

West St. Olaf Constitution (effective 1/30/1994)

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.

MISSION STATEMENT

Having been baptized and saved by God's grace, we, as members of West St. Olaf Lutheran congregation, believe in Jesus Christ as our Lord and Savior. We are called to share his love by reaching out to all people by being a worshipping, caring, and learning congregation.

Chapter 1.

NAME AND INCORPORATION

- CI.01. The name of this congregation shall be West St. Olaf Lutheran Congregation; Hayfield, MN..
- CI.02. For the purpose of this constitution and the accompanying bylaws, the West St. Olaf Lutheran Congregation is hereinafter designated as "this congregation."
- CI.11. This congregation shall be incorporated under the laws of the State of Minnesota.

Chapter 2.

CONFESSION OF FAITH

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

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- 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.

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- C4.02 To participate in God's mission, this congregation as a part of the Church shall:
- a. Worship God in proclamation of the Word and administration of the sacraments and through lives of prayer, praise, thanksgiving, witness, and service.
 - b. Proclaim God's saving Gospel of justification by grace for Christ's sake through faith alone, according to the apostolic witness in the Holy Scripture, preserving and transmitting the Gospel faithfully to future generations.
 - c. Carry out Christ's Great Commission by reaching out to all people to bring them to faith in Christ and by doing all ministry with a global awareness consistent with the understanding of God as Creator, Redeemer, and Sanctifier of all.
 - d. Serve in response to God's love to meet human needs, caring for the sick and the aged, advocating dignity and justice for all people, working for peace and reconciliation among the nations, and standing with the poor and powerless, and committing itself to their needs.
 - e. Nurture its members in the Word of God so as to grow in faith and hope and love, to see daily life as the primary setting for the exercise of their Christian calling, and to use the gifts of the Spirit for their life together and for their calling in the world.
 - f. Manifest the unity given to the people of God by living together in the love of Christ and by joining with other Christians in prayer and action to express and preserve the unity which the Spirit gives.
- C4.03. To fulfill these purposes, this congregation shall:
- a. Provide services of worship at which the Word of God is preached and the sacraments are administered.
 - b. Provide pastoral care and assist all members to participate in this ministry.
 - c. Challenge, equip, and support all members in carrying out their calling in their daily lives and in their congregation.
 - d. Teach the Word of God.
 - e. Witness to the reconciling Word of God in Christ, reaching out to all people.
 - f. Respond to human need, work for justice and peace, care for the sick and the suffering, and participate responsibly in society.
 - g. Motivate its members to provide financial support for the congregation's ministry and the ministry of other parts of the Evangelical Lutheran Church in America.
 - h. Foster and participate in interdependent relationships with other congregations, the synod, and the Evangelical Lutheran Church in America.

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- 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 and shall review their actions. Such description shall be contained in continuing resolutions of the Congregation Council.
- 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. appoint or terminate the appointment of associates in ministry in conformity with the applicable policy of the Evangelical Lutheran Church in America;
 - d. approve the annual budget;
 - e. acquire real and personal property by gift, devise, purchase, or other lawful means;
 - f. hold title to and use its property for any and all activities consistent with its purpose;
 - g. sell, mortgage, lease, transfer, or otherwise dispose of its property by any lawful means;
 - h. elect its officers, Congregation Council, boards, and committees, and require them to carry out their duties in accordance with the constitution, bylaws, and continuing resolutions; and
 - i. terminate its relationship with the Evangelical Lutheran Church in America as provided in Chapter 6.

Chapter 6.

CHURCH AFFILIATION

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- C6.01. This congregation shall be an interdependent part of the Evangelical Lutheran Church in America or its successor, and of the S.E. 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.

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- 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 S.E. Minnesota Synod of the Evangelical Lutheran Church in America.
- C7.02. If this congregation is removed from membership in the Evangelical Lutheran Church in America according to its procedure for discipline, title to property shall continue to reside in this congregation.
- C7.03. If 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 S.E. Minnesota 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

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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 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 during the current or preceding calendar year, shall have communed in this congregation and shall have made a contribution of record to this congregation.
 - 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 the Pastor, and shall require the approval of the Pastor and 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;

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- b. live a Christian life in accordance with the Word of God and the teachings of the Lutheran church; and
 - c. support the work of this congregation and of the Evangelical Lutheran Church in America through contributions of their time, abilities, and financial support as biblical stewards.
- C8.05 Membership in this congregation shall be terminated by any of the following:
- a. death;
 - b. resignation;
 - c. transfer or release;
 - d. disciplinary action by the Congregation Council; or
 - e. removal from the roll due to inactivity as defined in the bylaws.
- Such persons who have been removed from the roll of members shall remain persons for whom the church has a continuing pastoral concern.

Chapter 9.

THE PASTOR

- C9.01. Authority to call a pastor shall be in this congregation by at least a two-thirds majority ballot vote of members present and voting at a meeting 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) 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) install regularly elected members of the Congregation Council; and
 - 4) with the council administer discipline.

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- c. Every pastor shall:
 - 1) seek out and encourage qualified persons to prepare for the ministry of the Gospel; and strive to extend the Kingdom of God in the community, in the nation, and abroad;
 - 2) impart knowledge of this church and its wider ministry through distribution of its periodicals and other publications; and
 - 3) endeavor to increase the support given by the congregation to the work of the ELCA churchwide organization and of the SEM Synod of the ELCA.
- C.904. 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.
 - a. The call of a congregation, when accepted by a pastor, shall constitute a continuing mutual relationship and commitment which, except in the case of the death of the pastor, shall be terminated only following consultation with the synodical bishop and for the following reasons:
 - 1) mutual agreement to terminate the call or the completion of a call for a specific term;
 - 2) resignation of the pastor, which shall become effective, unless otherwise agreed, 30 days after the date on which it was submitted;
 - 3) inability to conduct the pastoral office effectively in the congregation in view of local conditions, without reflection on the competence or the moral and spiritual character of the pastor;
 - 4) the physical or mental incapacity of the pastor;
 - 5) disqualification of the pastor through discipline on grounds of doctrine, morality, or continued neglect of duty;
 - 6) the dissolution of the congregation; or
 - 7) suspension of the congregation as a result of discipline proceedings.
 - b. When allegations of physical or mental incapacity of the pastor or ineffective conduct of the pastoral office have come to the attention of the bishop of the synod, the bishop in his or her sole discretion may, or when such allegations have been brought to the synod's attention by an official recital of allegations by the Congregation Council or by a petition signed by at least one-third of the voting members of the congregation, the bishop shall investigate such conditions personally in company with a committee of two ordained ministers and one layperson.

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- c. In case of alleged physical or mental incapacity, competent medical testimony shall be obtained. When such disability is evident, the bishop of the synod with the advice of the committee shall declare the pastorate vacant. Upon the restoration of a disabled pastor to health, the bishop of the synod shall take steps to enable the pastor to resume the ministry, either in the congregation last served or in another field of labor.
 - d. In the case of alleged local difficulties that imperil the effective functioning of the congregation, all concerned persons shall be heard, after which the bishop of the synod together with the committee described in C9.05.b. shall decide on the course of action to be recommended to the pastor and the congregation. If they agree to carry out such recommendations, no further action shall be taken by the synod. If either party fails to assent, the congregation may dismiss the pastor by a two-thirds majority vote of the voting members present at a regularly called meeting after consultation with the bishop.
 - e. If, in the course of proceedings described in C.9.05.d., the committee concludes that there may be grounds for disciplinary action, the committee shall make recommendations concerning disciplinary action to the synodical bishop who may bring charges, in accordance with the provisions of the constitution and bylaws of the Evangelical Lutheran Church in America and the constitution of this synod.
 - f. If, following the appointment of the committee described in C.9.05.b. or d., it should become apparent that the pastoral office cannot be conducted effectively in the congregation(s) being served by the ordained minister due to local conditions, the bishop of the synod may temporarily suspend the pastor from service in the congregation(s) without prejudice and with pay provided through a joint churchwide/synod fund and with housing provided by the congregation(s).
- 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 in the congregation of a regularly called pastor and may delegate the same in part to a supply pastor with the consent of the bishop of the synod and this congregation or Congregation Council. The interim pastor and any ordained pastor providing assistance shall refrain from exerting influence in the selection of a pastor.

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- C9.08 This congregation shall make satisfactory settlement of all financial obligations to a former pastor before calling a successor. A pastor shall make satisfactory settlement of all financial obligations to this congregation.
- C9.09 When a pastor is called to serve in company with another pastor or pastors, the privileges and responsibilities of each pastor shall be specified in documents to accompany the call and to be drafted in consultation involving the pastors, the Congregation Council, and the bishop of the synod. As occasion requires, the documents may be revised through a similar consultation.
- C9.10 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. 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.
- C.9.12 The pastor shall keep accurate parochial records of all baptisms, confirmations, marriages, burials, communicants, members received, members dismissed, or members excluded from the congregation, and shall submit a summary of such statistics annually to the synod. The pastor shall be a member of the congregation that has extended the letter of call. In a parish of multiple congregations, the pastor shall hold membership in one of the congregations
- C.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.

Chapter 10.

CONGREGATION MEETING

- C10.01. The annual 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 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 and by mail to all voting members at least 10 days in advance of the date of the meeting. The posting of such notice in the regular mail,

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with the regular postage affixed or paid, sent to the last known address of such members shall be sufficient.

C10.04. 20 voting members shall constitute a quorum.

C10.05. Voting by proxy or 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. Roberts Rules of Order, latest edition, shall govern parliamentary procedure of all meetings of this congregation.

Chapter 11.

OFFICERS

CI 1.01. The officers of this congregation shall be a president, vice-president, secretary, financial secretary, and treasurer.

a. Duties of the officers shall be specified in the bylaws.

b. Term of office shall specified in the bylaws.

c. The officers shall be voting members of the congregation.

C11.02. Boards of this congregation include the Board of Deacons, the Board of Trustees, and the Board of Education.

a. Duties of the boards shall be specified in the bylaws.

b. Term of office and size of boards shall be specified in the bylaws.

c. Board members shall be voting members of the congregation.

C11.03. Officers and board members shall be elected by the congregation at the annual meeting. Terms of office begin at the close of the annual meeting at which they are elected.

C11.04. No officer or board member shall hold more than one office at a time.

C11.05 In accord with the Apostle's admonition, "Moreover it is required of stewards that they be found trustworthy." [I Corinthians 4:2], it is assumed council members' readiness to accept office is consonant with their intent to be present except under justifiable circumstances.

Chapter 12.

CONGREGATION COUNCIL

C12.01. The voting membership of the Congregation Council shall consist of the officers of the congregation, the Board of Deacons, the Board of Trustees, and the Chairperson of the Board of Education.

C12.02. A members place on the Congregation Council shall be declared vacant if the member a) ceases to be a voting member of this congregation or b) is absent from four successive regular meetings of the Congregation Council without cause.

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

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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 churchwide 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.
- C.12.05 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.

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- 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 \$2,000.00 in excess of the anticipated receipts only after approval by a Congregation Meeting. The budget shall include this congregation's benevolence objective in support of the wider ministry being carried on in partnership with the synod and churchwide 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.
- CI 2.06. 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 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. When a pastoral vacancy occurs, a Call Committee of six voting members shall be elected by this congregation at a meeting called for that purpose. Term of office will terminate upon installation of the newly-called pastor.
- C13.02. Other congregational committees may be formed as the need arises, by decision of the Congregation Council.

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C13.03. Duties, term of office, and the selection process for congregational committees shall be specified in the bylaws or as defined by the Congregation Council in continuing resolutions.

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 and specified in a continuing resolution.

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 10 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

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decision to the Synod Council. Such right may not be abridged and the decision of the Synod Council shall be final.

C15.05. Disciplinary actions may be reconsidered and revoked by the Congregation Council upon receipt of a) evidence that injustice has been done or b) evidence of repentance and amendment.

C15.10. Adjudication

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

Chapter 16

BYLAWS

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

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

C16.03. Changes to the bylaws may be proposed by any voting member provided, however, that such additions or amendments be submitted in writing to the Congregation Council at least 60 days before a regular or special Congregation Meeting called for that purpose and that the Congregation Council notify the members of the proposal with its recommendations at least 30 days in advance of the Congregation Meeting.

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

Chapter 17.

AMENDMENTS

C17.01. Amendments to this constitution may be proposed by at least ten voting members or by the Congregation Council. Proposals must be filed in writing with the Congregation Council 60 days before formal consideration by this congregation at its regular or special meeting called for that purpose. The Congregation Council shall notify the members of the proposal with its 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

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constitution by a majority vote of those present and voting;

- b. be ratified without change at the next annual meeting by a two-thirds majority vote of those present and voting; and
- c. have the effective date included in the resolution and noted in the constitution.

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

C17.04. Whenever the Model Constitution for Congregations is amended by the Churchwide Assembly, this constitution may be amended to reflect any such amendment by a simple majority vote at any subsequent meeting of the congregation without presentation at a prior meeting of the congregation, provided that the Congregation Council has submitted by mail notice to the congregation of such an amendment or amendments at least 30 days prior to the meeting. Following the adoption of an amendment, the secretary of the congregation shall submit a copy thereof to the synod, consistent with C17.03.

Chapter 18.

CONTINUING RESOLUTIONS

C18.01. The Congregation Council may enact continuing resolutions which describe the function of the various committees or organizations of this congregation.

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

****Chapter 19.**

INDEMNIFICATION

C19.01 Consistent with the provisions of the laws under which this congregations 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.

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****Chapter 20.**

PARISH AUTHORIZATION

- C20.01. This congregation may unite in partnership with one or more other congregations recognized by the synod named in C6.01. to form a parish. Except as provided in *C20.02. and *C20.03., a written agreement, developed in consultation with the synod and approved by the voting members of each congregation participating in the parish, shall specify the powers and responsibilities that have been delegated to a Parish Council.
- C20.02. Whenever a letter of call is being recommended for extension to an ordained minister of the Evangelical Lutheran Church in America or a candidate for the roster of ordained ministers who has been recommended to the congregation by the synodical bishop to serve the congregations of a parish, such letter of call shall be first approved by a two-thirds vote at congregational meetings of each of the congregations forming the parish. If any congregation of the parish should fail to approve extending this call, the other congregation(s) in the same parish shall have the right to terminate the parish arrangement.
- C20.03. Any one of the congregations of a parish may terminate the call of a pastor as provided in S14.13.d. of the synodical constitution of the synod named in C6.01. In such case, the other congregation(s) in the same parish shall have the right to terminate the parish arrangement.

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BYLAWS

C4.03.01 Communion

- a. The sacrament of Holy Communion will be offered at least once each month during regular worship services.
- b. Members and visitors are invited to participate in the sacrament and will be advised of the Lutheran teachings regarding preparation and worthiness, which necessarily includes:
 - 1) Acceptance of the real presence of Jesus Christ in, with, and under the bread and wine.
 - 2) Firm belief in the words "given and shed for the remission of sins."
- c. Instruction and preparation for Holy Communion will be provided for baptized members at least ten years of age.
- d. A record of participation in Holy Communion shall be maintained for all members. If a member of another congregation communes, notice shall be sent to their pastor.

C4.03.02 Fellowship

- a. The congregation will cooperate with other (religious) organizations whose purposes are compatible with this constitution.
- b. The use of the buildings and facilities of this congregation shall be limited to this congregation's activities and those of outside groups, approved by the congregation council, who meet the provision above.
- c. Ceremonies of lodges or any organization which does not confess the triune God and Jesus Christ as Lord and Savior shall not be permitted in the buildings or premises of this congregation. The pastor will not take part in such ceremonies inside or outside the buildings or premises.

C8.05.01. Membership

- a. Members who move away shall be encouraged to transfer their membership. A confirmed member in good standing desiring to change membership to another Lutheran congregation shall, upon request, receive a letter of transfer.
- b. A confirmed member who, in the judgment of the congregation council, shows no interest in attending church services, does not partake of Holy Communion, and who does not contribute according to ability to the congregational treasury according to the congregation's records, for a period of two years, shall be presumed to no longer desire membership. The member shall lose the right to vote, and shall

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not be counted in membership statistics of the congregation. However their name shall be kept on file three years thereafter. Such a person shall be encouraged to take measures to reinstate themselves to good standing, to take part in the congregational life, or to transfer elsewhere. During this lapse of regular membership, however, they forfeit privileges accorded regular members including use of the church property for family occasions without charge. Any services rendered shall be chargeable as to non-members.

- c. Baptized children, neither of whose parents or guardians are active members of the congregation, will be retained as baptized members as long as they participate in the Christian education program (Sunday School, etc.) of the congregation.

C10.01.01 Annual Congregation Meeting

- a. The annual congregation meeting shall be held on the third Sunday in January of each year.
- b. In the event of cancellation of the annual meeting due to weather conditions or other factors, notice of the new time and date shall be made by appropriate and effective means.
- c. The order of business at the annual meeting shall normally be:
 - 1) opening devotion
 - 2) approval of the minutes of previous meeting
 - 3) reports of Pastor(s), Council, Treasurer, Secretary, Boards, committees, and others
 - 4) elections
 - 5) approval of budget
 - 6) unfinished business
 - 7) new business
 - 8) closing prayer
- d. All committees and organizations handling funds within the congregation, as well as other boards, committees, or organizations shall submit written reports to the church office prior to the annual meeting according to the schedule established by the church secretary. These reports will be included in the annual report provided to each member of this congregation.

C11.01.01 Officers

- a. The President of the congregation shall:
 - 1) assist the Pastor as liaison between all boards and offices to promote general harmony and cooperation between all boards, officers, and members;

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- 2) chair council and congregation meetings;
 - 3) be elected annually by the congregation; and
 - 4) not be eligible to hold the same office in the congregation until one year has passed from the completion of a second consecutive term.
- b. The Vice-President shall:
- 1) assist the President where assigned;
 - 2) chair council and congregation meetings in the absence of the President;
 - 3) be elected annually by the congregation; and
 - 4) not be eligible to hold the same office in the congregation until one year has passed from the completion of a second consecutive term.
- c. The Secretary shall
- 1) keep a record of the proceedings of council and congregation meetings and maintain archive records of same;
 - 2) include in council meeting minutes the names of council members present at each meeting;
 - 3) provide a summary of council meeting activities to the church secretary for publication in the monthly newsletter;
 - 4) be elected annually by the congregation; and
 - 5) not be eligible to hold the same office in the congregation until one year has passed from the completion of a second consecutive term.
- d. The Treasurer shall:
- 1) keep the accounts pertaining to the maintenance of the local congregation;
 - 2) disburse all such monies in accordance with the resolutions of the congregation;
 - 3) present a duly audited account of the financial status of the congregation to the annual meeting;
 - 4) draft an annual budget for adoption by the council and to be presented at the annual meeting;
 - 5) keep the council and congregation informed on expenditures versus the budget by submitting a monthly report to the church secretary for publication in the newsletter;
 - 6) be elected annually by the congregation; and
 - 7) not be eligible to hold the same office in the congregation until one year has passed from the completion of a fourth consecutive term.

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- e. The Financial Secretary shall:
 - 1) receive all contributions to the congregation;
 - 2) have charge of the collection of monies to the congregation;
 - 3) promote stewardship among members;
 - 4) provide a monthly report to the council and an annual report to the congregation;
 - 5) make available to members, quarterly, a statement of individual contribution;
 - 6) be elected annually by the congregation; and
 - 7) not be eligible to hold the same office in the congregation until one year has passed from the completion of a fourth consecutive term.

C11.02.01 Board of Deacons

- a. The Board of Deacons shall consist of five members elected by the congregation for a term of two years in such a manner that three are elected in odd years and two are elected in even years. A member shall not be eligible for reelection to the Board until one year has passed from the completion of a second consecutive term.
- b. The Board of Deacons shall assist the pastor in the spiritual care of the congregation, look after the sick and needy, and examine and pass upon the qualifications of applicants for membership in the congregation. The president of the congregation shall be an advisory member of this board. No business shall be conducted at meetings of the Board unless at least three members are present. Minutes of the meetings shall be duly recorded and available for examination by members of the council and congregation. Specific responsibilities of the Deacons include the following:
 - 1) Assist the pastor in defining the mission of the congregation, and in providing opportunities and encouragement for the congregation to carry out that mission;
 - 2) Assist the pastor in planning and implementing ways to do ministry such that the spiritual needs of the congregation are met, and that the sick and needy and shut-ins are visited and provided with communion;
 - 3) Provide persons to assist the pastor in the distribution of communion at worship services;
 - 4) Provide worship leaders for services scheduled while the pastor is on vacation;

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- 5) Faithfully attend scheduled meetings of the Board of Deacons and the Congregation Council, as well as the Annual Congregational Meeting, the annual joint Council meeting, and the Confirmation Statement of Faith event;
- 6) Provide prayerful support and encouragement to the pastors and the congregation in our mutual ministry;
- 7) To see that the House of God is not diverted to any uses contrary to its character.

C11.02.02 Board of Trustees

- a. The Board of Trustees shall consist of five members elected by the congregation for a term of two years in such a manner that three are elected in odd years and two are elected in even years. A member shall not be eligible for reelection to the Board until one year has passed from the completion of a second consecutive term.
- b. The Board of Trustees shall be the custodian of the congregation's property, have charge of the finances pertaining to the maintaining of the local congregation and shall care for these in conformity with the Constitution, Bylaws, and regularly adopted resolutions of the congregation. No business shall be conducted at meetings of the board unless at least three members are present. Minutes of the meetings shall be duly recorded and available for examination by members of the council and congregation. Specific duties of the Board of Trustees include:
 - 1) Provide for the maintenance and repair property;
 - 2) Hire and set salaries for organists, choir custodians;
 - 3) Make recommendations to the Congregation Council and joint Council regarding salaries of pastoral staff and secretary;
 - 4) Advise and assist the treasurer in the accounting and disbursement of money offerings received for church expenses and benevolences;
 - 5) Advise and assist the Financial Secretary, the Stewardship Committee, and the pastors in promoting sound Biblical stewardship practices among church members;
 - 6) Faithfully attend scheduled meetings of the Board of Trustees and the Congregation Council, as well as the Annual Joint Council meeting and the Annual Congregation Meeting.

C11.02.03 Board of Education

- A. The Board of Education shall consist of five members elected by

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the congregation for a term of two years in such a manner that three are elected in odd years and two are elected in even years. A member shall not be eligible for reelection to the Board until one year has passed from the completion of a second consecutive term. The Superintendent of the Sunday School and the Pastor shall be ex-officio members of the Board of Education.

- b. The Board of Education shall, in consultation with the pastor(s), establish, maintain, review and evaluate educational programs for the congregation including, but not limited to, Sunday School, Vacation Bible School, Confirmation and Adult Education. The Board of Education shall recruit and train such personnel as are needed to maintain these programs. The Board shall also:
 - 1) Elect one of its members to be Chairperson;
 - 2) Appoint a Sunday School Superintendent who, under the pastor and the Board of Education, shall conduct the Sunday School. The Superintendent shall make an annual report to the congregation.

C13.03.01 Nominating Committee

- a. The Nominating Committee shall consist of five members. Two shall be members of the Congregation Council, elected annually by the council. Three shall be elected annually by the congregation. A member of the Nominating Committee shall not be eligible to be elected to the same committee until one year has passed from completion of a term.
- b. The Nominating Committee shall secure the consent of one or more qualified candidates for each office, board, or committee to be filled by congregation election. The Pastor shall serve as convener, and as an advisory member of the committee.
 - 1) In addition to the candidates submitted by the Nominating Committee, additional nominations may be made from the floor.
 - 2) A vacancy in the congregationally elected membership of the Nominating Committee shall be filled by the Congregation Council.

C13.03.02 Stewardship Committee

- a. The Stewardship Committee shall consist of the Financial Secretary, who shall chair the committee, and the number of members decided by the Congregation Council as necessary to fulfill its particular function. Each member shall be elected by the congregation for a term of two years and shall not be eligible to be elected to the same committee until one year has passed from the completion of a second consecutive term.

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- b. The Stewardship Committee shall assist the Financial Secretary in securing and collecting contributions to the congregation. Specific duties of the committee include:
- 1) Assisting the pastor and the Financial Secretary in educating congregation members in the meaning and principles of Biblical Stewardship;
 - 2) Visiting church members to inform them of the church's financial needs, to encourage them in their giving, and (when applicable) to deliver offering envelopes;
 - 3) Faithfully attend scheduled meetings of the Stewardship Committee, as well as the Annual Congregation Meeting;
 - 4) Advise the Congregation Council and Trustees regarding Stewardship concerns.

C13.03.03 Audit Committee

- a. The Audit Committee shall consist of two members elected by congregation for a term of two years in such a manner that is elected each year. A member of the Audit Committee shall not be eligible to be elected to the same committee until one year has passed from completion of a term.

C13.03.04 Parsonage Committee

- a. The Parsonage Committee shall consist of four members elected by the congregation for a term of two years.

C13.03.05 Memorial Committee

- a. The Memorial Committee shall consist of the Memorial Secretary who shall be elected annually by the congregation for an unlimited number of terms.

C13.03.06 Gilderbus Trust Fund Committee

- a. The Gilderbus Trust Fund Committee shall consist of three members elected by the congregation for a term of three years in such a manner that one is elected each year. A committee member shall not be eligible to be elected to the same committee until one year has passed from completion of a second consecutive term.

C13.03.07 Cemetery Committee

- a. The Cemetery Committee shall consist of three members elected by the congregation for a term of three years in such a manner that one is elected each year. A Cemetery Committee member shall be eligible for an unlimited number of terms.

C13.03.08 World Missions Committee

- a. The World Missions Committee shall consist of the World Missions Secretary who shall be elected annually by the congregation for an unlimited number of terms.

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CONTINUING RESOLUTIONS

B02.1 Parsonage Committee

The Parsonage Committee shall have the responsibility to supervise the maintenance and upkeep of the parsonage and its grounds, to include the tillable acres. The associated costs (excluding utilities, insurance, real estate taxes) will be paid from the committees budget. Projects that exceed the budget of the Committee shall require approval by the Church Councils or the Congregations, depending on the cost and nature of the project.

The budget income shall consist of land rent payments from the parsonage farm property to include CRP payment (except CRP that belongs to East Cemetery). The Committee shall keep funds in a separate bank account and the funds may accrue from year to year. A report of the activities of the Committee to include financial transactions shall be made to the Church Councils quarterly. A report on finances and activities over the past year shall be presented at the Parish Council annual meeting. A written annual report shall be made to each congregation to include all projects and expenditures of the Committee.

The committee shall consist of four members from each congregation elected at their respective annual meetings. Terms of office will be two years with members eligible for multiple terms. The Committee shall elect a chairperson and a secretary/treasurer at the first meeting of the year following the annual meetings. It shall be a rule the chairperson and secretary/treasurer shall be from separate congregations. A quorum of five shall be necessary to transact business. A quorum shall consist of at least two members from each congregation. All payments shall be approved by the Committee and checks co-signed by the chairperson and the secretary/treasurer.

B.02.2 Sunday School teachers of West St. Olaf Congregation will be active members of the Church, be of good standing, and that the Church will not tolerate any type of child abuse, be it physical, emotional, verbal, or sexual.

* **Amended January 15, 2006 C8.02** Changes definition of voting members.

** **Amended January 19, 2003** Added Chapters C19.01, "Indemnification" and C20.01, "Parish Authorization" to Constitution

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CONTINUING RESOLUTIONS

A90 Parsonage Committee

The Parsonage Committee shall have the responsibility to supervise the maintenance and upkeep of the parsonage and its grounds, to include the tillable acres. The associated costs (excluding utilities, insurance, real estate taxes, snow removal, and lawn mowing) will be paid from the Committee's budget. Projects that exceed the budget of the Committee shall require approval by the Church Councils or the Congregations, depending on the cost and nature of the project. The budget income shall consist of land rent payments from the parsonage farm property to include CRP payment (except two acres CRP that belongs to East Cemetery) plus an amount included in the annual budget of each Congregation. The Committee shall keep funds in a separate bank account and the funds may accrue from year to year. A report of the activities of the Committee to include financial transactions shall be made monthly to the Church Councils or at least quarterly if no meetings are held. A written annual report shall be made to each Congregation to include all projects and expenditures of the Committee. The Committee shall consist of four members from each congregation elected at the respective annual meetings. Terms of office will be two years with members eligible for multiple terms. The Committee shall elect a chairperson and a secretary/treasurer at the first meeting of the year following the annual meetings. It shall be a rule the chairperson and secretary/treasurer shall be from separate congregations. A quorum of five shall be necessary to transact business. A quorum shall consist of at least two members from each congregation. All payments shall be approved by the Committee and checks co-signed by the chairperson and the secretary/treasurer.

St. Olaf Parish
Agreement
of
East St. Olaf
And
West St. Olaf

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STATEMENT

St. Olaf Parish is a two-point parish consisting of the Congregations of East St. Olaf and West St. Olaf.

The ultimate authority of this parish is held by the Congregations of East St. Olaf and West St. Olaf.

The governing and guiding body of this parish is the Parish Council, which consists of the congregation councils of East St. Olaf and West St. Olaf.

PARISH COUNCIL DUTIES

It shall be the duty of the Parish Council to:

- a) Promote peace, goodwill, and cooperation between the congregations and their pastor(s).
- b) Serve as the board of directors of this parish and as such shall be responsible for maintaining and protecting it's property and the management of it's business and fiscal affairs.
- c) Consider the need for any percentage differences that may arise due to memberships, usages, or other factors.
- d) Hire and affix salaries of all parish employees.
- e) Recommend salary and benefit packages for pastor(s) to be considered at the respective annual meetings of the congregations.
- f) Provide for an annual review with the pastor(s).
- g) Provide for an annual review with any employee of the parish.
- h) Receive and review a Parsonage Committee report at the Parish Council annual meeting, outlining finances and past year activities.
- i) Consider scheduling of joint services (Easter, Thanksgiving, Christmas, etc).

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PARISH COUNCIL MEETINGS

The Parish Council annual meeting shall normally be held in December.

The Parish Council annual meeting shall be held at the respective churches in alternating years.

The President and Secretary of the host church shall assume those responsibilities for that Parish Council meeting.

The presiding President has voice but no vote except in the cases of a tie. The visiting President shall have voice and vote.

In the event other meetings are needed, the Presidents of each council shall schedule same and provide all council members with appropriate notice.

The pastors shall be advisory members of the Parish Council, with no vote.

A quorum for the Parish Council is one voting member over half of the voting members of the Parish Council.

All votes pertaining to salaries and/or benefit packages of pastor(s) or parish employees shall be conducted by written ballot.

Any questionable issue shall be decided by written ballot.

VOTING EQUITY

The voting strength of East St. Olaf and West St. Olaf shall always be equal in parish meetings. This applies not only to the Parish Council, but to any meetings of boards or committees that represent the respective congregations.

In cases where there are more members from one church than the other eligible to vote in a parish meeting, a point system counting eligible voting members will be used. For example at Parish Council meetings: West St. Olaf Council consists of 16 members and East St. Olaf consists of 10 members. Therefore, each West St. Olaf member holds one vote; each East St. Olaf member holds 1.6 votes. The number of members in attendance at the meeting will have no bearing on the individual vote value. Voting equity shall be based on members, not members in attendance.

PARISH COUNCIL ANNUAL MEETING AGENDA

The order of business at the annual meeting of the Parish Council shall normally be:

- a) Opening devotions
- b) Approval of minutes of the previous annual meeting

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- c) Pastor's report
- d) Membership numbers of the respective congregations
- e) Parsonage Committee report
- f) Pastor's salary and benefit package
- g) Parish employee's salary
- h) Unfinished business
- i) New business
- j) Closing prayer

PARISH CONGREGATIONAL VOTES

The following votes shall be conducted jointly between the congregations of East St. Olaf and West St. Olaf:

- a) The salary and benefit package for the pastor(s).
- b) Changes to the Letter of Call

The following procedure shall be used for joint votes:

- a) Language of the ballot shall be approved by the Parish Council, Joint Call Committee or Joint Committee authorized for that purpose.
- b) All ballots shall be identical and prepared in advance.
- c) The number of ballots cast shall be counted at each meeting and recorded by the tellers.
- d) The ballots shall be secured and counted by a joint committee appointed for that purpose.

Exceptions to this procedure are:

- A) Approval of a letter of call: as directed in C20.02
- B) Termination of the call of a pastor; as directed in C20.03.

AMENDMENTS

Amendments or changes of any kind to this written agreement, Chapter 20 by-laws or continuing resolutions, or any parish related governing document must be proposed by the East St. Olaf and West St. Olaf Councils in conjunction or by a joint committee formed and represented by both churches for that purpose.

East St. Olaf and West St. Olaf constitutions must contain identical language with no additions or deletions in regard to any Parish Constitution, By-law, Continuing Resolution, or written agreement section.

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This document shall be affixed to the Constitutions of East St. Olaf and West St. Olaf.
Written in the year 2002.