

CONSTITUTION

OF

**ST. JOHN LUTHERAN CHURCH
148 SOUTH CHESTNUT STREET
BELLE PLAINE, MINNESOTA 56011**

Adapted on January 25, 2009

At the Annual Meeting

Of the Congregation.

To be Ratified at the

Annual Congregational Meeting

In January of 2010.

CONSTITUTION

OF

**ST. JOHN LUTHERAN CHURCH
148 SOUTH CHESTNUT STREET
BELLE PLAINE, MINNESOTA 56011**

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.

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CHAPTER 1

NAME AND INCORPORATION

- C1.01. The name of this congregation shall be St. John Lutheran Church.
- C1.02. For the purpose of this constitution and the accompanying bylaws, the St. John Lutheran congregation is hereinafter designated as “this congregation”.
- C1.03. This congregation shall be incorporated under the laws of the State of Minnesota.

CHAPTER 2

CONFESSION OF FAITH

- C2.01. This congregation confesses the Triune God, Father, Son, and Holy Spirit.
- C2.02. This congregation confesses Jesus Christ as Lord and Savior and the Gospel as the power of God for the salvation of all who believe:
- A) Jesus Christ is the Word of God incarnate, through whom everything was made and through whose life, death, and resurrection God fashions a new creation.
 - B) The proclamation of God’s message to us as both Law and Gospel is the Word of God, revealing judgment and mercy through word and deed, beginning with the Word in creation, continuing in the history of Israel, and centering in all its fullness in the person and work of Jesus Christ.
 - C) The canonical Scriptures of the Old and New Testaments are the written Word of God. Inspired by God’s Spirit speaking through their authors, they record and announce God’s revelation centering in Jesus Christ. Through them God’s Spirit speaks to us to create and sustain Christian faith and fellowship for service in the world.
- C2.03. This congregation accepts the canonical Scriptures of the Old and New Testaments as the inspired Word of God and the authoritative source and norm of its proclamation, faith, and life.
- C2.04. This congregation accepts the Apostles’, Nicene, and Athanasian Creeds as true declarations of the faith of this congregation.

- C2.05. This congregation accepts the Unaltered Augsburg Confession as a true witness to the Gospel, acknowledging as one with it in faith and doctrine all churches that likewise accept the teachings of the Unaltered Augsburg Confession.
- C2.06. This congregation accepts the other confessional writings in the Book of Concord, namely, the Apology of the Augsburg Confession, the Smalcald Articles and the Treatise, the Small Catechism, the Large Catechism, and the Formula of Concord, as further valid interpretations of the faith of the Church.
- C2.07. This congregation confesses the Gospel, recorded in the Holy Scriptures and confessed in the ecumenical creeds and Lutheran confessional writings, as the power of God to create and sustain the Church for God's mission in the world.

CHAPTER 3

NATURE OF THE CHURCH

- C3.01. All power in the Church belongs to our Lord Jesus Christ, its head. All actions of this congregation are to be carried out under his rule and authority.
- C3.02. The Church exists both as an inclusive fellowship and as local congregations gathered for worship and Christian service. Congregations find their fulfillment in the universal community of the Church, and the universal Church exists in and through congregations. This church, therefore, derives its character and powers both from the sanction and representation of its congregations and from its inherent nature as an expression of the broader fellowship of the faithful. In length, it acknowledges itself to be in the historic continuity of the communion of saints; in breadth, it expresses the fellowship of believers and congregations in our day.

CHAPTER 4

STATEMENT OF PURPOSE

- 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 ministries with a global awareness consistent with the understanding of God as Creator, Redeemer, and Sanctifier of all.
- D) Serve in response to God's love to meet human needs, caring for the sick and the aged, advocating dignity and justice for all people, working for peace and reconciliation among the nations, and standing with the poor and powerless, and committing itself to their needs.
- E) Nurture its members in the Word of God so as to grow in faith and hope and love, to see daily life as the primary setting for the exercise of their Christian calling, and to use the gifts of the Spirit for their life together and for their calling in the world.
- F) Manifest the unity given to the people of God by living together in the love of Christ and by joining with other Christians in prayer and action to express and preserve the unity which the Spirit gives.

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

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

- G) Motivate its members to provide financial support for the congregation's ministry and the ministry of other parts of the Evangelical Lutheran Church in America.
 - H) Foster and participate in interdependent relationships with other congregations, the synod, and the Evangelical Lutheran Church in America.
 - I) Foster and participate in ecumenical relationships consistent with church wide 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, ministry team, or other organizational groups and shall review their actions.
- C4.05. This congregation shall, from time to time, adopt a mission statement which will provide specific direction for its programs.

CHAPTER 5

POWERS OF THE CONGREGATION

- C5.01. The powers of this congregation are those necessary to fulfill its purpose.
- C5.02. The powers of this congregation are vested in the Congregation Meeting called and conducted as provided in this constitution and bylaws.
- C5.03. Only such authority as is delegated to the Congregation Council or other organizational units in the congregation's governing documents is recognized. All remaining authority is retained by the congregation. The congregation is authorized to:
- A) Call a pastor;
 - B) Terminate the call of a pastor;
 - C) Call or terminate the call of associates in ministry in conformity with the applicable policy of the Evangelical Lutheran Church in America;
 - D) Adopt amendments to the constitution, as provided in Chapter 17, and amendments to the bylaws, as specified in Chapter 16;

- E) Approve the annual budget;
- F) Acquire real and personal property by gift, devise, purchase, or other lawful means;
- G) Hold title to and use its property for any and all activities consistent with its purpose;
- H) Sell, mortgage, lease, transfer, or otherwise dispose of its property by any lawful means;
- I) Elect the Congregation Council, Boards, Ministry Teams, and Committees, and require them to carry out their duties in accordance with constitution and bylaws; and
- J) Terminate its relationship with the Evangelical Lutheran Church in America as provided in Chapter 6.

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

CHAPTER 6

CHURCH AFFILIATION

- C6.01. This congregation shall be an interdependent part of the Evangelical Lutheran Church in America or its successor, and of the West Metropolitan Minnesota Synod of the Evangelical Lutheran Church in America. This congregation is subject to the discipline of the Evangelical Lutheran Church in America.
- C6.02. This congregation accepts the Confession of Faith and agrees to the purposes of the Evangelical Lutheran Church in America and shall act in accordance with them.
- C6.03. This congregation acknowledges its relationship with the Evangelical Lutheran Church in America in which:
- A) This congregation agrees to be responsible for its life as a Christian community.

- B) This congregation pledges its financial support and participation in the life and mission of the Evangelical Lutheran Church in America.
- C) This congregation agrees to call pastoral leadership from the clergy roster of the Evangelical Lutheran Church in America in accordance with its call procedures except in special circumstances and with the approval of the bishop of the synod.
- D) This congregation agrees to consider associates in ministry for appointment to other staff positions in the congregation according to the procedures of the Evangelical Lutheran Church in America.
- E) This congregation agrees to file this constitution and any subsequent changes to this constitution with the synod for review to ascertain that all of its provisions are in agreement with the constitution and bylaws of the Evangelical Lutheran Church in America or with the constitution of the synod.

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

- A) This congregation takes action to dissolve.
- B) This congregation ceases to exist.
- C) This congregation is removed from membership in the Evangelical Lutheran Church in America according to the procedures for discipline of the Evangelical Lutheran Church in America.
- D) This congregation follows the procedures outlined in C6.05.

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

- A) A resolution indicating the desire of this congregation to terminate its relationship must be adopted at a legally called and conducted special meeting of this congregation by a two-thirds majority of the voting members present.
- B) The secretary of this congregation shall submit a copy of the resolution to the synodical bishop and shall mail a copy of the resolution to voting members of the congregation. This notice shall be submitted within 10 days after the resolution has been adopted.
- C) The bishop of the synod shall consult with this congregation during a period of at least 90 days.

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

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

CHAPTER 7

PROPERTY OWNERSHIP

- C7.01. If this congregation ceases to exist, title to undisposed property shall pass to the Minneapolis Area Synod.
- C7.02. If this congregation is removed from membership in the Evangelical Lutheran Church in America according to its procedure for discipline, title to property shall continue to reside in this congregation.
- C7.03. If a two-thirds majority of the voting members of this congregation present at a regularly called and conducted special meeting of this congregation vote to transfer to another Lutheran church body, title to property shall continue to reside in this congregation. Before this congregation takes action to transfer to another Lutheran church body, it shall consult with representatives of the Minneapolis Area Synod.
- C7.04. If a two-thirds majority of the voting members of this congregation present at a regularly called and conducted special meeting of this congregation vote to become independent or relate to a non-Lutheran church body, title to property of this congregation shall continue to reside in this congregation only with the consent of the Synod Council. The Synod Council, after consultation with the congregation by the established synodical process, may give approval to the request to become

independent or to relate to a non-Lutheran church body, in which case title shall remain with the majority of the congregation. If the Synod Council fails to give such approval, title shall remain with those members who desire to continue as a congregation of the Evangelical Lutheran Church in America.

CHAPTER 8

MEMBERSHIP

- C8.01. Members of this congregation shall be those baptized persons on the roll of the congregation at the time that this constitution is adopted and those who are admitted thereafter and who have declared and maintain their membership in accordance with the provisions of this constitution and its bylaws.
- C8.02. Members shall be classified as follows:
- A) Baptized members are those persons who have been received by the Sacrament of Holy Baptism in this congregation, or, having been previously baptized in the name of the Triune God, have been received by certificate of transfer from other Lutheran congregations or by affirmation of faith.
 - B) Confirmed members are baptized persons who have been confirmed in this congregation, those who have been received by adult baptism or by transfer as confirmed members from other Lutheran congregations, or baptized persons received by affirmation of faith.
 - C) Voting members are confirmed members. Such confirmed members shall have communed in this congregation and made a contribution of record during the current or preceding year.
 - D) Associate members are persons holding membership in other Christian congregations who wish to retain such membership but desire to participate in the life and mission of this congregation. They have all the privileges and duties of membership except voting rights and eligibility for elected offices or membership on the Congregation Council of this congregation.
- C8.03. All applications for confirmed membership shall be submitted to and shall require the approval of the Congregation Council.

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

- A) Make regular use of the means of grace, both Word and Sacraments;
- B) Live a Christian life in accordance with the Word of God and the teachings of the Lutheran Church; and
- C) Supports the work of this congregation and of the Evangelical Lutheran Church in America through contributions of their time, abilities, and financial support as biblical stewards.

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

- A) Death;
- B) Resignation;
- C) Transfer or release;
- D) Disciplinary action by the Congregation Council; or
- E) Removal from membership due to inactivity.
 - 1) A confirmed member who shows no interest in attending worship services and does not partake of Holy Communion: and who does not contribute financially for a period of two years, shall be considered no longer to desire membership, shall lose the right to vote, and shall not be counted in the membership statistics of this congregation.
 - 2) The name and record of such a person shall be kept in the files for a period of five years thereafter. Such a person shall be encouraged to take part in the congregational life, or to transfer elsewhere, as the situation may indicate to be advisable. If he/she resumes activity within the five year period, he/she shall be restored to the active membership list; if not, he/she shall be dismissed from this congregation and if possible, shall be notified of this action.
 - 3) Such persons who have been removed from the roll of members shall remain persons for whom the church and pastors have a continuing concern.

CHAPTER 9

THE PASTOR

C9.01. Authority to call a pastor shall be in this congregation by at least a two-thirds majority ballot vote of members present and voting at a meeting regularly called for

that purpose. Before a call is issued, the officers, or a committee elected by this congregation to recommend the call, shall seek the advice and help of the bishop of the synod.

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

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

A) Every ordained minister shall:

- 1) Preach the Word;
- 2) Administer the sacraments;
- 3) Conduct public worship;
- 4) Provide pastoral care, and
- 5) Shall speak publicly to the world in solidarity with the poor and oppressed, calling for justice and proclaiming God's love for the world.

B) Each ordained minister with a congregational call shall, within the congregation:

- 1) Offer instruction, confirm, marry, visit the sick and distressed, and bury the dead;
- 2) Supervise all schools and organizations of the Congregation;
- 3) Shall install regularly elected members of the Congregation Council, and;
- 4) With the council administer discipline.

C) Every pastor shall:

- 1) Strive to extend the Kingdom of God in the community, in the nation, and abroad;
- 2) Seek out and encourage qualified persons to prepare for the ministry of the Gospel;
- 3) Impart knowledge of this church and its wider ministry through distribution of its periodicals and other publications; and;
- 4) Endeavor to increase the support given by the congregation to the work of the church wide organization of the Evangelical Lutheran Church in America (ELCA) and the Minneapolis Area Synod of the ELCA.

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

- C9.05. A) The call of a congregation, when accepted by a pastor, shall constitute a continuing mutual relationship and commitment which, except in the case of the death of the pastor, shall be terminated only following consultation with the synodical bishop and for the following reasons:
- 1) Mutual agreement to terminate the call or the completion of a call for a specific term;
 - 2) Resignation of the pastor, which shall become effective, unless otherwise agreed, 30 days after the date on which it was submitted;
 - 3) Inability to conduct the pastoral office effectively in the congregation in view of local conditions, without reflection on the competence or the moral and spiritual character of the pastor;
 - 4) The physical or mental incapacity of the pastor;
 - 5) Disqualification of the pastor through discipline on grounds of doctrine, morality, or continued neglect of duty; or
 - 6) The dissolution of the congregation; or
 - 7) Suspension of the congregation as a result of discipline proceedings.
- B) When allegations of physical or mental incapacity of the pastor or ineffective conduct of the pastoral office has come to the attention of the bishop of the synod, the bishop in his or her sole discretion may, or when such allegations have been brought to the synod's attention by an official recital of allegations by the Congregation Council or by a petition signed by at least one-third of the voting members of the congregation, the bishop shall, investigate such conditions personally in company with a committee of two ordained ministers and one layperson.
- C) In case of alleged physical or mental incapacity competent medical testimony shall be obtained. When such disability is evident, the bishop of the synod with the advice of the committee shall declare the pastorate vacant. Upon the restoration of a disabled pastor to health, the bishop of the synod shall take steps to enable the pastor to resume the ministry, either in the congregation last served or in another field of labor.
- D) In the case of alleged local difficulties 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 C9.05.b. shall decide on the course of action to be taken by the synod. 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 at a legally called meeting after consultation with the bishop, either:

- 1) by two-thirds majority vote of the voting members present and voting where the bishop and the committee did not recommend termination of the call, or;
- 2) by a simple majority vote of the voting members present and voting where the bishop and the committee recommended termination of the call. . If, in the course of proceedings described in C9.05., the committee concludes that there may be grounds for disciplinary action, the committee shall make recommendations concerning disciplinary action to the synodical bishop, who may bring charges in accordance with provisions of the constitution and bylaws of the ELCA and the constitution of the synod.

- E) If, following the appointment of the committee described in C9.05b.or d., it should become apparent that the pastoral office cannot be conducted effectively in the congregations 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 joint synodical and church wide funds and with housing provided by the congregation.

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

C9.07. During the period of service, an interim pastor shall have the rights and duties of a regularly called pastor and may delegate the same in part to a supply pastor with the consent of the bishop of the synod and this congregation or Congregation Council. The interim pastor and any ordained pastor providing assistance shall refrain from exerting influence in the selection of a pastor.

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 related to the Evangelical Lutheran Church in America.

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

- C9.10. With the approval of the bishop of the synod the congregation may depart from C9.05.a. and call a pastor for a specific term 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 congregation for a review of the call. Such call may also be terminated before its expiration in accordance with the provisions of C9.05.a.
- C9.11. The pastor of this congregation:
- A) Shall keep accurate parochial records of all baptisms, confirmations, marriages, burials, communicants, members received, members dismissed, or members excluded from the congregation;
 - B) Shall submit a summary of such statistics annually to the synod; and
 - C) Shall become a member of this congregation upon receipt and acceptance of the letter of call. In a parish of multiple congregations, the pastor shall hold membership in one of the congregations.
- C9.12. The pastor(s) shall submit a report of his or her ministry to the bishop of the synod at least 90 days prior to each regular meeting of the Synod Assembly.
- C9.13. The parochial records of this congregation shall be maintained by the pastor and shall remain the property of the congregation. The secretary of this congregation shall attest in writing to the bishop of this synod that such records have been placed in his or her hands in good order by a departing pastor before installation of that pastor in another field of labor or the granting by the synod of retired status to the pastor.

CHAPTER 10

CONGREGATION MEETING

- C10.01. The (annual, semi-annual, quarterly) meeting of this congregation shall be held at a time specified in the bylaws.
- C10.02. A special Congregation Meeting may be called by the pastor, the Congregation Council, or the president of this congregation, and shall be called at the written request of ten percent of the voting members. This percentage shall be based on the latest annual report of this congregation. The call for each special meeting shall

specify the purpose for which it is to be held and no other business shall be transacted.

- C10.03. Notice of all meetings of this congregation shall be given at the services of worship on the preceding two consecutive Sundays and by mail to all members at least ten days in advance of the date of the meeting. The posting of such notice in the regular mail, with the regular postage affixed or paid, sent to the last know address of such members shall be sufficient.
- C10.04. Ten percent of the voting members shall constitute a quorum. This percentage shall be based on the latest annual report of this congregation.
- C10.05. Voting by proxy or by absentee ballot shall not be permitted.
- C10.06. All actions by the congregation shall be by majority vote except as otherwise provided in this constitution.
- C10.07. Robert's Rules of Order, latest edition, shall govern parliamentary procedure of all meetings of this congregation.

CHAPTER 11

OFFICERS

- C11.01. The officers of this congregation shall be a president, vice-president, secretary, and treasurer.
 - A) Duties of the officers shall be specified in the bylaws.
 - B) The officers shall be voting members of the congregation.
 - C) Officers of this congregation shall serve similar offices of the Congregation Council and shall be voting members of the Congregation Council.
 - D) If the Congregation Council elects its officers, the president, vice president, and secretary shall be selected from the elected membership of the Congregation Council. If the treasurer is not selected from the elected membership of the Congregation Council, the treasurer shall have voice but not vote at meetings of the Congregation Council.

- C11.02. The Congregation Council shall elect its officers and they shall be the officers of the congregation. The officers shall be elected and shall serve for one year or until their successors are elected. Their terms shall begin at the close of the congregational meeting they are elected including the congregation treasurer who may be appointed.
- C11.03. No officer shall hold more than one office at a time. No elected officer shall be eligible to serve more than two consecutive terms in the same office.

CHAPTER 12

CONGREGATION COUNCIL

- C12.01. The voting membership of the Congregation Council shall consist of not more than 20 members of the congregation. Any voting member of the congregation may be elected, subject only to the limitation on the length of continuous service permitted in that office. A member's place on the Congregation Council shall be declared vacant if the member:
- A) Ceases to be a voting member of this congregation, or;
 - B) Is absent from three successive regular meetings of the Congregation Council without cause.

The pastor(s) shall serve as ex official (advisory) members (s) of the Congregation Council.

- C12.02. The members of the Congregation Council shall be elected by written ballot to serve for three years or until their successors are elected. Such members shall be eligible to serve no more than two full terms consecutively. Their terms shall begin at the close of the congregational meeting at which they are elected.
- C12.03. Should a member's place on the Congregation Council be declared vacant, the Congregation Council shall elect, by majority vote, a successor until the next annual meeting.
- C12.04. The Congregation Council shall have general oversight of the life and activities of this congregation, and in particular its worship life, to the end that everything be done in accordance with the Word of God and the faith and practice of the Evangelical Lutheran Church in America. The duties of the Congregation Council shall include the following:

- A) To lead this congregation in stating its mission, to do long-range planning, to set goals and priorities, and to evaluate its activities in light of its mission and goals.
- B) To seek to involve all members of this congregation in worship, learning, witness, service, and support.
- C) To oversee and provide for the administration of this congregation to enable it to fulfill its functions and perform its mission.
- D) To maintain supportive relationships with the pastor(s) and staff and help them annually to evaluate the fulfillment of their calling, appointment or employment.
- E) To be examples individually and corporately of the style of life and ministry expected of all baptized persons.
- F) To promote a congregational climate of peace and goodwill and, as differences and conflicts arise, to endeavor to foster mutual understanding.
- G) To arrange for pastoral service during the sickness or absence of the pastor.
- H) To emphasize partnership with the synod and church wide units of the Evangelical Lutheran Church in America as well as cooperation with other congregations, both Lutheran and non-Lutheran, subject to established policies of the synod and the Evangelical Lutheran Church in America.
- I) To recommend and encourage the use of program resources produced or approved by the Evangelical Lutheran Church in America.
- J) To seek out and encourage qualified persons to prepare for the ministry of the Gospel.

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

- A) The Congregation Council shall be the board of directors of this congregation, and as such shall be responsible for maintaining and protecting its property and the management of its business and fiscal affairs. It shall have the powers and be subject to the obligations that pertain to such boards under the laws of the State of Minnesota, except as otherwise provided herein.
- B) The Congregation Council shall not have the authority to buy, sell, or encumber real property unless specifically authorized to do so by a meeting of the congregation.

- C) The Congregation Council shall prepare an annual budget for adoption by this congregation, shall supervise the expenditure of funds in accordance therewith following its adoption, and may incur obligations more than 2% in excess of the total approved budget only after approval by a Congregation Meeting. The budget shall include this congregation's full indicated share in support of the wider ministry being carried on in partnership with the synod and church wide organization.
 - D) The Congregation Council shall ascertain that the financial affairs of this congregation are being conducted efficiently, giving particular attention to the prompt payment of all obligations and to the regular forwarding of benevolence monies to the synodical treasurer.
 - E) The Congregation Council shall be responsible for this congregation's investments and its total insurance program.
- C12.06. The Congregation Council shall see that the provisions of this constitution and its bylaws are carried out.
- C12.07. The Congregation Council shall provide for an annual review of the membership roster.
- C12.08. The Congregation Council shall be responsible for the appointment and supervision of the salaried lay workers of this congregation.
- C12.09. The Congregation Council shall submit a comprehensive report to this congregation at the annual meeting.
- C12.10. The Congregation Council shall normally meet once a month. Special meetings may be called by the pastor or the president, and shall be called at the request of at least one-half of its members. Notice of each special meeting shall be given to all who are entitled to be present.
- C12.11. A quorum for the transaction of business shall consist of a majority of the members of the Congregation Council.

CHAPTER 13

CONGREGATIONAL COMMITTEES

- C13.01. The officers of this congregation shall constitute the Executive Committee.

- C13.02. A Nominating Committee of five voting members of this congregation, two of whom shall be members of the Congregation Council and three to be elected at the annual meeting for a term of one year. Members of the Nominating Committee are not eligible for consecutive re-election.
- C13.03. An Audit Committee of three voting members shall be elected by the Congregation Council. Audit Committee members shall not be members of the Congregation Council. Term of office will be one year. Members shall be eligible for re-election.
- C13.04. A Staff Support Committee may be appointed jointly by the president and the pastor(s). Committee members will hold no other office in the congregation during their term.
- C13.05. When a pastoral vacancy occurs, a Call Committee of voting members shall be appointed by the Congregation Council. Term of office will terminate at installation of the newly-called pastor.
- C13.06. Other congregational committees may be formed as the need arises, by decision of the Congregation Council.
- C13.07. Duties of congregational committees shall be specified in the bylaws.

CHAPTER 14

ORGANIZATIONS WITHIN THE CONGREGATION

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

CHAPTER 15

DISCIPLINE OF MEMBERS

- C15.01. Denial of the Christian faith as described in this constitution, conduct grossly unbecoming a member of the Church of Christ, or persistent trouble-making in this congregation are sufficient cause for discipline of a member. Prior to disciplinary action, reconciliation will be attempted following Matthew 18:15-17, proceeding through these successive steps:
- A) Private admonition by the pastor,
 - B) Admonition by the pastor in the presence of two or three witnesses, and
 - C) Citation to appear before the Congregation Council.
- C15.02. A member charged with the offense shall appear before the Congregation Council having received a written notice, specifying the exact charges that have been made against the member, at least ten days prior to the meeting.
- C15.03. Should the allegations be sustained by a two-thirds majority vote of the Congregation Council, the council shall impose one of the following disciplinary actions:
- A) Censure before the council or congregation;
 - B) Suspension from membership for a definite period of time; or
 - C) Exclusion from membership in this congregation. Disciplinary actions b. and c. shall be delivered to the member in writing.
- C15.04. The member against whom disciplinary action has been taken by the Congregation Council shall have the right to appeal the decision to the Synod Council. Such right may not be abridged and the decision of the Synod Council shall be final.
- C15.05. Disciplinary actions may be reconsidered and revoked by the Congregation Council upon receipt of;
- A) Evidence that injustice has been done, or;
 - B) Evidence of repentance and amendment.

CHAPTER 16

BYLAWS

- C16.01. This congregation may adopt bylaws. No bylaw may conflict with this constitution.
- C16.02. Bylaws may be adopted or amended at any legally called meeting of this congregation with a quorum present by a majority vote of those voting members present and voting.
- C16.03. Changes to the bylaws may be proposed by any voting member provided, however, that such additions or amendments be submitted in writing to the Congregation Council at least 60 days before a regular or special Congregation Meeting called for that purpose and that the Congregation Council notify the members of the proposal with its recommendations at least 30 days in advance of the Congregation Meeting.
- C16.04. Approved changes to the bylaws shall be sent to the synod.

CHAPTER 17

AMENDMENTS

- C17.01. Amendments to this constitution may be proposed by at least ten percent of the voting members or by the Congregation Council. This percentage shall be based on the latest annual report of this congregation. Proposals must be filed in writing with this Congregation Council 60 days before formal consideration by this congregation at its regular or special meeting called for that purpose. The Congregation Council shall notify the members of the proposal with their recommendations at least 30 days in advance of the meeting.
- C17.02. A proposed amendment to this constitution shall:
- A) Be approved at a properly called meeting according to this constitution by a majority vote of those present and voting;
 - B) Be ratified without change at the next annual meeting by a two-thirds majority vote of those present and voting; and
 - C) Has the effective date included in the resolution and noted in the constitution.

- C17.03. Any amendments to this constitution shall be sent by the secretary of this congregation to the synod. The amendment shall become effective within 120 days from the date of the receipt of the notice by the synod unless the synod informs this congregation that the amendment is in conflict with the constitution and bylaws of the Evangelical Lutheran Church in America, or the constitution of the Minneapolis Area Synod.

**THIS CONSTITUTION WILL BE PRESENTED AT THE ANNUAL MEETING OF
THIS CONGREGATION TO BE HELD ON SUNDAY, JANUARY 25, 2009.**

BYLAWS

Article I – COMMUNION PARTICIPATION

(Chapter 2 of Constitution)

1. This congregation invites all of its members, who have prepared to receive the Sacrament, to participate regularly in Holy Communion.
2. Participation in Holy Communion shall be open to members of other congregations who accept the Lutheran teaching in regard to this Sacrament.
3. It shall be made known to prospective participants that the belief of this congregation is:

Participation in the Lord's Supper is the reception of "the body and blood of our Lord Jesus Christ given with bread and wine, instituted by Christ himself for us to eat and drink."

We hold that a "person is well prepared and worthy who believes these words, given and shed for you for the remission of sins. But anyone who does not believe these words, or doubts them, is neither prepared nor worthy, for the words for you require simply a believing heart." (From the Small Catechism in Contemporary English, @ 1968 Augsburg Publishing House and Fortress Press).

4. Record of participation in Holy Communion shall be maintained.

Article II – CONFLICTING LOYALTIES

(Chapters 2, 3, & 4 of Constitution)

1. This congregation rejects all fellowship with organizations, secret or open which are avowedly religious or which practice forms of religion without confessing faith in the Triune God and in Jesus Christ as the Eternal Son of God incarnate to be our only Savior from sin, and thus teach salvation by works.
2. Ceremonies of lodges or other such organizations shall not be permitted in the church or on the church premises of this congregation.
3. The pastor(s) of this congregation shall take no part in any such ceremonies even if they are conducted outside of the church premises.

Article III – MEMBERSHIP

(Chapter 8 of Constitution)

1. Baptized Members

- a. This congregation is commissioned to baptize candidates for membership into the body of Christ with water and the Holy Spirit in the name of the Triune God. The baptized member is thereafter privileged to live in the sacrament forever.
- b. Admission to this congregation as baptized members are those who:
- c. Are baptized into this congregation, or
- d. Having been previously baptized in the name of the Triune God, are received by letter of transfer, confirmation, or affirmation of faith.
- e. This Congregation will welcome newly baptized members into the Lord's family; receive them as fellow members of the body of Christ and fellow workers in the kingdom of God.

2. Confirmed Members

- a. Confirmation is a pastoral and educational ministry of the church “which helps the baptized member through Word and Sacrament to identify more deeply with the Christian community and participate more fully in its mission”. (Joint Commission on the Theology and Practice of Confirmation, 1970, p. 21).
- b. The rite of confirmation will be made available to baptized members after satisfactory completion of courses of study and acknowledgment by the Congregation Council.

3. Associate Members

The roster of associate members will be reviewed annually.

4. Voting Members

The roster of voting members will be reviewed by the congregational council prior to the regular annual congregational meeting.

5. Care of Members

- a. The congregation will issue a letter or certificate of transfer to another Lutheran congregation on a member's request. Should a member, having

- b. Moved to a distant community fail to request a transfer, a Lutheran congregation in or near that community shall be notified.
- c. A member who has elected not to fulfill the provisions of membership as described in Chapter 8, C8.04, of this constitution for one year shall be contacted by the pastor(s) and/or representatives of this congregation towards restoring voting membership. If, during the second year, the member does not respond that member's name shall be removed from the voting membership roster but retained on a responsibility list as person for concern.

Article IV – THE ANNUAL MEETING

(Chapter 10 of Constitution)

- 1. The annual congregational meeting shall be held on the fourth Sunday of January.**
- 2. The order of business at the annual meeting shall be:**
 - a. Opening devotion;
 - b. Approval of the minutes of the Previous Meeting;
 - c. Reports of the pastor(s), Congregation Council, the treasurer, committees and others;
 - d. Elections;
 - e. Approval of budget;
 - f. Unfinished business;
 - g. New business;
 - h. Closing prayer.
- 3. In the following cases voting shall be by written ballot:**
 - a. To elect the members of the Congregation Council;
 - b. To adopt or amend the articles of incorporation, constitution, or bylaws of this congregation;
 - c. To call a pastor or to request the pastor's resignation;

- d. To remove a member from office in this congregation;
 - e. To sever membership in the Evangelical Lutheran Church in America;
 - f. To dispose of, encumber, or purchase real property;
 - g. When requested by ten or more voting members present.
4. **Except as otherwise provided in the constitution and bylaws, all matters shall be decided by majority vote of those present and voting.**
 5. **No one shall be declared elected without receiving a majority of the votes cast.**
 6. **If more than one ballot is required in an election, a motion shall be in order to limit the number of candidates on succeeding ballots.**

Article V – THE CONGREGATION COUNCIL

(Chapter 12 of Constitution)

1. **Membership and meetings of the Congregation Council**
 - a. The Congregation Council shall consist of 11 members, each elected for a term of three years. New members will be selected in the following sequence: five selected for the first two years and six selected in the third year of each three-year cycle except as provided for in C12.03 of the Constitution.
 - b. Immediately after the Annual Meeting of the Congregation, the Congregation Council shall elect the officers and prescribed committees in #2 (Committees of the Congregation Council).
2. **Committees of the Congregation Council**
 - a. The Congregation Council shall elect from its own membership, liaisons to Ministry Teams or committees that shall cover such areas as Evangelism; Stewardship; Social Justice; Adult Education and Fellowship; Children’s Ministry; Jr. and Sr. High Ministry; and Facilities and Grounds; and shall also appoint or decommission other committees and ministry teams that from time to time be necessary or advisable.
 - b. The Congregation Council shall have authority to appoint or elect additional congregational members who are not members of the Council as members on its regular committees.

- c. The Congregation Council shall, once a year, invite the full membership of its regular committees, ministry teams, boards, and sub-groups together to review the entire program of this congregation.

3. Duties of officers and Committees of the Congregation Council

a. The President shall:

- 1) Preside at all meetings of this congregation, the Congregation Council, and executive committee.
- 2) Coordinate the work of the committees.
- 3) Carry out the will of this congregation as ordered by this constitution and bylaws.
- 4) Name delegates to meetings and conventions not otherwise specified in these bylaws.
- 5) Execute letters of call on behalf of the congregation.
- 6) Have authority to sign checks.

b. The Vice-President shall:

- 1) Perform the duties of the president in the president's absence, incapacity, or at the president's request.
- 2) Act as parliamentarian at congregational and Congregation Council meetings.

c. The Secretary shall:

- 1) Record proceedings of this congregation and Congregation Council; distribute copies to members.
- 2) Retain and codify secretarial records to be filed permanently in the church office.
- 3) Keep attendance record of each council meeting.
- 4) Select devotional leader for each council meeting.
- 5) Announce all congregational and council meetings and arrange for meeting places.

- 6) Make roster of voting members available at each congregational meeting.
- 7) Assist president on agenda items, calling to attention matters deferred or referred to committees for further study and recommendations.
- 8) Be responsible for safekeeping of all official congregational documents (e.g., deeds, mortgages, articles of incorporation, constitution and by-laws, tax returns, etc.).
- 9) Compile and distribute the annual report of this congregation.

d. The Treasurer shall:

- 1) Supervise the financial procedures, records, and investments of this congregation.
- 2) Render a monthly statement of income and expenses compared to budget to the congregation council.
- 3) Have authority to sign checks.
- 4) Deliver an annual financial report to the congregation.
- 5) Recommend financial policies and procedures for cash management (e.g., annual budgeting, fund accounting, and annual audit) to the Congregation Council.

4. Duties of Ministry Teams, Committees and Foundation of the Congregation.

The Church Council would set policy, approve budgets, and provide leadership, vision, communication and general oversight. The Council would have specified times annually to review updated Ministry Plans with Ministry Teams, evaluate, and provide continued development.

Staff members will function to support, guide and provide leadership to Teams and Council.

- a. Ministry Teams shall develop a Ministry Team Plan of their goals, a strategy and timeline to implement their plan, and budget needs for the coming year, as well as initiatives for future development in the next 2-3 years. Each Ministry Team will present their Ministry Plan to the Church Council for review, possible changes, and approval each year, normally in June.

- b. The Facilities and Grounds Committee shall plan for the maintenance and upkeep of church properties and make decisions regarding items donated to the church. The Facilities and Grounds Committee will make recommendations in these areas to the Church Council for final consideration and approval.
- c. The Finance Committee, together with the Treasurer, shall work to manage the finances of the church including financial planning, budgeting, investment activities including endowments and memorials, and short and long-term financing. The Committee shall also monitor and project expected income and expenses, compile data for financial reports for the church council and all required regulatory agencies, advise and report to the church council regarding financial objectives, investments, loans and short and long range financial planning.
- d. The Memorial Committee shall oversee the congregations various memorial accounts and recommend, together with the Treasurer, investment of accounts to provide continuing growth. The committee shall also receive and make decisions upon requests for use of money in the congregation's memorial accounts.
- e. The Foundation Committee shall work to oversee the investment and disbursement of the congregation's endowed gifts, as well as providing education and information, together with the finance committee, to members regarding the offering and use of endowed assets to the congregation.

Article VI – CONGREGATION COMMITTEES

(Chapter 13 of Constitution)

1. The Nominating Committee shall:

- a. Be convened by the pastor(s) as advisor(s); elect a chairperson from their midst who will call and preside at subsequent meetings.
- b. Nominate one or more candidates for each office to be filled.
- c. Ask candidates to serve the full term of office if elected.
- d. Announce the nominees to this congregation with the notices of the regular or special congregational meeting.
- e. Accept nominations from the floor providing that the nominee consents to serve.

- f. Provide nominations for:
 - 1) Congregation Council members
 - 2) Head Usher, elect
 - 3) Synod convention delegates
 - 4) Camp Onomia delegates
 - 5) Other offices which may be specified in these bylaws as revised

- 2. **The Audit Committee shall:**
 - a. Audit the financial books and procedures of records prior to the annual meeting.
 - b. Report their findings to this congregation in writing and include them with the annual report, signed and dated by each member of the committee.

- 3. **The Call Committee shall:**
 - a. When a pastoral vacancy occurs, notify the synod bishop who will assist them in providing interim pastoral service and the call process.
 - b. Study this congregation's mission and pastoral needs; share results with synod.
 - c. Gather descriptive information about this congregation, (e.g., history, pictures of church building, directory, map, congregational reports, annual report, etc.)
 - d. Receive recommendations of nominees from the synod bishop or synod call committee for study.
 - e. Evaluate pastoral candidates by interview and other means; furnish information about this congregation and its mission to each candidate.
 - f. Recommend one candidate to this congregation at a special meeting called for that purpose.

- 4. **Personnel Committee Job Description**
 - a. **Makeup:** The Personnel Committee shall consist of the Executive Committee and the Pastor, chaired by the Council President. (Option: We could also have one other person, elected by the Council from among it's members, for a term of 3 years).

b. **Function:** The personnel Committee shall perform personnel related duties such as:

- 1) Developing, recommending and maintaining personnel policies and procedures.
- 2) Identifying staffing needs
- 3) Interviewing candidates for positions
- 4) Conducting staff review
- 5) Reviewing salaries and benefits
- 6) Other duties assigned by the congregation council.

The Personnel Committee shall bring recommendations to the Congregation Council for decision.

Article VII - USE OF PROPERTY

(Chapter 5 of Constitution)

1. The property of this congregation shall be for the use of this congregation in its normal functions as a Lutheran Church and shall not be used in any way not in harmony with the purpose of this congregation.
2. Buildings which are the property of this congregation shall not be loaned or rented to any group or individual not affiliated with this congregation or with the Evangelical Lutheran Church in America unless application for such use has been approved by the Congregation Council by a two-thirds majority in the case of a request for occasional use, or by a two-thirds majority vote of this congregation in the case of a request for regular use.
3. Gift Policy: Anyone wishing to donate a non-monetary item to St. John Lutheran Church must provide the church office with a thorough description of the item. A list of the proposed items including all non-monetary memorial gifts will be provided to the Facilities and Grounds Committee at their monthly meeting for their review and approval. If the item is accepted it will then become the property of St. John Lutheran Church and will be placed in the appropriate place in the church by the committee. All items previously given to St. John will now become the property of the church and will be used at the committee's discretion. No items are to be brought to the church until approved through this process.