount to be determined from time to time by the committee.
- k. The Committee may ask other members of this congregation to serve as advisory members and may employ, at the expense of the Trust Fund income, such professional counseling on investments and legal matters as it deems to be for the best interest of the Trust Fund.
- l. The Committee shall maintain complete and accurate books of accounts and may employ such professional help, as it deems necessary in this connection. The books shall be audited annually by an auditing committee or a Certified Public Accountant at the discretion of the committee, in time so that such audit report will be on file at the time of the Annual Meeting of this congrega-

tion.

- m. The Secretary shall maintain complete and accurate minutes of all meetings of the committee and supply a copy thereof to each member seven (7) days prior to the next meeting. Each member shall keep a complete copy of the minutes to be delivered to his or her successor.
- n. The Chairperson, or the member designated by the Chairperson, shall preside at all committee meetings.
- o. No member of the committee shall engage in any self-dealing or transactions with the Fund in which the member of the committee has direct or indirect financial interest and shall at all times refrain from any conduct in which his/her personal interests would conflict with the interest of the Fund.

~~B13.06.03.~~

C13.07.03. The Trust Fund Committee Duties.

- a. The Trust Fund Committee, at each annual meeting of this congregation, shall render a full and complete account of the administration of the Trust Fund during the preceding year.
- b. The Trust Fund Committee or this congregation may receive funds through gifts, memorials, bequests, wills, estates, etc. from any individual or corporation or organization or from any other source in cash or in other property acceptable to them. All trust funds and property shall be kept and maintained separate, distinct and independent from the funds and property otherwise belonging to this congregation.
- c. The Trust Fund Committee shall in no event be required to make physical segregation of the assets of the Trust Fund in order to conform to the directions of any individual donors, but may establish separate accounts in its accounting records.
- d. The committee is to inform the members of this congregation of the purposes of the Fund, and may periodically arrange for members of this congregation to meet with professional counselors in the areas of charitable giving, wills, bequests, insurance, etc.
- e. All new members of the Trust Fund Committee are to receive a copy of the Trust Fund format to become acquainted with the functions and purposes of the Fund.

~~B13.06.04.~~

C.13.07.04. The Trust Fund Committee Powers. In the administration of this Trust Fund, the Trust Fund Committee shall have all the powers and authority necessary to carry out the purposes of the Fund, including the following powers and authority on behalf of this congregation:

- a. To take, have, hold, sell, exchange, rent, lease, transfer, convert, invest, reinvest, and in all other respects to handle and manage and control, the Trust Fund, or any part thereof, as they in their judgment and discretion shall deem wise and prudent
- b. To retain any property in the form in which received; to convert and reconvert the Trust Fund, or any part thereof, into other kinds and forms of property, real or personal or mixed; and to invest or reinvest the Fund or assets herein, or any part thereof, as they shall deem wise and prudent, including in such common or preferred stocks, bonds, debentures, mortgages, notes or other securities, investments or property whether real or personal, which they in their absolute discretion may select or determine, and including, without limitation, savings deposits of any bank, mutual

savings bank, federal home loan bank or savings and loan association, or in The Mission Loan Fund of the Evangelical Lutheran Church in America, or in any common trust fund, mutual fund, or any like fund, subject to the usual standards of prudence required of trustees of similar funds

- c. To receive the income, profits, rents and proceeds of the Trust Fund and to collect and receipt for the same, and pay all administrative and necessary expenses in connection with it. Expenses are to be paid from the Trust Fund income
- d. To make, execute and deliver all instruments necessary or proper for the accomplishment of the purposes of the Immanuel Evangelical Lutheran Church Trust Fund or of any of the foregoing powers, including deeds, bills of sale, transfers, leases, mortgages, assignments, conveyances, contracts, purchase agreements, waivers, releases and settlements
- e. To contribute, donate, support or distribute, from time to time, for the purposes herein stated, such payments or amounts, as the Trust Fund Committee in its discretion shall determine
- f. To determine what is principal and income according to accounting procedures
- g. To hold investments in the name of the Immanuel Evangelical Lutheran Church Trust Fund on behalf of this congregation and to sign checks and all other necessary documents on behalf of this congregation in furtherance of the Trust Fund purposes
- h. To employ and reasonably compensate from the Trust Fund income, accountants, agents and attorneys to assist and advise in the execution of the Trust Fund, without liability for their omissions or neglect, but using reasonable care in their selection, and to rely on the advice of the persons so employed
- i. The Trust Fund Committee shall not be liable for any losses that may be incurred upon investments of the Trust Fund except to the extent that such losses shall have been caused by bad faith or gross negligence of the committee members. No member shall be personally liable as long as he or she acts in good faith and with ordinary prudence in discharging the duties of the office. Each committee member shall be liable only for his or her own willful misconduct or omissions in bad faith. No committee member shall be liable for the acts or omissions of any other committee member, or of any accountant, agent, attorney, or custodian selected with reasonable care
- j. The Trust Fund Committee members shall not receive any compensation, but may be reimbursed from the income of the Trust Fund for expenses reasonably incurred

~~B13.06.05.~~

C13.07.05. This Congregation.

- a. This congregation may upon recommendation by the Trust Fund Committee decide when and if any Fund principal, or corpus, shall be used by a two-thirds (2/3) majority vote of those present at a legally called meeting of this congregation. This holds true if the principal, or corpus, is ever needed in the event of a catastrophe, or dire emergency
- b. The Trust Fund Committee shall supply this congregation with sufficient information to make the best use of the Trust Fund according to its purpose
- c. This Trust Fund Resolution may not be altered or amended except by a two-thirds (2/3) vote of the members present at an annual meeting of this congregation, or at a special meeting called

specifically for the purpose of amending this resolution

~~B13.06.06.~~

C13.07.06. Tax Exemptions. Any gifts given to the Trust Fund, as well as all income derived therefrom, shall be used exclusively for religious, charitable and educational purposes with Section 501 C (3) of the Internal Revenue Code of 1954 or the corresponding provision of any future United States Internal Revenue Law. This Trust Fund is created and shall be operated exclusively for this congregation's purposes. No part of the income or property of this Fund shall inure to the benefit of or be distributable to any member, director or officer of this congregation or to any other private person, except that the Trust Fund Committee is authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth herein. No part of the activities of the Trust Fund shall be the carrying on of propaganda or otherwise attempting to influence legislation, and it shall not participate in or intervene in (including the publishing or distribution of statements) any political campaign on behalf of any candidate for public office. Notwithstanding any other provision of this document, the Trust Fund shall:

- a. Not carry on any activities not permitted to be carried on by an entity exempt from Federal Income Tax under Section 501 (c) (3) of the Internal Revenue Code of 1954 or the corresponding provision of any future United States Internal Revenue Law
- b. Do any act which would render contributions to the Trust Fund non-deductible under Section 170 (c) (2) of the Internal Revenue Code of 1954 or the corresponding provision of any future United States Internal Revenue Law

This Trust Fund may be dissolved in accordance with the laws of the State of Minnesota. Upon dissolution of this Trust Fund, and after the payment of all liabilities, obligations, costs and expenses incurred by this Trust Fund, any remaining assets shall be distributed to such entities organized and operated exclusively for one or more purposes described in Sections 170 © (3) and 501 © (3) of the Internal Revenue Code (of 1954 or the corresponding provision of any future United States Internal-Revenue Law.