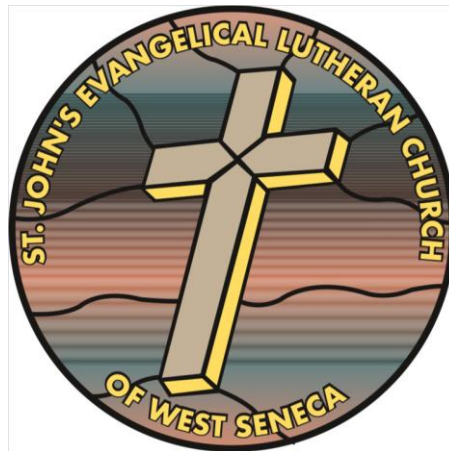




Evangelical Lutheran Church in America

God's work. Our hands.

CONSTITUTION FOR SAINT JOHN'S EVANGELICAL LUTHERAN CHURCH 2022



***PREAMBLE**

St. John's Evangelical Lutheran Church began when baptized members of the Church of Christ met on the 21st day of August, 1864, to organize a German speaking Lutheran congregation in this community, and also met on the 4th day of September, 1864, to adopt a constitution and became incorporated on the 12th day of December, 1864, under the style and title of Evangelische Lutherische St. Joannes Gemeinde in Middle Ebenezer.

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

Chapter 1.

NAME AND INCORPORATION

- C1.01.** The name of this congregation shall be Saint John's Evangelical Lutheran Church.
- C1.02.** For the purpose of this constitution and the accompanying bylaws, the congregation of Saint John's Evangelical Lutheran Church is hereinafter designated as "this congregation."
- C1.03.** The seal of this congregation presents a circle, circumscribed inside the perimeter with the words, "St. John Ev Lutheran Church Gardenville New York". Horizontally, in the center of the circle, is written "Founded 1864".
- C1.11.** This congregation shall be incorporated under the laws of the State of New York.

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 Scripture 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.
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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.** This church confesses the one, holy, catholic, and apostolic Church and is resolved to serve Christian unity throughout the world.
- *C3.03.** The Church exists both as an inclusive fellowship and as local congregations gathered for worship and Christian service. Congregations find their fulfillment in the universal community of the Church, and the universal Church exists in and through congregations. The Evangelical Lutheran Church in America, therefore, derives its character and powers both from the sanction and representation of its congregations and from its inherent nature as an expression of the broader fellowship of the faithful. In length, it acknowledges itself to be in the historic continuity of the communion of saints; in breadth, it expresses the fellowship of believers and congregations in our day.
- *C3.04.** This church, inspired and led by the Holy Spirit, participates in The Lutheran World Federation as a global communion of churches, engaging in faithful witness to the gospel of Jesus Christ and in service for the sake of God's mission in the world.
- *C3.05.** The name Evangelical Lutheran Church in America (ELCA or "this church") as used herein refers in general references to this whole church, including its three expressions: congregations, synods, and the churchwide organization. The name Evangelical Lutheran Church in America is also the name of the corporation of the churchwide organization to which specific references may be made herein.

Chapter 4.

STATEMENT OF PURPOSE

- *C4.01.** The Church is a people created by God in Christ, empowered by the Holy Spirit, called and sent to bear witness to God's creative, redeeming, and sanctifying activity in the world.
- *C4.02.** To participate in God's mission, this congregation as a part of the Church shall:
 - a. Worship God in proclamation of the Word and administration of the sacraments and through lives of prayer, praise, thanksgiving, witness, and service.
 - b. Proclaim God's saving Gospel of justification by grace for Christ's sake through faith alone, according to the apostolic witness in the Holy Scripture, preserving and transmitting the Gospel faithfully to future generations.
 - c. Carry out Christ's Great Commission by reaching out to all people to bring them to faith in Christ and by doing all ministry with a global awareness consistent with the understanding of God as Creator, Redeemer, and Sanctifier of all.
 - d. Serve in response to God's love to meet human needs, caring for the sick and the aged, advocating dignity and justice for all people, working for peace and reconciliation among the nations, 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 this congregation's ministry and the ministry of the other expressions of the Evangelical Lutheran Church in America.

- h. Foster and participate in interdependent relationships with other congregations, the synod, and the churchwide organization of the Evangelical Lutheran Church in America.
 - i. Foster and participate in ecumenical relationships consistent with churchwide policy.
- *C4.04.** This congregation shall develop an organizational structure to be described in the bylaws. The Congregation Council shall prepare descriptions of the responsibilities of each committee, task force, or other organizational group and shall review their actions. Such descriptions shall be contained in continuing resolutions in the section on the Congregation Committees.
- *C4.05.** This congregation shall adopt and periodically review a mission statement which will provide specific direction for its programs.
- *C4.06.** References herein to the nature of the relationship between the three expressions of this church—congregations, synods, and the churchwide organization—as being interdependent or as being in a partnership relationship describe the mutual responsibility of these expressions in God’s mission and the fulfillment of the purposes of this church as described in this chapter, and do not imply or describe the creation of partnerships, co-ventures, agencies, or other legal relationships recognized in civil law.

Chapter 5.

POWERS OF THE CONGREGATION

- *C5.01.** The powers of this congregation are those necessary to fulfill its purpose.
- *C5.02.** The powers of this congregation are vested in the Congregation Meeting called and conducted as provided in this constitution and bylaws.
- *C5.03.** Only such authority as is delegated to the Congregation Council or other organizational units in this congregation’s governing documents is recognized. All remaining authority is retained by this congregation. This congregation is authorized to:
- a. call a pastor as provided in Chapter 9;
 - b. terminate the call of a pastor as provided in Chapter 9;
 - c. call a minister of Word and Service;
 - d. terminate the call of a minister of Word and Service in conformity with the constitution of the Evangelical Lutheran Church in America;
 - e. adopt amendments to the constitution, as provided in Chapter 16, amendments to the bylaws, as specified in Chapter 17, and continuing resolutions, as provided in Chapter 18;
 - f. approve the annual budget;
 - g. acquire real and personal property by gift, devise, purchase, or other lawful means;
 - h. hold title to and use its property for any and all activities consistent with its purpose;
 - i. sell, mortgage, lease, transfer, or otherwise dispose of its property by any lawful means;
 - j. elect its officers, and Congregation Council, and require them to carry out their duties in accordance with the constitution, bylaws, and continuing resolutions; and
 - k. terminate its relationship with the Evangelical Lutheran Church in America as provided in Chapter 6.
- *C5.04.** This congregation shall elect from among its voting members laypersons to serve as voting members of the Synod Assembly as well as persons to represent it at meetings of any conference, cluster, coalition, or other area subdivision of which it is a member. The number of persons to be elected by this congregation and other qualifications shall be as prescribed in guidelines established by the Upstate New York Synod of the Evangelical Lutheran Church in America.
- C5.05.** This congregation shall have a mission endowment fund known as the St. John’s Cornerstone Mission Fund that will operate as specified in this congregation’s bylaws.
- C5.05.01** St. John’s Cornerstone Mission Fund - Christian stewardship involves the faithful management (conserving, developing and distributing) of all of God’s gifts to humankind: the created world, the gospel, life, time, abilities, and money. The Cornerstone Fund of St. John’s is an opportunity to exercise Christian stewardship through a perpetual fund from which ordinary income (interest and dividends) are distributed to fund ministry at home and around the world, above and beyond the programs supported through regular offerings. The fund allows for faithful giving in response to God’s goodness. Examples may include the following: Bequests; assignments of life insurance benefits or certificates of deposit; transfers of property such as cash, stocks, bonds and real estate; memorial gifts; charitable gift annuities;

and charitable remainder trusts. The endowment to achieve these goals shall be called the St. John's Cornerstone Mission Fund.

Purpose -The Cornerstone Fund shall serve as a resource to support three areas of ministry. They are: building and maintenance, youth scholarships, and mission outreach. Building and maintenance shall seek to supply the present and future needs for the buildings owned and maintained by St. John's that are beyond the resources of the annual budget. Youth scholarships refer to the scholarships distributed to the graduating students of the congregation as outlined in this bylaw. Mission outreach shall seek to promote the spread of the gospel at home and around the world through giving to the Upstate NY Synod and the Evangelical Lutheran Church in America. Outreach projects or staffing needs to support local initiatives through the congregation may also be funded as part of mission outreach. The Fund is not intended to support the annual budget. The Fund shall serve as a resource to meet special needs and unique mission opportunities above and beyond the scope of the annual budget.

Continuing Support - Bequests, transfers, certificates of deposit, charitable gift annuities shall be some of the means by which the leadership and members of St. John's shall be encouraged to support the Fund. Gifts to the Memorial Fund shall remain at the discretion of the family in whose name it was given for up to three months. After three months the Congregation Council shall have the option to transfer any funds that have accumulated in the Memorial Fund into the Cornerstone Fund. As a general guideline, a minimum balance of \$500 may be maintained in the Memorial Fund.

Management of the Fund - A Committee composed of six members shall manage operation of the Fund, the Cornerstone Fund Committee. They shall all be voting members, as defined by the constitution, of St. John's congregation, no more than two of whom shall be members of the Congregation Council. At each annual meeting of the congregation the congregation shall elect the necessary number of members for a term of three years. The Senior Pastor and the President of the Congregation Council shall nominate for the Committee and provide a report of the actions of the Committee and assets of the Fund at each annual meeting of the congregation. The members nominated shall be voted on for approval at the annual meeting of the congregation. In the event of a vacancy on the Committee, the congregation council shall appoint a member to fill the vacancy until the next annual meeting of the congregation, at which time the congregation shall elect a member to fulfill the term of the vacancy. Members of the Committee may serve unlimited consecutive terms as long as they are nominated by the Pastor and Council President and approved by vote at the annual meeting.

The Cornerstone Fund Committee shall meet at least quarterly, or more frequently as necessary. A quorum shall consist of four members. When only four members are present, a unanimous vote shall be required to carry any motion or resolution. The Committee shall meet each year in the month of May in order to elect from its membership a chairperson, recording secretary and financial secretary/treasurer. The chairperson, or the member designated by the chairperson, shall preside at all meetings of the Committee. Officers shall be elected at the May meeting.

The recording secretary of the Committee shall maintain complete and accurate minutes of all meetings and supply a copy thereof to each member of the Committee. Each member shall keep a complete copy of minutes to be delivered to his/her successor. The recording secretary shall also supply a copy of the minutes to the Congregation Council. The financial secretary/treasurer of the Committee shall maintain a complete and accurate account of the Fund and any two officers shall sign checks and all other necessary documents on behalf of the congregation in furtherance of the purposes of the Fund. A certified public accountant or other appropriate person who is NOT a member of the Committee shall audit the books of the Fund annually.

The Committee shall report on a quarterly basis to the Congregation Council. A complete and audited account of the administration of the Fund shall be presented at the annual meeting each year, which shall detail the administration of the Fund during the preceding year.

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

Members of the Committee shall not be liable for any losses which may be incurred upon the investment of the assets of the Fund, except to the extent such losses shall have been caused by bad faith or gross negligence. No member shall be personally liable as long as he/she acts in good faith and with ordinary prudence. Each member shall be liable only for his/her own willful misconduct or omissions, and shall not be liable for the acts or omissions of other members. No member shall engage in any self-dealing or any transactions with the Fund in which the member has direct or indirect financial interest and shall at times refrain from any conduct in which his/her personal interests would conflict with the interest of the Fund.

All assets are to be held in the name of The St. John's Cornerstone Mission Fund.

Decisions to hold, sell, exchange, rent, lease, transfer, convert, invest, reinvest and in all other respects to manage and control the assets of the fund, including stocks, bonds, debentures, mortgages, note or other securities, as in their judgment and direction they deem wise and prudent, are to be made by the Committee with subsequent written notification to the Congregation Council.

Distribution of Income - The Committee shall determine what is principal and what is dividend income according to accepted accounting procedures is. Programs for support shall be recommended by the Committee and approved by the Congregation Council for funding, provided that such recommendations are not in conflict with the purpose(s) of the congregation set forth in the constitution. The annual disbursement of income from the Fund need not equal total income available for that year. In that case, the income shall automatically be reinvested in the principal of the Fund. In determining the amount of income available for disbursement the following formula shall be observed.

Percentage of Income to be distributed

25% shall be reinvested into the principal of the Cornerstone Mission Fund.

75% shall be designated to benefit at least one or all three of the following:

1. **Building and maintenance.** Building and maintenance shall seek to supply the present and future needs for the buildings owned and maintained by St. John's that are beyond the scope of the annual budget.
2. **Youth scholarships.** Youth scholarships refer to the scholarships distributed to the graduating senior students of the congregation as outlined in accompanying documentation.
3. **Mission outreach.** Mission outreach shall seek to promote the spread of the Gospel at home and around the world through giving to the Upstate NY Synod and the Evangelical Lutheran Church in America. Outreach projects or staffing needs to support local ministries through the congregation may also be funded as part of mission outreach.

Distribution of Principal - When, in the opinion of the Committee, circumstances are of dire emergency that warrants drastic measures, and the only resource seems to be use of the Fund principal, the Committee may, with an affirming vote from at least five of the six members, recommend such authorization action to the Congregation Council.

Disposition or Transfer of the Fund - In the event that St. John's Evangelical Lutheran Church ceases to exist either through merger or dissolution disposition or transfer of the Fund shall be at the discretion of the Congregation Council in conformity with the approved constitution of the congregation and in consultation with the Bishop of the Synod to which this congregation belongs at such time. Consultation with the Evangelical Lutheran Church in America, or successor body, may be desirable for continuation of the St. John's Cornerstone Mission Fund,

Criteria for Youth Scholarships

Applicants must complete a two-page application that is signed and dated by both the applicant and the applicant's parent or guardian, attesting to the following:

1. High School graduation achieved.
2. Enrolled or plans to enroll in at least part-time in a two year or four year college or university program, or enlist in the military.
3. Confirmed member of St. John's Evangelical Lutheran Church
4. In the 12 months leading up to the application, applicant has been actively involved in the ministry of St. John's in any one of the following: Youth Group, Sunday School Teacher/Aide, Assisting Minister, Usher, Crucifer, Band or Choir.
5. Applicant must also write an at least 50 word essay describing how/what St. John's means to them personally and/or spiritually.

Applications are due by June 30th of each year, reviewed by the Cornerstone Committee in July of each year, and scholarships are awarded in August of each year.

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 Upstate New York 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 roster of Ministers of Word and Sacrament of the Evangelical Lutheran Church in America in accordance with its call procedures except in special circumstances and with the approval of the bishop of the synod. These special circumstances are limited either to calling a candidate approved for the roster of Ministers of Word and Sacrament of the Evangelical Lutheran Church in America or to contracting for pastoral services with a minister of Word and Sacrament of a church body with which the Evangelical Lutheran Church in America officially has established a relationship of full communion.
 - d. This congregation agrees to consider ministers of Word and Service for call to other staff positions in this congregation according to the procedures of the Evangelical Lutheran Church in America.
 - e. This congregation agrees to file this constitution and any subsequent changes to this constitution with the synod for review to ascertain that all of its provisions are in agreement with the constitution and bylaws of the Evangelical Lutheran Church in America and with the constitution of the synod.
- *C6.04. Affiliation with the Evangelical Lutheran Church in America is terminated as follows:
 - a. This congregation takes action to dissolve.
 - b. This congregation ceases to exist.
 - c. This congregation is removed from membership in the Evangelical Lutheran Church in America according to the procedures for discipline of the Evangelical Lutheran Church in America or in accordance with provision 9.23. of the constitution and bylaws of the Evangelical Lutheran Church in America.
 - d. The Upstate New York Synod takes charge and control of the property of this congregation to hold, manage, and convey the same on behalf of the synod pursuant to ¶S13.24. of the synod constitution. This congregation shall have the right to appeal the decision to the next Synod Assembly.
 - e. This congregation follows the procedures outlined in *C6.05.
- *C6.05. This congregation may terminate its relationship with the Evangelical Lutheran Church in America by the following procedure:
 - a. A resolution indicating the intent to terminate its relationship must be adopted at two legally called and conducted special meetings of this congregation by a two-thirds vote of the voting members present at each meeting. The first such meeting may be held no sooner than 30 days after written

notice of the meeting is received by the bishop of the synod, during which time this congregation shall consult with the bishop and the bishop's designees, if any. The times and manner of the consultation shall be determined by the bishop in consultation with the Congregation Council. Unless he or she is a voting member of this congregation, the bishop and the bishop's designees, if any, shall have voice but not vote at the first meeting.

- b. Within 10 days after the resolution has been voted upon at the first meeting, the secretary of this congregation shall submit a copy of the resolution to the bishop, attesting that the special meeting was legally called and conducted and certifying the outcome of the vote, and shall send copies of the resolution and certification to voting members of this congregation.
 - c. If the resolution was adopted by a two-thirds vote of the voting members present at the first meeting, the bishop of the synod and this congregation shall continue in consultation, as specified in paragraph a. above, during a period of at least 90 days after receipt by the bishop of the attestation and certification as specified in paragraph b. above.
 - d. If this congregation, after such consultation, is still considering termination of its relationship with this church, such action may be taken at a legally called and conducted special meeting by a two-thirds vote of the voting members present. Notice of the second meeting shall be sent to all voting members and to the bishop at least 10 days in advance of the meeting. Unless he or she is a voting member of this congregation, the bishop and the bishop's designees, if any, shall have voice but not vote at the second meeting.
 - e. Within 10 days after the resolution has been voted upon, the secretary of this congregation shall submit a copy of the resolution to the bishop, attesting that the second special meeting was legally called and conducted and certifying the outcome of the vote, and shall send copies of the resolution and certification to the voting members of the congregation. If the resolution was adopted by a two-thirds vote of the voting members present at the second meeting, the relationship between the congregation and this church shall be terminated subject to Synod Council approval as required by paragraphs f. and g. below.
 - f. Unless this notification to the bishop also certifies that this congregation has voted to affiliate with another Lutheran denomination, this congregation shall be deemed an independent or non-Lutheran church, in which case *C7.04 shall apply.
 - g. This congregation shall abide by these covenants by and among the three expressions of this church:
 - 1) Congregations seeking to terminate their relationship with this church which fail or refuse to comply with each of the foregoing provisions in *C6.05. shall be required to receive Synod Council approval before terminating their membership in this church.
 - 2) Congregations which had been members of the Lutheran Church in America shall be required, in addition to complying with the foregoing provisions in *C6.05., to receive synod approval before terminating their membership in this church.
 - 3) Congregations established by the Evangelical Lutheran Church in America shall be required, in addition to complying with the foregoing provisions in *C6.05., to satisfy all financial obligations to this church and receive Synod Council approval before terminating their membership in this church.
 - h. If this congregation fails to achieve the required two-thirds vote of voting members present at this congregation's first meeting as specified in paragraph a. above or fails to achieve the required two-thirds vote of voting members present at this congregation's second meeting as specified in paragraph d. above, another attempt to consider termination of relationship with this church must follow all requirements of *C6.05. and may begin no sooner than six months after the meeting at which the two-thirds vote was not achieved.
- *C6.06.** If this congregation considers relocation, it shall confer with the bishop of the synod in which it is territorially located and the appropriate unit of the churchwide organization before any steps are taken leading to such action. The approval of the Synod Council shall be received before any such action is taken.
- *C6.07.** If this congregation considers developing an additional site to be used regularly for worship, it shall confer with the bishop of the synod in which it is territorially located and the appropriate unit of the churchwide organization before any steps are taken leading to such action.

Chapter 7.

PROPERTY OWNERSHIP

- *C7.01. If this congregation ceases to exist, title to undisposed property shall pass to the Upstate New York Synod of the Evangelical Lutheran Church in America.
- *C7.02. If this congregation is removed from membership in the Evangelical Lutheran Church in America according to its procedure for discipline or pursuant to 9.23 of the constitution and bylaws of the Evangelical Lutheran Church in America, title to property shall continue to reside in this congregation.
- *C7.03. If the voting members of this congregation present at a legally called and conducted special meeting of this congregation vote to transfer to another Lutheran church body, title to property shall continue to reside in this congregation, provided the process for termination of relationship in *C6.05. has been followed. Before this congregation takes action to transfer to another Lutheran church body, it shall consult with representatives of the Upstate New York Synod.
- *C7.04. If the voting members of this congregation present at a legally called and conducted special meeting of this congregation vote to become independent or relate to a non-Lutheran church body and have followed the process for termination of relationship in *C6.05., title to property of this congregation shall continue to reside in this congregation only with the consent of the Synod Council. The Synod Council, after consultation with this congregation by the process established by the synod, may give approval to the request to become independent or to relate to a non-Lutheran church body, in which case title shall remain with the majority of this congregation. If the Synod Council fails to give such approval, title shall remain with those members who desire to continue as a congregation of the Evangelical Lutheran Church in America. In neither case does title to this congregation's property transfer to the synod.
- C7.05. Notwithstanding the provisions of *C7.02. and *C7.03. above, where this congregation has received property from the synod pursuant to a deed or other instrument containing restrictions under provision 9.71.a. of the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*, this congregation accepts such restrictions and:
 - a. Shall not transfer, encumber, mortgage, or in any way burden or impair any right, title, or interest in the property without prior approval of the Synod Council.
 - b. Shall—upon written demand by the Synod Council, pursuant to †S13.23. of the constitution of the Upstate New York Synod—reconvey and transfer all right, title, and interest in the property to the synod.

Chapter 8. MEMBERSHIP

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

membership to such persons provided that this congregation is a member of a synod where the Synod Council has approved seasonal member voting on its territory. Such seasonal members shall have all the privileges and duties of voting members except that:

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

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

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

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

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

- a. death;
- b. resignation;
- c. transfer or release;
- d. disciplinary action in accordance with Chapter 20 of the constitution and bylaws of the Evangelical Lutheran Church in America; or
- e. removal from the roll due to inactivity in accordance with the provisions of this constitution and its bylaws.

Such persons who have been removed from the roll of members shall remain persons for whom the Church has a continuing pastoral concern.

C 8.05.01

Baptized members who have not participated in the life of this congregation for 10 years shall be contacted, if possible, in an effort to restore them to active membership. If no response is received, they may be removed from the rolls by action of the congregation council.

C 8.05.02

Confirmed members who have not communed of record and have not made a contribution of record for 2 consecutive years shall receive a letter advising them that they are considered to be inactive. Inactive members who remain inactive for 1 year after receiving the letter shall be removed from the rolls by action of the congregation council and shall be notified accordingly in writing. Should an inactive member commune of record and make a contribution of record during the year after receiving the notification of their inactive status, their status shall revert to confirmed membership.

Chapter 9.

ROSTERED MINISTER

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

- *C9.02.** Only a member of the roster of Ministers of Word and Sacrament of the Evangelical Lutheran Church in America or a candidate for the roster of Ministers of Word and Sacrament who has been recommended for this congregation by the synod bishop may be called as a pastor of this congregation.
- *C9.03.** Consistent with the faith and practice of the Evangelical Lutheran Church in America,
- a. Every minister of Word and Sacrament shall:
 - 1) preach the Word;
 - 2) administer the sacraments;
 - 3) conduct public worship;
 - 4) provide pastoral care;
 - 5) seek out and encourage qualified persons to prepare for the ministry of the Gospel;
 - 6) impart knowledge of this church and its wider ministry through available channels of effective communication;
 - 7) witness to the Kingdom of God in the community, in the nation, and abroad; and
 - 8) speak publicly to the world in solidarity with the poor and oppressed, calling for justice and proclaiming God's love for the world.
 - b. Each pastor with a congregational call shall, within the congregation:
 - 1) offer instruction, confirm, marry, visit the sick and distressed, and bury the dead;
 - 2) relate to all schools and organizations of this congregation;
 - 3) install regularly elected members of the Congregation Council;
 - 4) with the council, administer discipline;
 - 5) endeavor to increase the support given by the congregation to the work of the churchwide organization of the Evangelical Lutheran Church in America (ELCA) and of the Upstate New York Synod of the ELCA.
 - 6) encourage adherence to covenantal relationship with this church as expressed in the *Constitutions, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*.
- *C9.04.** The specific duties of the pastor, compensation, and other matters pertaining to the service of the pastor shall be included in a letter of call, which shall be attested by the bishop of the synod.
- *C9.05.** The provisions for termination of the mutual relationship between a minister of Word and Sacrament and this congregation shall be as follows:
- a. The call of this congregation, when accepted by a pastor, shall constitute a continuing mutual relationship and commitment, which shall be terminated only by the pastor's death or, following consultation with the synod bishop, for the following reasons:
 - 1) mutual agreement to terminate the call or the completion of a call for a specific term;
 - 2) resignation of the pastor, which shall become effective, unless otherwise agreed, no later than 30 days after the date on which it was submitted;
 - 3) inability to conduct the pastoral office effectively in this congregation in view of local conditions;
 - 4) physical disability or mental incapacity of the pastor;
 - 5) suspension of the pastor through discipline for more than three months;
 - 6) resignation or removal of the pastor from the roster of Ministers of Word and Sacrament of this church;
 - 7) termination of the relationship between this church and this congregation;
 - 8) dissolution of this congregation or the termination of a parish arrangement; or
 - 9) suspension of this congregation through discipline for more than six months.
 - b. When allegations of physical disability or mental incapacity of the pastor under paragraph a.4) above, or ineffective conduct of the pastoral office under paragraph a.3) above, have come to the attention of the bishop of this synod,
 - 1) the bishop in his or her sole discretion may investigate such conditions personally together with a committee of two rostered ministers and one layperson, or
 - 2) when such allegations have been brought to the synod's attention by an official recital of allegations by the Congregation Council or by a petition signed by at least one-third of the voting members of this congregation, the bishop personally shall investigate such conditions together with a committee of two rostered ministers and one layperson.
 - c. In case of alleged physical disability or mental incapacity under paragraph a.4) above, the bishop's committee shall obtain and document competent medical opinion concerning the pastor's condition.

When a disability or incapacity is evident to the committee, the bishop of this synod may declare the pastorate vacant. When the pastorate is declared vacant, the Synod Council shall list the pastor on the roster of Ministers of Word and Sacrament with disability status. Upon removal of the disability and the restoration of the pastor to health, the bishop shall take steps to enable the pastor to resume the ministry, either in the congregation last served or in another appropriate call.

- d. In the case of alleged local difficulties that imperil the effective functioning of this congregation under paragraph a.3) above, the bishop's committee shall endeavor to hear from all concerned persons, after which the bishop together with the committee shall present their recommendations first to the pastor and then to this congregation. The recommendations of the bishop's committee must address whether the pastor's call should come to an end and, if so, may suggest appropriate severance arrangements. The committee may also propose other actions that should be undertaken by this congregation and by the pastor, if appropriate. If the pastor and congregation agree to carry out such recommendations, no further action need be taken by the synod.
 - e. If either party fails to assent to the recommendations of the bishop's committee concerning the pastor's call, this congregation may dismiss the pastor only at a legally called meeting after consultation with the bishop, either (a) by a two-thirds vote of the voting members present and voting where the bishop and the committee did not recommend termination of the call, or (b) by a majority vote of the voting members present and voting where the bishop and the committee recommended termination of the call.
 - f. If, in the course of proceedings described in paragraph c. or paragraph d. above, the bishop's committee concludes that there may be grounds for discipline, the committee shall make recommendations concerning disciplinary action in accordance with the provisions of this church's constitution, bylaws, and continuing resolutions.
- *C9.06.** At a time of pastoral vacancy, an interim pastor shall be appointed by the bishop of the synod with the consent of this congregation or the Congregation Council.
- *C9.07.** During the period of service, an interim pastor shall have the rights and duties in this congregation of a regularly called pastor and may delegate the same in part to a supply pastor with the consent of the bishop of the synod and this congregation or Congregation Council. The interim pastor and any rostered minister providing assistance shall refrain from exerting influence in the selection of a pastor. Unless previously agreed upon by the Synod Council, an interim pastor is not available for a regular call to the congregation served.
- *C9.08.** This congregation shall make satisfactory settlement of all financial obligations to a former pastor before calling a successor. A pastor shall make satisfactory settlement of all financial obligations to this congregation before beginning service in a call to another congregation or employment in another ministry setting.
- *C9.09.** When a pastor is called to serve in company with another pastor or pastors, the privileges and responsibilities of each pastor shall be specified in documents to accompany the call and to be drafted in consultation involving the pastors, the Congregation Council, and the bishop of the synod. As occasion requires, the documents may be revised through a similar consultation.
- *C9.11.** With the approval of the bishop of the synod, this 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 this congregation for a review of the call. Such a call may also be terminated before its expiration in accordance with the provisions of *C9.05.a.
- *C9.12.** The pastor of this congregation:
- a. shall keep accurate parochial records of all baptisms, confirmations, marriages, burials, communicants, members received, members dismissed, or members excluded from this congregation;
 - b. shall submit a summary of such statistics annually to the synod; and
 - c. shall become a member of this congregation upon receipt and acceptance of the letter of call. In a parish of multiple congregations, the pastor shall hold membership in one of the congregations.
- *C9.13.** The pastor(s) shall submit a report of his or her ministry to the bishop of the synod at least 90 days prior to each regular meeting of the Synod Assembly.
- *C9.14.** The parochial records of this congregation shall be maintained by the pastor and shall remain the property of this congregation. The secretary of this congregation shall attest in writing to the bishop of

this synod that such records have been placed in his or her hands in good order by a departing pastor before the installation of that pastor in another call or approval of a request for change in roster status.

- C9.15.** Under special circumstances, subject to the approval of the synod bishop and the concurrence of this congregation, a minister of Word and Sacrament of a church body with which the Evangelical Lutheran Church in America officially has established a relationship of full communion may serve temporarily as pastor of this congregation under a contract between this congregation and the pastor in a form proposed by the synod bishop and approved by this congregation.
- *C9.21.** Authority to call a deacon shall be in this congregation by at least a two-thirds vote of voting members present and voting at a meeting legally called for that purpose. Before a call is issued, the officers, or a committee elected by [this congregation][the Congregation Council] to recommend the call, shall seek the advice and help of the bishop of the synod.
- *C9.22.** Only a member of the roster of Ministers of Word and Service of the Evangelical Lutheran Church in America or a candidate for the roster of Ministers of Word and Service who has been recommended for this congregation by the synod bishop may be called as a deacon of this congregation.
- *C9.23.** Consistent with the faith and practice of the Evangelical Lutheran Church in America, every minister of Word and Service shall:
- a. Be rooted in the Word of God, for proclamation and service;
 - b. Advocate a prophetic diakonia that commits itself to risk-taking and innovative service on the frontiers of the Church's outreach, giving particular attention to the suffering places in God's world;
 - c. Speak publicly to the world in solidarity with the poor and oppressed, calling for justice and proclaiming God's love for the world, witnessing to the realm of God in the community, the nation, and abroad;
 - d. Equip the baptized for ministry in God's world that affirms the gifts of all people;
 - e. Encourage mutual relationships that invite participation and accompaniment of others in God's mission;
 - f. Practice stewardship that respects God's gift of time, talents, and resources;
 - g. Be grounded in a gathered community for ongoing diaconal formation;
 - h. Share knowledge of this church and its wider ministry of the gospel and advocate for the work of all expressions of this church; and
 - i. Identify and encourage qualified persons to prepare for ministry of the gospel.
- *C9.24.** The specific duties of the deacon, compensation, and other matters pertaining to the service of the deacon shall be included in a letter of call, which shall be attested by the bishop of the synod.
- *C9.25.** The provisions for termination of the mutual relationship between a minister of Word and Service and a congregation shall be as follows:
- a. The call of this congregation, when accepted by a deacon, shall constitute a continuing mutual relationship and commitment, which shall be terminated only by the deacon's death or, following consultation with the synod bishop, for the following reasons:
 - 1) mutual agreement to terminate the call or the completion of a call for a specific term;
 - 2) resignation of the deacon, which shall become effective, unless otherwise agreed, no later than 30 days after the date on which it was submitted;
 - 3) inability to conduct the ministry of Word and Service effectively in this congregation in view of local conditions;
 - 4) physical disability or mental incapacity of the deacon;
 - 5) suspension of the deacon through discipline for more than three months;
 - 6) resignation or removal of the deacon from the roster of Ministers of Word and Service of this church;
 - 7) termination of the relationship between this church and this congregation;
 - 8) dissolution of this congregation or the termination of a parish arrangement; or
 - 9) suspension of this congregation through discipline for more than six months.
 - b. When allegations of physical disability or mental incapacity of the deacon under paragraph a.4) above, or ineffective conduct of the office of minister of Word and Service under paragraph a.3) above, have come to the attention of the bishop of this synod,
 - 1) the bishop in his or her sole discretion may investigate such conditions personally together with a committee of two rostered ministers and one layperson, or
 - 2) when such allegations have been brought to the synod's attention by an official recital of allegations by the Congregation Council or by a petition signed by at least one-third of the

voting members of this congregation, the bishop personally shall investigate such conditions together with a committee of two rostered ministers and one layperson.

- c. In case of alleged physical disability or mental incapacity under paragraph a.4) above, the bishop's committee shall obtain and document competent medical opinion concerning the deacon's condition. When a disability or incapacity is evident to the committee, the bishop of this synod may declare the position vacant. When the position is declared vacant, the Synod Council shall list the deacon on the roster of Ministers of Word and Service with disability status. Upon removal of the disability and the restoration of the deacon to health, the bishop shall take steps to enable the deacon to resume the ministry, either in the congregation last served or in another appropriate call.
 - d. In the case of alleged local difficulties that imperil the effective functioning of this congregation under paragraph a.3) above, the bishop's committee shall endeavor to hear from all concerned persons, after which the bishop together with the committee shall present their recommendations first to the deacon and then to this congregation. The recommendations of the bishop's committee must address whether the deacon's call should come to an end and, if so, may suggest appropriate severance arrangements. The committee may also propose other actions that should be undertaken by this congregation and by the deacon, if appropriate. If the deacon and congregation agree to carry out such recommendations, no further action need be taken by the synod.
 - e. If either party fails to assent to the recommendations of the bishop's committee concerning the deacon's call, this congregation may dismiss the deacon only at a legally called meeting after consultation with the bishop, either (a) by a two-thirds vote of the voting members present and voting where the bishop and the committee did not recommend termination of the call, or (b) by a majority vote of the voting members present and voting where the bishop and the committee recommended termination of the call.
 - f. If, in the course of proceedings described in paragraph c. or paragraph d. above, the bishop's committee concludes that there may be grounds for discipline, the committee shall make recommendations concerning disciplinary action in accordance with the provisions of this church's constitution, bylaws, and continuing resolutions.
- *C9.26.** This congregation shall make satisfactory settlement of all financial obligations to a former deacon before calling a successor. A deacon shall make satisfactory settlement of all financial obligations to this congregation before beginning service in a call to another congregation or employment in another ministry setting.
- *C9.27.** When a deacon is called to serve in company with another rostered minister or other rostered ministers, the privileges and responsibilities of each rostered minister shall be specified in documents to accompany the call and to be drafted in consultation involving the rostered ministers, the Congregation Council, and the bishop of the synod. As occasion requires, the documents may be revised through a similar consultation.
- *C9.28.** With the approval of the bishop of the synod, this congregation may depart from *C9.25.a. and call a deacon for a specific term. Details of such calls shall be in writing setting forth the purpose and conditions involved. Prior to the completion of a term, the bishop or a designated representative of the bishop shall meet with the deacon and representatives of this congregation for a review of the call. Such a call may also be terminated before its expiration in accordance with the provisions of *C9.25.a.
- *C9.29.** The deacon shall become a member of this congregation upon receipt and acceptance of the letter of call. In a parish of multiple congregations, the deacon shall hold membership in one of the congregations.
- *C9.31.** The deacon(s) shall submit a report of his or her ministry to the bishop of the synod at least 90 days prior to each regular meeting of the Synod Assembly.

Chapter 10.

CONGREGATION MEETING

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

C10.01.A22

The annual meeting of this congregation shall be held in the month of August. Notice shall be placed in the July/August issue of the Crossbeam along with an alternate date in the event of a postponement. Notice shall also be placed in the Sunday bulletins for two consecutive Sundays prior to the scheduled date.

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

10 percent of the voting members. The president of the Congregation Council shall call a special meeting upon request of the synod bishop. 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 to all voting members at least 10 days in advance of the date of the meeting. The posting of such notice in the regular mail, with the regular postage affixed or paid, sent to the last known address of such members shall be sufficient. Electronic notice of meetings shall be sent to those members who have agreed to receive electronic communication.
- C10.04.** 10% of the voting members based on the most recent parochial report shall constitute a quorum.
- C10.05.** Voting by proxy or by absentee ballot shall not be permitted.
- C10.06.** All actions approved by this congregation shall be by majority vote of those voting members present and voting, except as otherwise provided in this constitution or by state law.
- C10.07.** *Robert's Rules of Order*, latest edition, shall govern parliamentary procedure of all meetings of this congregation.
- C10.08.** This congregation may hold meetings by remote communication, including electronically and by telephone conference, as long as there is an opportunity for simultaneous aural communication. To the extent permitted by state law, notice of all meetings may be provided electronically.

Chapter 11.

OFFICERS

- C11.01.** The officers of this congregation shall be a president, vice president, secretary, and treasurer.
- Duties of the officers shall be specified in the bylaws.
 - The officers shall be voting members of this congregation.
 - Officers of this congregation shall serve similar offices of the Congregation Council and shall be voting members of the Congregation Council.
 - When 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, but appointed from the voting membership of the congregation, the treasurer shall have voice but not vote at the meetings of the Congregation Council.

C 11.01.01

Duties of Officers

- President shall chair all meetings of this congregation, the Congregation Council, and the executive committee. The president shall delegate responsibilities as needed and carry out the duties of the office as specified in Robert's Rules of Order.
- Vice President shall assume and perform the duties of the President in the absence of the President, carry out all duties assigned by the President, and the congregation council.
- Secretary shall insure that the Recording Secretary performs the duties as described in C 11.01.01 e of the bylaws and preside over the meeting of the congregation council in the absence of the President and Vice President. Is responsible to read all correspondence before congregation council meetings and is entrusted with correspondence from the congregation council.
- Financial Secretary shall:
 - Be appointed by the Congregation Council;
 - Count and balance incoming funds, including Helping Hand and Memorial Funds, and post to the proper ledgers;
 - Make bank deposits;
 - Maintain financial records of individual member contributions and provide statements of same to the members;

5. Submit monthly income reports to the Treasurer and Congregation Council and prepare reports requested by the Pastor; and
 6. Order envelopes and prepare them for distribution to the members.
- e. Recording Secretary shall:
1. Be appointed by the Congregation Council;
 2. Take and transcribe complete minutes of all meetings of this congregation and the congregation council which shall be turned into the church office within one week of said meeting;
 3. Take and record the roll call;
 4. Conduct correspondence as directed by the President and/or the congregation council.
 5. Keep track of all old business and ad hoc committees and bring them to the attention of the President each month until they are resolved/dissolved;
 6. Maintain a calendar of events to be addressed monthly by the congregation council; and
 7. Notify all members of the congregation council when a special meeting is called.
- f. Treasurer shall:
1. Pay all bills for budgeted items on a timely basis and clear all unbudgeted bills with the Finance Committee for approval before payment;
 2. Post all expenses to proper ledgers and maintain all records for audit purposes;
 3. Submit monthly expense reports to the congregation council;
 4. Submit an expense report for the annual congregation meeting; and
 5. Manage all bank accounts (checking, saving, certificate of deposit, endowment) and report any action to the congregation council on a monthly basis and to this congregation on an annual basis.

C11.02. The Congregation Council shall elect its officers and they shall be the officers of this congregation. The officers shall be elected by written ballot and shall serve for one year or until their successors are elected. Their terms shall begin at the close of the annual meeting at which they are elected.

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 the pastor(s) and not more than 15 nor fewer than 9 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 regular meetings of the Congregation Council without requesting an excused absence from the Pastor, President or Secretary. Consistent with the laws of the state in which this congregation is incorporated, the congregation may adopt procedures for the removal of a member of the Congregation Council in other circumstances.

C12.02. The members of the Congregation Council except the pastor(s), shall be elected by written ballot to serve for 3 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 annual 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 rostered minister(s) and staff and help them annually to evaluate the fulfillment of their calling or employment.
- e. To be examples individually and corporately of the style of life and ministry expected of all baptized persons.
- f. To promote a congregational climate of peace and goodwill and, as differences and conflicts arise, to endeavor to foster mutual understanding.
- g. To arrange for pastoral service during the sickness or absence of the pastor.
- h. To emphasize support of the synod and churchwide organization of the Evangelical Lutheran Church in America as well as cooperation with other congregations, both Lutheran and non-Lutheran, subject to established policies of the synod and the Evangelical Lutheran Church in America.
- i. To recommend and encourage the use of program resources produced or approved by the Evangelical Lutheran Church in America.
- j. To seek out and encourage qualified persons to prepare for the ministry of the Gospel.

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

- a. The Congregation Council shall be the board of directors of this congregation and, as such, shall be responsible for maintaining and protecting its property and managing its business and fiscal affairs. It shall have the powers and be subject to the obligations that pertain to such boards under the laws of the State of New York, 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 this congregation.
- c. The Congregation Council may enter into contracts of up to 2% of the annual budget for items not included in the budget.
- d. The Congregation Council shall prepare an annual budget for adoption by this congregation, shall supervise the expenditure of funds in accordance therewith following its adoption. The budget shall include this congregation's full indicated share in support of the wider ministry being carried on in collaboration with the synod and churchwide organization.
- e. The Congregation Council shall ascertain that the financial affairs of this congregation are being conducted efficiently, giving particular attention to the prompt payment of all obligations and to the regular forwarding of mission support monies to the synod treasurer.
- f. The Congregation Council shall be responsible for this congregation's investments and its total insurance program.

C12.05.A22

Ad hoc funds may be established to finance specific projects. Each fund shall be administered by the Finance Committee in conjunction with ad hoc committee in charge of the specific project. A complete financial report shall be submitted to the Congregation Council after the completion of the project.

C12.05.B22

Endowment Fund is a receptacle for donations given to this congregation which have been set aside for the purpose of securing additional income. By decision of the Congregation Council, all monies deposited must remain in the fund and only the interest may be withdrawn at the discretion of the Council.

C12.05.C22

Helping Hand Fund is a discretionary fund to be administered by the Pastor(s) and an officer of the Congregation Council for the benefit of members and non-members who are in need of emergency assistance. The Executive Committee shall annually review the fund activities.

C12.05.D22

Memorial Fund is a receptacle for donations given to this congregation in memory of loved ones. It is to be realized that some items that are permanent in nature will eventually wear out or become obsolete. At the discretion of the Congregation Council, these items may be refurbished, replaced, or retired. Monies donated to this fund are to be used to finance approved expenditures of a capital improvement or for items that are permanent in nature. All expenditures shall be at the discretion of the Congregation Council. Any donation given with a particular item in mind must be presented to the Finance Committee for recommendation to the Congregation Council for final approval. All donations shall be acknowledged in writing to the donor and the family of the deceased.

C12.05.E22

Designated Gifts are special items donated to the congregation. Before donating a gift, a written proposal shall be submitted to the Congregation Council for approval. All gifts shall be acknowledged in writing to the donor.

- C12.06.** The Congregation Council shall see that the provisions of this constitution, its bylaws, and the continuing resolutions are carried out.
- C12.07.** The Congregation Council shall provide for an annual review of the membership roster.
- C12.08.** The Congregation Council shall be responsible for the employment and supervision of the staff of this congregation. Nothing in this provision shall be deemed to affect the congregation's responsibility for the call, terms of call, or termination of call of any employees who are on a roster of this church.
- C12.09.** The Congregation Council shall submit a comprehensive report of this congregation's ministry for the past year to this congregation at least two weeks prior to the annual congregation 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 by the president at the request of at least one-half of its members. Notice of each special meeting shall be given to all who are entitled to be present.
- C12.11.** A quorum for the transaction of business shall consist of a majority of the members of the Congregation Council, including the pastor or interim pastor, except when the pastor or interim pastor requests or consents to be absent and has given prior approval to the agenda for a particular regular or special meeting, which shall be the only business considered at that meeting. Chronic or repeated absence of the pastor or interim pastor who has refused approval of the agenda of a subsequent regular or special meeting shall not preclude action by the Congregation Council, following consultation with the synodical bishop.
- C12.12.** All members of the Congregation Council, and the voting members for Synod Assembly appointed in the current or preceding year by the Congregation Council, are encouraged to attend both the Fall and Spring Assemblies of the Niagara Frontier Conference of the Upstate NY Synod.
- C12.13.** The Congregation Council and its committees may when necessary hold meetings by remote communication, including electronically and by telephone conference, and to the extent permitted by state law, notice of all congregation council meeting may be provided electronically.

Chapter 13.

CONGREGATION COMMITTEES

- C 13.01** The officers of this congregation and the pastor(s) shall constitute the *Executive Committee*. The committee shall conduct business between Congregation Council meetings if necessary and act in emergencies. The committee shall report its actions to the Congregation Council
- C13.02.** A *Nominating Committee* of at least three or up to six voting members of this congregation, two of whom, if possible, shall be outgoing members of the Congregation Council, shall be elected at the annual meeting for a term of one year.

C13.02.01

The needs for new or renewing members of Church Council and any other committee shall be a priority of the nominating committee. The committee shall nominate twice the number of candidates needed to fill vacancies when possible. A priority to nominate youth members, voting members who are under 20 years old and young adult members, voting members between the ages of 20 and 35, should be made. Members of the nominating committee shall be prepared to provide a basic job description of the vacant position to prospective nominees. The list of nominees shall be presented to the Congregation Council at least 4 weeks before the annual meeting

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

C13.03.01

The Audit Committee shall conduct an annual independent evaluation of the financial records and the internal controls of the congregation. The template for how the annual audit shall be conducted is provided by the booklet "Congregational Audit Guide" available on the ELCA website.

The committee shall assure that when there is turnover in personnel there will be continuity in accountability.

The Congregation Council, in electing members of the Audit Committee, shall seek persons who are qualified to perform a congregational audit. Such persons will have some experience with accounting principles and records gained through bookkeeping, office management or accounting courses.

C13.04. A *Mutual Ministry Committee* of at least 3 and up to 9 voting members shall be appointed jointly by the President and the Pastor(s). Term of office shall be two years, with three members to be appointed each successive year.

C13.04.01

The Mutual Ministry Committee is the steward of conversation about the ongoing ministry and long range planning of the congregation. The purpose of the Mutual Ministry Committee shall be to discern the direction and goals for ministry of the congregation. The question being addressed will be, "What does God want us to do in this place at this time?"

The Committee shall seek to relate this question within the congregation to the ministries of this church in the local conference, synod, and the entire ELCA. Every effort shall be made to engage the entire congregation in this and to invite input and feedback about the effectiveness of the congregation's ministries.

The Committee shall seek to provide the means by which relationships are nurtured among pastor, staff and people in working towards the goals that shall support and enhance the ministry to which the congregation is called. A goal for all is a cooperative and mutually respectful approach to ministry. The Mutual Ministry Committee shall seek to provide the forum for clear expectations and good communication of the goals for the congregation's ministry among all who are involved, pastor, staff and members of the congregation. Hopefully, conflict related to ministry will be resolved through the guidance of the Mutual Ministry Committee.

The Pastor and the Congregation Council president shall appoint at least six and no more than nine voting members of the congregation to the Mutual Ministry Committee. Term of service shall be three years, with up to three members to be appointed each successive year. Members may serve only two consecutive terms. If possible, at least one, but no more than two members of the Committee shall also be members of the Congregation Council and shall also act as reporting liaison(s) to the Congregation Council. The Pastor shall be a full member of the committee, and the Council President shall be considered a permanent guest. The committee shall report to the Congregation Council each month.

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

C13.05.01

The Call Committee should be representative of the diversity of the congregation as to age, sex, and involvement in congregational life. The Call Committee shall report on a regular basis to the Congregation Council. Such reports shall be of a general nature and may be shared with the congregation.

Once they receive a recommendation from the Bishop, the Call Committee should act in strictest confidence regarding the identity of the Candidate.

The congregation is responsible for all costs related to the call process including travel/lodging costs for candidates and Call Committee. The Call Committee is expected to be willing to travel at least several hours by car and possibly spend an overnight in order to interview the Candidate.

The Call Committee may suggest names of potential candidates to the Bishop through the Lead Synod Staff. No candidate may be approached directly without the prior approval of the Bishop.

The Call Committee will begin to formulate questions and prepare an informational packet on the congregation and the area they serve that can be shared with possible candidates. In preparing to interview, the Call Committee should take into account the congregation's particular vision for mission as well as insights gained from developing their Ministry Site Profile. It is important that congregational websites and other communication tools are current prior to receiving a candidate's name.

- C13.06.** A Personnel Committee of up to 6 voting members shall be appointed jointly by the President and the Pastor. Term of service shall be 2 years with 3 members to be appointed each successive year. Members completing a term of service shall be eligible for reappointment. Members may serve only two consecutive terms.

C 13.06.01

If possible the Personnel Committee should include a member of the Worship and Music Committee and of the Preschool Board. The Personnel Committee is the primary steward of the personnel policies of the congregation. The Personnel Committee shall provide for an annual review of the staff based on clearly stated goals and expectations as outlined within individual job descriptions and in the St. John's Staff Handbook. This committee makes recommendations regarding compensation, housing, benefits, working conditions, as well as goals for the coming year in concert with the Mutual Ministry Committee. The pastor or another member of the Personnel Committee shall function as the convener (schedules regular meetings, drafts an agenda, and reports to the Congregation Council). The pastor shall facilitate daily staff functions and shall refer issues requiring further intervention to the Personnel Committee. The annual review of the Pastor shall be accomplished by the Personnel Committee with input regarding pastoral effectiveness from the Mutual Ministry Committee. The Committee shall report to the Congregation Council as needed and at least once a year before the annual congregational meeting.

The Personnel Committee shall assist and support the Congregation Council in carrying out the responsibilities of the Council specified in C12.04c and 12.04d. In the event that an unresolved conflict involves the Pastor, the committee shall alert the Bishop of the Upstate New York Synod and ask the Bishop to invite someone from outside the membership of the congregation to convene the meeting(s).

- C13.07.** A Cemetery Committee will be maintained to oversee the supervision of St. John's Evangelical Lutheran Church Cemetery.

C13.07.01

The purpose of the Cemetery Committee is to oversee the supervision of St. John's Evangelical Lutheran Church Cemetery. To accomplish this they will maintain proper records of sales, transfers, burials and locations of columbarium's, lots, and graves. They will make periodic reports to the Congregation Council which will include notice of price changes and employment status. In compliance with New York State Cemetery Law, the Committee shall maintain a current maintenance account, a permanent maintenance account and investment accounts when appropriate. The committee will report to the Congregation Council as needed and at least once a year before the annual congregational meeting.

- C13.08.** Other committees of this congregation may be formed, as the need arises, by decision of the Congregation Council.

C.13.08.A22

The following congregation committees, in addition to those listed in Chapter 13 of this constitution, are currently in operation by decision of the Congregation Council: Christian Education, Finance,

Membership/Evangelism, Parish Social Life, Property, Publicity/Social Media, Social Ministry, Stewardship, Worship and Music, and Youth Ministry. The Congregation Council shall announce the assignment of council members to work with congregational committees at the September Congregation Council meeting each year, those assignments to take effect immediately. It is preferred but not required that each congregation committee shall have at least one member of the Congregation Council in its membership. All committees are expected to provide an annual report to the Congregation and timely reports to the Congregation Council. Any committee expenditures above \$50, even if it is appropriated from the budget line of the annual budget for that committee, shall be authorized or approved by the Congregational Treasurer and/or the Congregation Council.

C.13.08.B22 Christian Education

Purpose: The members of the committee shall act as a source of visioning for new initiatives and support for ongoing expressions of Christian Education within the Congregation.

Responsibilities: The members of the committee shall seek to review, renew and redirect the educational ministries of the congregation. The Director of the St. John's Preschool and Superintendent of the Sunday School are to be included in membership of the committee. The committee shall meet as needed and provide reports and recommendations to the Congregation Council.

C.13.08.C22 Finance

Purpose: Administer and oversee all financial affairs of this congregation.

Responsibilities: Members of the committee should include, but not be limited to: Treasurer, Financial Secretary, a member of the Council other than the Treasurer and/or Financial Secretary, and a minimum of 3 voting members of the congregation. The committee shall recommend to the Council salaries and fringe benefits, together with basic fiscal policies for the pastor(s) and lay employees. The committee shall receive reports of budget needs from the congregation committees and organizations and shall draft a proposed budget for the succeeding year. The proposed budget shall be presented to the Council, which shall present it to the congregation at the time of the annual meeting. The committee shall oversee the adopted budget and the obligations of the same, i.e. commitment to Synod, and make recommendations for action on all unbudgeted items to the Council. The committee shall oversee the investment and insurance programs of this congregation and make recommendations to the Council.

C.13.08.D22 Membership/Evangelism

Purpose: Engendering a spirit of cooperation, good communication, and hopeful enthusiasm, this committee shall seek to nurture the membership of the congregation as the body of Christ. The Good News of Christ shall be promoted for all people in ministry to our community and the world. Promoting the sense of being a welcoming community for all is essential.

Responsibilities: Activities of this committee shall enhance the outreach for new members and nurture the entire community so that the Good News of Christ is lived out in daily life.

C13.08.E22 Parish Social Life

Purpose: Provide opportunities for fellowship among the members of this congregation.

Responsibilities: Develop and manage activities that take into consideration all ages and interests of this congregation and provide functions both on and off premises that aid the members in getting to know each other better.

C13.08.F22 Property

Purpose: Oversee the repairs, maintenance, and protection of the congregation's buildings, grounds, furniture, and fixtures, excluding the cemetery.

Responsibilities: Schedule periodic inspections of boilers, safety equipment, etc.; maintain complete records as to dates of repair/replacement of parts of the buildings and contents; maintain up-to-date inventory records of contents; maintain security awareness; maintain maps of the drainage systems, electrical wiring, gas lines, water lines, plumbing, and sewer systems; make recommendations to the Council as to the hiring of custodial, grounds and snow removal employees.

C13.08.G22 Publicity/Social Media

Purpose: Keep this congregation and the surrounding communities informed as to the activities and programs of this congregation.

Responsibilities: Insure the publication of the Crossbeam, maintain Parish Hall calendar and illuminated bulletin board, prepare news releases for local papers and assist all congregation committees and organizations with publicity upon request. The committee shall be the liaison between the Council and all organizations using the premises.

C13.08.H22 Social Ministry

Purpose: Provide opportunities for this congregation to study the social issues that effect our world and engage in ministry to the aged, disadvantaged, underprivileged, imprisoned, and others in need.

Responsibilities: Develop and monitor programs which fall within the scope and purpose of the committee. Make the congregation aware of the various social statements produced by the ELCA.

C13.08.I22 Stewardship

Purpose: Teach and promote in the congregation the expression of Christian faith by grateful giving of self, time, and possessions for the support of the Church and its mission and good stewardship of God's creation.

Responsibilities: Encourage members to a higher level of proportionate giving with the tithe or beyond as the desired goal. Conduct an annual program for members to evaluate their stewardship and state their commitment to giving, distribute offering envelopes, develop stewardship educational programs that include the Church's worldwide, national and local ministries.

C13.08.J22 Worship and Music

Purpose: Assist all persons responsible for the worship and music life of the congregation. Insure that worship services are held regularly and that a music ministry is offered in accordance with the liturgies and practices of the Evangelical Lutheran Church in America

Responsibilities: Insure that worship assistants, such as lay readers, ushers and greeters, acolytes and crucifers, liturgical and preaching deacons are recruited and trained. Assist the pastor(s) in planning worship services and assist the Director of Music in providing choral and instrumental music for worship services. With the Altar Guild the committee shall insure that paraments, vestments, and worship accessories are provided and maintained. The committee shall regularly schedule the tuning and maintenance of the organ and pianos. The committee shall insure that worship aids are available, such as hymnals, bulletins, sound systems, projection screens, etc.

C13.08.K22 Youth Ministry

Purpose: Provide an opportunity for the youth of the congregation to participate with others in their age group in an organization that engages in activities which include worship, music, service, learning, witness, support, and fellowship.

Responsibilities: Assist and support the programs and activities as agreed to or requested by the Director/Advisor of Youth Ministry; make regular reports to the Council; and oversee the financial affairs of the Youth Group

C13.09. Duties of Congregation committees of this congregation shall be specified in the bylaws. Duties of Council appointed committees of the Congregation shall be specified in the continuing resolutions.

C13.10. The pastor of this congregation and the president of this congregation shall be *ex officio* members of all committees and boards of the congregation. Such privilege shall not include voting rights except where designated by the constitution.

Chapter 14.

ORGANIZATIONS WITHIN THIS 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 oversight and direction. The Congregation Council shall oversee their policies, their activities, and receive reports concerning their membership, work, and finances.

C14.01.01

Congregational ministry assistants, /are persons who, after a designated period of training, are recognized leaders within an intentional ministry in a congregation under the supervision of the Pastor(s). Congregational ministry assistants shall develop with their Pastor an understanding of their role in their particular context. They will develop a working relationship to be described in a written covenant signed by the ministry assistant, the Pastor and a congregational representative.

Congregational ministry assistants shall have training and continuing education commensurate with the functions they will perform. These designations may fall under the category of Preaching, Visitation and Liturgical ministry assistant . Congregational ministry assistants may lead liturgy, assist, and/or preach in their own congregation. Congregational ministry assistants may visit the sick and homebound and share the sacrament that has been blessed at the table of the congregation during worship.

Congregational ministry assistants may publicly proclaim the Word by a sermon they have prepared in accordance with their training and under the supervision of the Pastor, or read a sermon given them by the Pastor.

Congregational ministry assistants shall serve for an initial term of three years. Additional three year terms may be served with the agreement of the Pastor, ministry assistant and Congregation.

When there is a pastoral vacancy, Congregational ministry assistants may continue to serve under the supervision of, and be accountable to, the Pastoral leader in transition.

Congregational ministry assistants shall submit their resignations upon the arrival of the newly called Pastor, so that any service by a ministry assistant can be clearly defined and understood by all parties involved.

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 AND ADJUDICATION

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

***C15.02.** The process for discipline of a member of this congregation shall be governed as prescribed by the chapter on discipline in the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*. If the counseling, censure, and admonitions pursuant to *C15.01. do not result in repentance and amendment of life, charges against the accused member(s) that are specific and in writing may be prepared by the Congregation Council, signed, and submitted to the vice president of the synod. The vice president shall select from the synod's Consultation Committee a panel of five members (three laypersons and two ministers of Word and Sacrament). A copy of the written charges shall be provided to the consultation panel and the accused member(s). The consultation panel, after requesting a written reply to the charges from the accused member(s), shall consider the matter and seek a resolution by means of investigation, consultation, mediation, or whatever other means may seem

appropriate. The panel's efforts to reach a mutually agreeable resolution shall continue for no more than 45 days after the matter is submitted to it.

- *C15.03. If the consultation panel fails to resolve the matter, that panel shall refer the case in writing, including the written charges and the accused member's reply, to the Committee on Discipline of the synod for a hearing. A copy of the panel's written referral shall be delivered to the vice president of the synod, the Congregation Council, and the accused member(s) at the same time it is sent to the Committee on Discipline of the synod. The Executive Committee of the Synod Council shall then select six members from the Committee on Discipline to decide the case and shall appoint a member of the Synod Council to preside as nonvoting chair. Those six members, plus the nonvoting chair, comprise the discipline hearing panel for deciding the case. The Congregation Council and the accused member(s) are the parties to the case.
- *C15.04. The discipline hearing panel shall commence and conduct the disciplinary hearing in accordance with the provisions governing discipline of congregation members prescribed in the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*.
- *C15.05. By the vote of at least two-thirds of the members of the discipline hearing panel who are present and voting, one of the following disciplinary sanctions can be imposed:
 - a. suspension from the privileges of congregation membership for a designated period of time;
 - b. suspension from the privileges of congregation membership until the pastor and Congregation Council receive evidence, satisfactory to them, of repentance and amendment of life;
 - c. termination of membership in this congregation; or
 - d. termination of membership in this congregation and exclusion from the church property and from all congregation activities.
- *C15.06. The written decision of the discipline hearing panel shall be sent to the vice president of the synod, the accused member(s), and the Congregation Council as required by the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*. The decision of the discipline hearing panel shall be implemented by the Congregation Council and recorded in the minutes of the next council meeting.
- *C15.07. No member of this congregation shall be subject to discipline a second time for offenses that a discipline hearing panel has heard previously and decided pursuant to this chapter.
- *C15.10. **Adjudication**
- *C15.11. When there is disagreement between or among factions within this congregation on a substantive issue which cannot be resolved by the parties, members of this congregation may petition the synod bishop for consultation after informing the president of this congregation of their intent to do so. The synod bishop shall seek a timely resolution of the dispute. If the issue relates directly to the pastor, the bishop may begin the process in ¶S14.18.d. In all other matters, if the bishop's consultation fails to resolve the issue, the bishop shall refer the matter to the Consultation Committee of the synod, which shall undertake efforts to find an appropriate solution. If the Consultation Committee's efforts fail to resolve the dispute, the entire matter shall be referred to the Synod Council for adjudication by whatever process the Council deems necessary. The Synod Council's decision shall be final.

Chapter 16.

AMENDMENTS

- *C16.01. Unless provision *C16.04. is applicable, those sections of this constitution that are not required, in accord with the *Model Constitution for Congregations of the Evangelical Lutheran Church in America*, may be amended in the following manner. Amendments may be proposed by at least 2/3 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 a regular or special Congregation Meeting called for that purpose. The Congregation Council shall notify this congregation's members of the proposal together with the council's recommendations at least 30 days in advance of the meeting. Notification may take place by mail or electronic means, as permitted by state law.
- *C16.02. An amendment to this constitution, proposed under *C16.01., shall:
 - a. be approved at any legally called meeting of this congregation by a majority vote of those voting members present and voting;
 - b. be ratified without change at the next regular meeting of this congregation held pursuant to C10.01 by a two-thirds vote of those voting members present and voting; and

- c. have the effective date included in the resolution² and noted in the constitution.
- *C16.03.** Any amendments to this constitution that result from the processes provided in *C16.01. and *C16.02. shall be sent by the secretary of this congregation to the synod. The synod shall notify this congregation of its decision to approve or disapprove the proposed changes; the changes shall go into effect upon notification that the synod has approved them.
- *C16.04.** This constitution may be amended to bring any section into conformity with a section or sections, either required or not required, of the *Model Constitution for Congregations of the Evangelical Lutheran Church in America* as most recently amended by the Churchwide Assembly. Such amendments may be approved by a majority vote of those voting members present and voting at any legally called meeting of this congregation without presentation at a prior meeting of this congregation, provided that the Congregation Council has submitted by mail or electronic means, as permitted by state law, notice to this congregation of such an amendment or amendments, together with the council's recommendations, at least 30 days prior to the meeting. Upon the request of at least two (2) voting members of this congregation, the Congregation Council shall submit such notice. Following the adoption of an amendment, the secretary of this congregation shall submit a copy thereof to the synod. Such provisions shall become effective immediately following a vote of approval.

Chapter 17.

BYLAWS

- *C8.02.01.** At Congregation Meetings, called for the purpose of selling, purchasing or encumbering real estate, or of extensive repairs or construction of church buildings, only active confirmed members in good standing, at least 18 years of age shall be permitted to vote. On all matters other than the foregoing, all active confirmed members at least 16 years of age, shall be permitted to vote.
- *C17.01.** This congregation may adopt bylaws. No bylaw may conflict with this constitution.
- *C17.02.** Bylaws may be adopted or amended at any legally called meeting of this congregation with a quorum present by a two-thirds vote of those voting members present and voting.
- *C17.03.** Changes to the bylaws may be proposed by any voting member, provided 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. The Congregation Council shall notify this congregation's members of the proposal with the council's recommendations at least 30 days in advance of the Congregation Meeting. Notification may take place by mail or electronic means, as permitted by state law.
- *C17.04.** Adopted or amended bylaws shall be sent by the secretary of this congregation to the synod.

Chapter 18.

CONTINUING RESOLUTIONS

- *C18.01.** This congregation in a legally called meeting or the Congregation Council may enact continuing resolutions. Such continuing resolutions may not conflict with the constitution or bylaws of this congregation.
- *C18.02.** Continuing resolutions shall be enacted or amended by a majority vote of a meeting of this congregation or a two-thirds vote of all voting members of the Congregation Council.
- *C18.03.** Adopted or amended continuing resolutions shall be sent by the secretary of this congregation to the synod.

Chapter 19.

INDEMNIFICATION

- *C19.01.** Consistent with the provisions of the laws under which this congregation is incorporated, this congregation may adopt provisions providing indemnification for each person who, by reason of the fact
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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.