

**Constitution for Holy Trinity Evangelical Lutheran Church
(also known as Holy Trinity Lutheran Church) in New Prague,
Minnesota of the Evangelical Lutheran Church in America (ELCA)**

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Preamble

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

Chapter 1. Name and Incorporation

C1.01. The name of this congregation shall be Holy Trinity Lutheran Church.

C1.02. For the purpose of this constitution and the accompanying bylaws, the congregation of Holy Trinity Evangelical Lutheran Church, New Prague, Minnesota is hereinafter designated as "this congregation".

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

Chapter 2. Confession of Faith

***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.

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 (ELCA), 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 community 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 church-wide organization. The name Evangelical Lutheran Church in America is also the name of the corporation of the church-wide 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 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 the Sanctifier of all.
- d. Serve in response to God's love to meet human needs, caring for the sick and the aged, advocating dignity, justice, and equity for all people, working for peace and reconciliation among the nations, caring for the marginalized, embracing and welcoming racially and ethnically diverse populations, and standing in solidarity with the poor and oppressed 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 church-wide organization of the Evangelical Lutheran Church in America.
- i. Foster and participate in ecumenical relationships consistent with church-wide policy.

***C4.04.** This congregation shall develop an organizational structure to be described in the bylaws. The Congregation Council shall prepare descriptions of the responsibilities of each committee, task force, or other organizational group and shall review their actions.

C4.04.A23 Congregation Committees Structure and Descriptions are as listed in Appendix A and detailed in the organizational chart and responsibilities of listed committees and subcommittees.

***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 church-wide 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 Congregation Council and stipulated congregational standing committees and subcommittees 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 Minneapolis Area Synod of the Evangelical Lutheran Church in America.

C5.05. This congregation shall have a mission endowment fund that will operate as specified in this congregation’s bylaws. The purpose of the mission endowment fund is to provide for mission work beyond the operational budget of this congregation.

C5.05.01 Endowment Fund Committee

a. The endowment fund committee shall consist of five (5) members all of whom shall be voting members of Holy Trinity Lutheran Church. Except as herein limited the term of each member shall be three (3) years. Per the resolution adopted by the congregation on February 1, 1998, it elected five (5) members to the committee; two (2) for a term of three (3) years, two (2) for a term of two (2) years; and one (1) for a term of one (1) year.

b. Thereafter at each annual meeting, the congregation shall elect the necessary number for a term of three (3) years. No member shall serve more than two (2) consecutive three (3) year terms. After a lapse of one (1) year, former committee members may be re-elected. The pastor and president of the church congregation shall be advisory members of the committee. The nominating committee of the congregation shall nominate, for the committee, and report to the annual congregational meeting in the same manner as for other offices and committees. In the event of a vacancy on the committee, the church council shall appoint a member to fill the vacancy until the next annual meeting of the congregation, at which time the congregation shall elect a member to fulfill the term of the vacancy.

C5.05.02 Duties of the Endowment Fund Committee

- a.** The committee shall meet at least semi-annually, or more frequently as deemed by it in the best interest of the fund.
- b.** A quorum shall consist of three (3) members. When only three (3) members are present, a unanimous vote shall be required to carry any motion or resolution.
- c.** The committee shall elect from its membership a chairperson, recording secretary and financial secretary. The chairperson, or member designated by the chairperson, shall preside at all committee meetings.
- d.** The recording secretary of the committee shall maintain complete and accurate minutes of all meetings and supply a copy thereof to each member of the committee. Each member shall keep a complete copy of minutes to be delivered to his or her successor. The recording secretary shall also supply a copy of the minutes to the church council.
- e.** The committee shall report on a semi-annual basis to the church council and, at each annual meeting of the congregation, shall render a full and complete audited account to the administration of the fund during the preceding year.
- f.** The committee shall utilize the St. Paul Foundation for the creation and professional management of the fund. The Endowment Fund Committee Chair shall act as advisor with the Foundation regarding proposed distributions from the fund and all operational matters including written requests to change management.
- g.** Income from the fund shall be distributed annually or more often as deemed necessary when the balance is five thousand (\$5,000) to fifty thousand (\$50,000) and quarterly when the fund balance is greater than fifty thousand (\$50,000). It may be requested that no distributions be made from the Fund. These distributions will be used for the following purposes:
 - i.** Evangelism (spread the word of Jesus Christ)
 - ii.** Missions (local, national, international)
 - iii.** Youth ministry (extend the outreach to community youth)
 - iv.** Local benevolence (needs of the community)
 - v.** Special needs of the church (non-operating expenses)
- h.** Programs for support shall be recommended by the committee and approved by the church council for funding according to the guidelines established by the congregation.
- i.** The committee shall determine and fulfill procedures and policies for the soliciting, processing and dispositions of the grant requests in accordance with the requirements and limitations of the fund. They shall also educate the congregation about the endowment fund, promote the fund, solicit donations in an appropriate manner and assist donors in the process of making gifts to the fund.
- j.** In the event that Holy Trinity Lutheran Church ceases to exist or qualify as a charity under Internal Revenue Code Section 501 (c) (3) then the Fund shall become a permanent fund for the benefit of the Minneapolis Area Synod of the Evangelical Lutheran Church in America (ELCA).

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 Minneapolis Area 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 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 and 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 Minneapolis Area 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 (thirty) 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 the bishop and/or the bishop's designees are voting members of this congregation, they shall have voice but not vote at the first meeting.
- b. Within 10 (ten) 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 of 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 (ninety) 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 (ten) days in advance of the meeting. Unless the bishop and/or the bishop's designees are voting members of this congregation, they shall have voice but not vote at the second meeting.
- e. Within 10 (ten) 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 relation-

ship 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 memberships 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 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 church wide 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 church wide 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 Minneapolis Area 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 Minneapolis Area 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 Minneapolis Area 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 Christian 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 given that this congregation is a member of the Minneapolis Synods which has approved seasonal member voting for its member congregations. 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 Church wide 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 church wide 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.

Chapter 9. Rostered Minister

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

***C9.02.** 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, advocating dignity, justice and equity for all people, working for peace and reconciliation among the nations, caring for the marginalized, and embracing and welcoming racially and ethnically diverse populations.
- 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 church wide organization and of the Minneapolis Area Synod; and
 - 6) encourage adherence to covenantal relationship with this church as expressed in the Constitutions, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America.

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

***C9.05.** The provisions for termination of the mutual relationship between a minister of Word and 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 any of 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 (thirty) 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) inability to conduct the pastoral office effectively in view of disability or 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;
 - 9) suspension of this congregation through discipline for more than 6 (six) months.
- b. When allegations of disability or 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, who has sole discretion, may investigate such conditions personally together with a committee of two rostered ministers and one laypersons, 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 disability or 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 resumption of the ability to conduct the office effectively, 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 to 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 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 ministry to the bishop of the synod at least 90 days prior to each regular meeting of the Synod Assembly.

***C9.14.** The 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 the secretary's hands in good order by a departing pastor before the installation of that pastor in another call or approval of a request for change in roster status.

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

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

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

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

- a. Be rooted in the Word of God, for proclamation and service;
- b. Advocate a prophetic diakonia that commits itself to risk-taking and innovative service on the frontiers of the Church's outreach, giving particular attention to the suffering places in God's world;
- c. Speak publicly to the world in solidarity with the poor and oppressed, advocating dignity, justice, and equity for all people, working for peace and reconciliation among the nations, caring for the marginalized, and embracing and welcoming racially and ethnically diverse populations;
- 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 this congregation shall be as follows:

- a. The call of this congregation, when accepted by a deacon, shall constitute a continuing mutual relationship and commitment, which shall be terminated only by the deacon's death or, following consultation with the synod bishop, for any of 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 (thirty) 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) Inability to conduct the office effectively in view of disability or 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 (6) months.
- b. When allegations of disability or 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, who has 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 disability or 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 resumption of the ability to conduct the office effectively, 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 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. This congregation shall have at least one regular meeting per year. The regular meeting(s) of the congregation shall be held at the time(s) specified in the bylaws. Consistent with the laws of the State of Minnesota, the bylaws shall designate one regular meeting per year as the annual meeting of this congregation.

C10.01.01 Congregation Meeting

- a. The annual congregational meeting will be held on the fourth (4th) Sunday of the month of January.
- b. The official roster of voting members will be available at each meeting of the congregation. Only voting members present at the meeting may vote.
- c. Each organization of the congregation shall furnish a report to the secretary prior to the annual meeting. Members will receive a copy of the annual report at the annual meeting.
- d. The agenda for the annual meeting shall be prepared by the executive committee and will be published in advance.

C10.02. A special Congregation meeting may be called by the co-pastors, the Congregation Council, or the president of this congregation, and shall be called by the president of this congregation upon the written request of 25 (twenty-five) 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 by mail or electronic means, as permitted by state law, to all [voting] members at least 10 (ten) days in advance of the date of the meeting.

C10.04. 10 (ten) percent of the voting members shall constitute a quorum.

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

C10.06. All actions approved by 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 or its equivalent. To the extent permitted by state law, notice of all meetings may be provided electronically.

C10.09. "Ex officio" as used herein means membership with full rights of voice and vote unless otherwise expressly limited.

Chapter 11. Officers

C11.01. The officers of this congregation shall be a president, vice president, secretary, and treasurer.

- a. Duties of the officers shall be specified in the bylaws.
- b. The officers shall be voting members of this congregation.
- c. Officers of this congregation shall serve similar offices of the Congregation Council and shall be voting members of the Congregation Council.
- d. The president, vice president, and secretary shall be selected from the elected membership of the Congregation Council. If the treasurer is not selected from the elected membership of the Congregation Council, the treasurer shall have voice but not vote at the meetings of the Congregation Council.

C11.01.a.01 Duties of Officers

a. The President Shall:

- i. Preside at all meetings of the congregation, the congregational council and executive committee;
- ii. Call the meeting to order at the appointed time after determining a quorum is present;
- iii. announce the items of business before the meeting in the proper order;
- iv. recognize members entitled to the floor;
- v. state and put to vote all questions that legitimately come before the assembly;
- vi. protect the assembly from frivolous or dilatory motions;
- vii. expedite business while recognizing the rights of members (e.g. by using unanimous consent or noncontroversial motions);
- viii. decide all questions of order;
- ix. respond to inquiries relating to parliamentary procedure or factual information;
- x. authenticate all acts, orders and proceedings of the assembly by signature;
- xi. declare the meeting adjourned;
- xii. carry out the will of the congregation as ordered by the constitution, bylaws and continuing resolution(s) of the congregation;
- xiii. write the annual report of council activities for the annual meeting and deliver an annual report to the congregation;
- xiv. execute letters of call on behalf of the congregation. During a pastoral vacancy, work with the synod regarding necessary administrative submissions;
- xv. may call special meetings of the congregation, executive committee or council;
- xvi. direct meetings according to parliamentary rules of order, keeping meetings running smoothly, speedily and efficiently;
- xvii. encourage each council member to perform his or her duty;
- xviii. decide in the event of a long discussion whether the issue should be referred for further study and solicit a motion to "commit";
- xix. represent the congregation in matters of business and sign and/or countersign all legal documents in accordance with the values of Holy Trinity Lutheran Church;
- xx. prepare the agenda for council and congregation meetings;
- xxi. uphold the Constitution and Bylaws; ensure policies are being followed;

- xxii. attend and support church wide activities that would benefit from representation from council members;
- xxiii. assist in solving problem areas, as they occur;
- xxiv. support and advise council members, as needed;
- xxv. ensure boards and committees/subcommittees are functioning properly;
- xxvi. recognize and seek synod advice and assistance in managing congregational matters beyond the council's expertise; and
- xxvii. ensure that congregational processes and procedures are followed through and documented.
- xxviii. At the end of his/her term of office as president, past president shall spend one additional year on the executive committee as a non voting advisory member. If time of Council term remains, the past president may serve as voting member at large on Church Council while holding the advisory role on the executive committee.

b. The Vice-President shall:

- i. Be the officer who assumes the chair if the president is absent or vacates the chair.
- ii. Perform the duties of the president in the president's absence, incapacity, or at the president's request;
- iii. aid the president in the administration of office; and
- iv. assume other duties, as assigned by the president or by the council.

c. The Secretary Shall:

- i. Conduct the organization's official correspondence and sending out a notice of meetings;
- ii. notify officers, committees and delegates of their election or appointment;
- iii. prepare an agenda, at the president's request;
- iv. have the organization's documents at each meeting. These include the minutes book, the bylaws, continuing resolutions, rules of order, and various supplies;
- v. call the meeting to order, should the president and vice president be absent and immediately solicit a motion to elect a president pro-tem for the duration of the meeting;
- vi. keep a careful and authentic record of the proceedings of all business meetings or the "minutes";
- vii. read the minutes, as necessary or requested;
- viii. provide a copy of the minutes to the president as soon as possible after the meeting;
- ix. allow members to examine the minutes and records upon request;
- x. maintain the official roll of congregation members and calling the roll, when requested;
- xi. signing, along with the president, all official acts, orders and proceedings of the organization;
- xii. update the bylaws and other formal rules of the organization in accordance with amendments recorded in the minutes;
- xiii. furnish delegates with the proper credentials;
- xiv. be the custodian of all important papers, such as committee reports, belonging to the organization;
- xv. record proceedings and keep the minutes of the congregation, congregation council meetings and executive committee meetings and distribute copies of the recorded proceedings, as appropriate;
- xvi. compile and distribute the annual report of the congregation and the congregational report to the Evangelical Lutheran Church in America;
- xvii. work with the president, treasurer and/or pastor/s to ensure timely filing of the congregational annual report;
- xviii. attest to the synod, as necessary, that the congregation's records are up to date and under your control;
- xix. submit copies of the constitution and bylaw amendments to the synod; and
- xx. carry out correspondence on behalf of the council and the congregation, as directed.

d. The Treasurer Shall:

- i. Collect and monitor the deposit of funds of the organization (or monitor if another professional service does this);
- ii. obtain signatures of the required officers on all checks;
- iii. provide a receipt for any cash or checks received;
- iv. maintain accounts as established by the organization;
- v. reconcile all bank statements;
- vi. prepare a treasurer's report for each council meeting. The report should include: balance on hand at the beginning of the period, receipts, disbursements, balance on hand at the end of the period;
- vii. serve as financial officer of the congregation;
- viii. supervise the financial procedures, records and investments of the congregation;
- ix. render a monthly statement of income and expenses compared to the budget of the congregation council. Provide oversight and insight of the financials of the church to the congregational council, finance committee and the congregation.
- x. countersign all checks;
- xi. prepare and deliver an annual budget & financial report to the audit committee;
- xii. be a member of the finance committee;
- xiii. direct the counting, depositing, and recording of all contributions, fees, collected, gifts and bequests received;
- xiv. oversee the reconciliation of each deposit to contributors;
- xv. oversee the issuing of quarterly statements to contributors;
- xvi. keep individual giving records confidential; and
- xvii. maintain, develop and improve the reporting and monitoring techniques used to communicate the financial status of the congregation.

C11.01a.B23 The Parliamentarian shall:

- a. Be the advisor & educator on parliamentary procedures, rules or debate.
- b. Act as parliamentarian at congregational meetings.
- c. Act as parliamentarian at other meetings, when necessary, as called upon by an officer and/or the congregation.
- d. The Congregation will nominate the parliamentarian at the annual meeting to serve one year and
- e. there are no term limits for the parliamentarian.

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 co-pastors and not more than fifteen (15) nor fewer than nine (9) Confirmed Members of this congregation. Any voting member of this congregation may be elected, subject only to the limitation on the length of continuous service permitted in that office. A member's place on the Congregation Council shall be declared vacant if the member

- a. Ceases to be a voting member of this congregation or
- b. Is absent from four regular meetings of the Congregation Council without cause. Consistent with the laws of the state in which this congregation is incorporated, this 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 at a legally called meeting of this congregation during the month of January. Their term of office shall be for three (3) years, with the term of office beginning on the day of election at the annual meeting and ending on three (3) years hence at the time of the annual meeting. Such elected council members may be nominated for a

second term of three years for a maximum of two (2) consecutive terms on council. Newly elected Congregation Council members shall be installed at worship the week following the annual meeting.

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 church wide 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 Minnesota, except as otherwise provided herein.
- b. The Congregation Council shall not have the authority to buy, sell, or encumber real property unless specifically authorized to do so by a meeting of this congregation.
- c. The Congregation Council shall prepare an annual budget for adoption by this congregation, shall supervise the expenditure of funds in accordance therewith following its adoption. 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 church wide organization.
- d. For any single, non-budgeted expenditure greater than \$30,000, the Congregational Council will seek approval through a Congregational vote.
- e. For aggregated (includes that approved under C12.05d), non-budgeted expenditures totaling more than \$45,000 per year, the Congregational Council will seek approval through a Congregational vote. 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.
- f. The Congregation Council shall be responsible for this congregation's investments and its total insurance program.

C12.06. The Congregation Council shall see that the provisions of this constitution, 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 this congregation's responsibility for the call, terms of call, or termination of call of any employees who are on a roster of this church.

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

C12.11. The Congregation Council shall normally meet once a month. Special meetings may be called by the pastor or the president and shall be called by the president at the request of at least one-half of its members. Notice of each special meeting shall be given to all who are entitled to be present.

C12.12. A quorum for the transaction of business shall consist of a majority of the members of the Congregation Council, including the co-pastors or interim pastor, except when the co-pastors 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 co-pastor(s) 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 synod bishop.

C12.13. The Congregation Council and its committees may hold meetings by remote communication, including electronically and by telephone conference, as long as there is an opportunity for simultaneous aural communication or its equivalent. To the extent permitted by state law, notice of all meetings may be provided electronically.

Chapter 13. Congregation Committees

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

C13.02. A Nominating Committee of six (6) 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. Members of the Nominating Committee are not eligible for consecutive re-election.

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

C13.04. Mutual Ministry Committee(s) (in the absence of a mutual ministry committee, the duties shall be fulfilled by the executive committee) shall be appointed jointly by the president and the rostered minister. Term of office shall be two years, with three members to be appointed each successive year.

C13.05. When a vacancy occurs in a position for which this congregation calls a rostered minister, a Call Committee of six (6) voting members shall be elected by this congregation. Term of office will terminate upon installation of the newly called rostered minister.

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

C13.07. Duties of committees of this congregation shall be specified in the bylaws and continuing resolutions.

C13.07.01 The executive committee shall:

- a. Report to the congregation via the congregation council;
- b. unless otherwise provided herein, supervise the pastors according to the letter of call.
- c. Prepare the agenda for the regular and special congregational meetings and congregation council meetings.
- d. Act as budget and planning committee in the absence of a separate budget and planning committee.
- e. Prescribe a process for developing the annual budget and recommend the budget to the congregation.
- f. Act as personnel committee in the absence of a separate committee for that purpose.
- g. Act as budget and planning committee in the absence of a separate budget and planning committee.

- h. Prescribe a process for developing the annual budget and recommend the budget to the congregation.
- i. Adjust allocation of funds should income fall short of expectations or expenses exceed budgeted amounts; provide for contingency or emergency funds.
- j. Prepare and adopt a capital budget for improvements or major repairs; provide a capital growth fund in a foundation, trust, or endowment to receive bequests, special, or deferred gifts to the congregation; review and accept or decline all offers of unsolicited gifts to the congregation.
- k. Adopt a policy for the use of congregational facilities by outside groups who have made written application and assess usage fees and restrictions.
- l. Develop and maintain written position description and personnel policies for all staff, covering at least responsibilities, hours, and working conditions.
- m. Provide procedures for staff support and performance evaluation.
- n. Provide for the services of an interim pastor in consultation with the bishop of the synod, should the office of the pastor be vacant. Interim pastor cannot be considered for the call.
- o. Adopt office policies for the church office and staff (e.g., office hours, vacations, records retention, sick leave, etc.)

C13.07.02 The audit committee shall:

- a. Audit the financial books and procedures of records prior to the annual meeting and also may at least once during the year without prior announcement.
- b. Report their findings to the congregation in writing and include them with the annual report, signed, and dated by each member of the committee

C13.07.03 The call committee shall:

- a. Study the congregation's mission and pastoral needs; share results with synod.
- b. Receive recommendations of nominees from the synod staff and the congregation for study.
- c. Evaluate pastoral candidates by interview and other means.
- d. Recommend one candidate to the congregation at a special meeting called for that purpose.

C13.08. The co-pastors of this congregation shall be ex officio a member of all committees and boards of this congregation.

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 its oversight and direction. This congregation at its meeting shall determine their policies, guide their activities, and receive reports concerning their membership, work, and finances.

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

Chapter 15. Discipline of Members and Adjudication

***C15.01.** 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 (5) members (three laypersons and two rostered ministers). 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 forty-five (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 (6) members, plus the nonvoting chair, comprise the discipline hearing panel for deciding the case. The Congregation Council and the accused member(s) are the parties to the case.

***C15.04.** The 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 twenty-five (25) voting members or by the Congregation Council. Proposals must be filed in writing with the Congregation Council sixty (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 thirty (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; and
- b. Be ratified without change at the next regular meeting of this congregation by a two-thirds vote of those voting members present and voting.

***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 thirty (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 the congregation's vote of approval.

Chapter 17. Bylaws

***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 sixty (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 thirty (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.

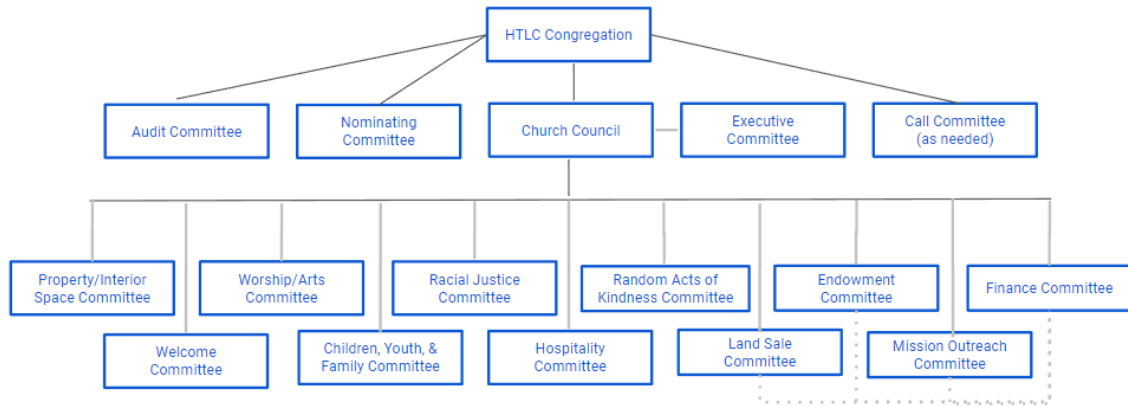
***C18.03.** Adopted or amended continuing resolutions shall be sent by the secretary of this congregation to the synod.

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 that such 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.

Appendix A

HTLC Committee Structure



Dotted Lines: Advisory/Accountability/Communication
Solid Lines: Reporting



HTLC Committee Description: Mission Outreach Committee

Committee Name: Mission Outreach Committee

Committee Reporting: To the Church Council

Committee Chair: as elected by the committee

Additional Committee Officers: Financial and Secretary as appointed by the committee members.

Council/Staff Liaison(s): Pastor and one council member

Committee Members: Council Liaison and Pastor as well as 8-10 volunteer members at large from the HTLC congregation and approved by the HTLC Council.

Purpose: The tithe shall be allocated as often as deemed necessary from the short-term designated fund revenue balance after appropriate considerations by the committee members. These distributions will be used for the following purposes:

- (a) Evangelism (spread the word of Jesus Christ)
- (b) Missions (local, state, national, international)
- (c) Local benevolence (emergent needs of the community)
(Programs for support shall be recommended by the Mission Outreach Committee and approved by the church council for funding according to the guidelines established by the congregation.)
- (d) Discern appropriate mission partners, foster and encourage the congregation's relationship to Mission partners, and oversee the distribution of the congregational tithe.

Meeting/Ministry Schedule: Monthly on the second Monday



HTLC Committee Description: Property Committee

Committee Name: Property Committee

Committee Reporting: to the Church Council

Committee Chair: as determined by the committee members

Additional Committee Officers: As determined by the committee members.

Council/Staff Liaison(s): Facility Staff member and Interior Space Volunteer

Committee Members: Leadership members of Landscape Management, Facility Maintenance, Interior Space, and Technology as approved by the HTLC Council.

Purpose: Care and maintenance of the building and grounds. Development and support of all technology functions, including but not limited to church network, computers, streaming and other related technologies. Work with other church committees to develop and maintain a short and long term plan for the use of space, both interior and exterior.

Meeting/Ministry Schedule: Committee is ad hoc and meets as necessary to fulfill the needs of all mission and visioning committees.



HTLC Committee Description: Racial Justice Committee

Committee Name: Racial Justice Committee

Committee Reporting: To the Church Council

Committee Chair: As elected by committee

Additional Committee Officers: N/A

Council/Staff Liaison(s): One council member as determined by council and a HTLC pastor

Committee Members: Members as volunteers from the congregation with representation from staff, HTLC council, and the HTLC congregation at large in combination.

Purpose: The Racial Justice Committee started in response to the MN ELCA Synod's call that encouraged all of their congregations to create a Racial Justice Task Force. This call for a task force was meant so that each community congregation could begin to learn how we understand racism, bias, diversity, and inclusion, and how we can work as a congregation to learn and grow to better ourselves, our church, and our community. The Racial Justice Committee aligns with the HTLC vision, mission, and values by being inclusive, authentic, and working in community with each other. Much of what we work towards is to respond within our church and the community, welcome all to be a part of our events and other offerings and keep the church and our faith at the forefront of why we come together to share God's love for all.

Meeting/Ministry Schedule: The Racial Justice Committee meets on the second Monday of each month from 6:30-8:00pm. We meet at HTLC and often include zoom meetings as an option for those who cannot make it in person. During the Racial Justice Committee meetings, we plan events, engage in discussion on issues of racial inequity, and discuss how our church can help embrace diversity for all people.



HTLC Committee Description: Random Acts of Kindness Committee

Committee Name: Random Acts of Kindness Committee

Committee Reporting: To the Church Council

Committee Chair: One staff member as determined by the co-pastors

Additional Committee Officers: Secretary as selected by the committee

Council/Staff Liaison(s): Committee chair

Committee Members: Volunteers (unlimited) from the congregation including 1 or more representatives from the Mission Outreach Committee as approved by the HTLC Council.

Purpose: With loving hearts and helpful hands, we are called to work together to contribute to the good of the world. We aim to develop a team that stands ready to respond to needs that arise.

Meeting/Ministry Schedule: Random Acts of Kindness meets the last Sunday of each month in Paul's Place at 4pm. We work on immediate needs and also look two months ahead at a larger act of kindness that may need time to complete.



HTLC Committee Description: Welcome Committee

Committee Name: Welcome Committee

Committee Reporting: To the Church Council

Committee Chair: As selected by committee membership

Additional Committee Officers (Secretary, Financial Secretary- if applicable): n/a

Council/Staff Liaison(s): One staff member as determined by the co-pastors

Committee Members: Designated staff member and volunteers from the congregation as approved by the Church Council.

Purpose: All are welcome! This is a fundamental aspect of our mission. This recommendation seeks to create a team that would take leadership on reaching out to new community members (people who have recently moved to New Prague and surrounding communities) and invite them to worship/attend HTLC. This group would also tend to the Welcome Center, prepare packets to give to people visiting HTLC, participate in New Member classes and engagement opportunities, implement the "First 5 Rule", and ensure all are truly welcome at Holy Trinity.

Meeting/Ministry Schedule: This team will meet on an as needed basis and will meet at Holy Trinity Lutheran Church.



HTLC Committee Description: Children, Youth & Family (CYF) Committee

Committee Name: Children, Youth, and Family Ministry (CYF) Committee

Committee Reporting: To the Church Council

Committee Chair: as determined by the Committee.

Additional Committee Officers: As determined by the committee.

Council/Staff Liaison(s): Staff position for CYF ministry

Committee Members: 4-5 HTLC Council approved volunteers.

Purpose:

The CYF Committee was created to help support the Pastors and the Director of Children, Youth and Family Ministry throughout the year. This includes preparation for programming, volunteer training, special events, and annual reviews and assessments of curriculum and volunteers. This committee aligns with the vision, mission and values of HTLC because they are continually assessing, planning, implementing, and evaluating the programs and volunteer roles that are here. They are helping make sure we are doing our best in our programming and special events by sharing God's love from one generation to the next, making everyone feel welcome, helping build meaningful relationships, responding to our changing needs as a community and congregation and creating a safe space for everyone who comes here, virtually or in person.

Meeting/Ministry Schedule:

The committee meets about once a month. Typically, the agenda for the meeting is what is coming up in the next month that is CYF related, what the Pastors or CYF Director need support with, and any feedback about programming or special events.



HTLC Committee Description: Hospitality Committee

Committee Name: Hospitality Committee

Committee Reporting: To the Church Council

Committee Chair: as selected from the volunteer members with the staff position approved by the HTLC council and pastors.

Additional Committee Officers: One staff member, as determined by the co-pastors.

Council/Staff Liaison(s): Hospitality Coordinator

Committee Members: All who volunteer to prepare, serve, and clean up hospitality for church food-related events. This includes the Kitchen Confirmation Service Team.

Purpose: The Hospitality Committee prepares, serves, and cleans up food and hospitality for church-related events. The Hospitality Coordinator oversees that all food is prepared and served in accordance with current food standards.

Meeting/Ministry Schedule: The Hospitality Committee serves Sunday morning refreshments and Wednesday evening meals weekly. This committee also serves at many other church events including but not limited to: funerals, huddles, faith milestones, and signature events.



HTLC Committee Description: Land Sale Committee

Committee Name: Land Sale Committee

Committee Reporting: to the Council

Committee Chair: as determined by the committee

Additional Committee Officers: N/A

Council/Staff Liaison(s): co-pastors

Committee Members: 7-8 members from the congregation with demonstrated land, real estate, and business investment knowledge as approved by the HTLC Council.

Purpose: The purpose of the Committee is to oversee and steward over of the invested funds from the church's land sale in 2015. The committee stewards the funds to help meet the long-term capital needs of the church and its physical assets.

Meeting/Ministry Schedule: The committee meets on an "as-needed" basis when changes develop within the bond portfolio of the investment or the investment income from the portfolio.



HTLC Committee Description: Endowment Committee

Committee Name: Endowment Committee

Committee Reporting: to Church Council

Committee Chair: as determined by the committee

Additional Committee Officers: The Committee shall elect from its membership a chairperson, recording secretary and financial secretary. The chairperson, or member designated by the chairperson, shall preside at all committee meetings.

Council/Staff Liaison(s): current Council president and a HTLC pastor

Committee Members: 5 members as elected by the congregation at the annual meeting.

Purpose: As outlined in the HTLC Bylaws under C5.05.01.

Meeting/Ministry Schedule: Endowment Committee meets quarterly (January, April, July, October) or otherwise as needed.



HTLC Committee Description: Finance Committee 2022

Committee Name: Finance Committee

Committee Reporting: Church Council

Committee Chair: Pastor responsible for financial services.

Additional Committee Officers: Church Accountant representative, current HTLC President, Mission Outreach Chair, Endowment Chair, Land Sale Committee Chair, and additional at-large members with demonstrated financial knowledge and experience as approved by the HTLC Council.

Council/Staff Liaison: HTLC council Treasurer, current HTLC council President, Pastor

Committee Members: Church Accountant representative, past HTLC Council president (At-Large), past Council treasurer (At-Large), past HTLC president (At-Large), current HTLC President, Mission Outreach: Chair, Endowment: Chair, 1-2 congregation members with demonstrated financial knowledge or previous experience (At-Large), Stewardship: Chair, all as approved by the HTLC Council.

Purpose: Aligning with HTLC Vision, Mission and Values

- To oversee church finances (both revenue and expenses), including saving and investment accounts
- To make budget projections and recommendations for the annual budget
- To work with the Treasurer, Pastor(s), and Church Council when current needs arise or long-term investments are considered.
- To assist other committees, if called upon, for financial planning
- To aid in communication between finance related committees (Endowment, Mission Outreach, Land Sale Investment, Audit etc.)

To listen to annual audit committee review and make recommendations for change

Meeting/Ministry Schedule: Meets quarterly (January, April, July, October) and in November for budget planning, and otherwise- as needed.