

PURPOSED
THE CONSTITUTION, BYLAWS,
AND
CONTINUING RESOLUTIONS
OF
ST. JOHN'S EVANGELICAL LUTHERAN
CHURCH SALISBURY, NORTH CAROLINA



CONGREGATION COUNCIL APPROVAL
August 20, 2013; August 19, 2014; August 18,
2015, August 15, 2017

CONGREGATION APPROVAL
November 10, 2013; November 9, 2014

NORTH CAROLINA SYNOD COUNCIL
APPROVAL October 7, 2015

RATIFIED BY CONGREGATION
November 8, 2015

ST. JOHN'S EVANGELICAL LUTHERAN
CHURCH
SALISBURY, NORTH CAROLINA CONSTITUTION

PREAMBLE

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

Chapter 1 NAME AND INCORPORATION

- C1.01. The name of this congregation shall be St. John's Evangelical Lutheran Church, Salisbury, North Carolina.
- C1.02. St. John's Evangelical Lutheran Church is hereinafter designated as "this congregation."
- C1.11. This congregation shall be incorporated under the laws of the State of North Carolina.

Chapter 2 CONFESSION OF FAITH

* Required Provision of ELCA Model Constitution – noted throughout document

- *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, therefore, derives its character and powers both from the sanction and representation of its congregations and from its inherent nature as an expression of the broader fellowship of the faithful. In length, it acknowledges itself to be in the historic continuity of the communion of saints; in breadth, it expresses the fellowship of believers and congregations in our day.
- *C3.04.** This church, inspired and led by the Holy Spirit, participates in The Lutheran World Federation as a global communion of churches, engaging in faithful witness to the gospel of Jesus Christ and in service for the sake of God's mission in the world.
- *C3.0305.** The name Evangelical Lutheran Church in America (ELCA or “this church”) as used herein refers in general references to this whole church, including its three expressions: congregations, synods, and the churchwide organization. The name Evangelical Lutheran Church in America is also the name of the corporation of the churchwide organization to which specific references may be made herein.

Chapter 4

STATEMENT OF PURPOSE

- *C4.01. The Church is a people created by God in Christ, empowered by the Holy Spirit, called and sent to bear witness to God's creative, redeeming, and sanctifying activity in the world.
- *C4.02. To participate in God's mission, this congregation, as a part of the Church shall:
- a. Worship God in proclamation of the Word and administration of the sacraments and through lives of prayer, praise, thanksgiving, witness, and service.
 - b. Proclaim God's saving Gospel of justification by grace for Christ's sake through faith alone, according to the apostolic witness in the Holy Scripture, preserving and transmitting the Gospel faithfully to future generations.
 - c. Carry out Christ's Great Commission by reaching out to all people to bring them to faith in Christ and by doing all ministry with a global awareness consistent with the understanding of God as Creator, Redeemer, and Sanctifier of all.
 - d. Serve in response to God's love to meet human needs, caring for the sick and the aged, advocating dignity and justice for all people, working for peace and reconciliation among the nations, and standing with the poor and powerless, and committing itself to their needs.
 - e. Nurture its members in the Word of God so as to grow in faith and hope and love, to see daily life as the primary setting for the exercise of their Christian calling, and to use the gifts of the Spirit for their life together and for their calling in the world.
 - f. Manifest the unity given to the people of God by living together in the love of Christ and by joining with other Christians in prayer and action to express and preserve the unity which the Spirit gives.
- *C4.03. To fulfill these purposes, this congregation shall:
- a. Provide services of worship at which the Word of God is preached and the sacraments are administered.
 - b. Provide pastoral care and assist all members to participate in this ministry.
 - c. Challenge, equip, and support all members in carrying out their calling in their daily lives and in their congregation.
 - d. Teach the Word of God.
 - e. Witness to the reconciling Word of God in Christ, reaching out to all people.
 - f. Respond to human need, work for justice and peace, care for the sick and the suffering, and participate responsibly in society.
 - g. Motivate its members to provide financial support for the congregation's ministry and the ministry of other parts of the Evangelical Lutheran Church in America.
 - h. Foster and participate in interdependent relationships with other congregations, the synod, and the 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 by-laws. The Congregation Council shall prepare descriptions of the responsibilities of each committee, task force, or other organizational groups and shall review their actions. [Such descriptions shall be contained in continuing resolutions in the section on the Congregation Committees.]
- *C4.05. This congregation shall, from time to time, adopt a mission statement which will provide specific direction for its programs.

(BYLAW)

C4.05.01. The Mission of the Congregation
 St. John's Evangelical Lutheran Church, Salisbury, NC, is a corporate fellowship which acknowledges Jesus Christ as Lord of the Church. We further acknowledge the work of the Holy Spirit in creating and sustaining the Christian faith through the proclamation of the Gospel and the administration of the sacraments.

As Lord and Savior, He has called us to proclaim the Gospel of love and freedom, to live in community and fellowship, expressing His love, with our life-style and ministry to each other and the world, and to boldly witness and proclaim our faith as we build up His Body, the Church.

As the body of Christ, we pledge ourselves and commit our resources to the glory of God and the fulfillment of His call.

- *C4.06. References herein to the nature of the relationship between the three expressions of this church—congregations, synods, and the churchwide organization—as being interdependent or as being in a partnership relationship describe the mutual responsibility of these expressions in God's mission and the fulfillment of the purposes of this church as described in this chapter, and do not imply or describe the creation of partnerships, co-ventures, agencies, or other legal relationships recognized in civil law.

Chapter 5 POWERS OF THE CONGREGATION

- *C5.01. The powers of this congregation are those necessary to fulfill its purpose.
- *C5.02. The powers of this congregation are vested in the Congregation Meeting called and conducted as provided in this constitution and bylaws.
- *C5.03. Only such authority as is delegated to the Congregation Council or other organizational units in the congregation's governing documents is recognized. All

remaining authority is retained by the congregation. The 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. ~~or terminate the call of associates in ministry, deaconesses, and diaconal ministers~~ a minister of Word and Service in conformity with the applicable policy constitution of the Evangelical Lutheran Church in America;
- de. adopt amendments to the constitution, as provided in Chapter ~~17~~ 16, amendments to the bylaws, as specified in Chapter ~~16~~ 17, and continuing resolutions, as provided in Chapter 18;
- ef. approve the annual budget;
- fg. acquire real and personal property by gift, devise, purchase, or other lawful means;
- gh. hold title to and use its property for any and all activities consistent with its purpose;
- hi. sell, mortgage, lease, transfer, or otherwise dispose of its property by any lawful means;
- ij. elect its [officers][,] [and] Congregation Council, [boards, and committees,] and require [them] [the members of the council] to carry out their duties in accordance with the constitution[,] [and] bylaws[,] [and continuing resolutions]; and
- jk. terminate its relationship with the Evangelical Lutheran Church in America as provided in Chapter 6.

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

Chapter 6

CHURCH AFFILIATION

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

- Community.
- b. This congregation pledges its financial support and participation in the life and mission of the Evangelical Lutheran Church in America.
 - c. This congregation agrees to call pastoral leadership from the clergy roster of Ministers of Word and Sacrament of the Evangelical Lutheran Church in America in accordance with its call procedures except in special circumstances and with the approval of the bishop of the synod. These special circumstances are limited either to calling a candidate approved for the roster of ordained ministers Ministers of Word and Sacrament of the Evangelical Lutheran Church in America or to contracting for pastoral services with an ordained minister of Word and Sacrament of a church body with which the Evangelical Lutheran Church in America officially has established a relationship of full communion.
 - d. This congregation agrees to consider associates in ministry, deaconesses, and diaconal ministers of Word and Service for call to other staff positions in the congregation according to the procedures of the Evangelical Lutheran Church in America.
 - e. This congregation agrees to file this constitution and any subsequent changes to this constitution with the synod for review to ascertain that all of its provisions are in agreement with the constitution and bylaws of the Evangelical Lutheran Church in America or with the constitution of the synod.

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

- a. This congregation takes action to dissolve.
- b. This congregation ceases to exist.
- c. This congregation is removed from membership in the Evangelical Lutheran Church in America according to the procedures for discipline of the Evangelical Lutheran Church in America.
- d. This congregation follows the procedures outlined in *C6.05.

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

- a. A resolution indicating the intent to terminate its relationship must be adopted at a legally called and conducted special meeting of the congregation by a two-thirds vote of the voting members present. Such meeting may be held no sooner than 30 days after written notice of the meeting is received by the bishop of the synod, during which time the congregation shall consult with the bishop and the bishop's designees, if any. The times and manner of the consultation shall be determined by the bishop in consultation with the congregation council. Unless he or she is a voting member of the congregation, the bishop, and the bishop's designees, if any, shall have voice but not vote at the meeting.
- b. The secretary of the 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 mail a copy of the resolution to voting members of the congregation. This notice shall be submitted within 10 days after the resolution has been adopted.

- c. The bishop of the synod and the congregation shall continue in consultation, as specified in paragraph a. above, during a period of at least 90 days after receipt by the synod of the notice as specified in paragraph b. above.
- d. If the congregation, after such consultation, still seeks to terminate its relationship, 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 meeting shall be mailed to all voting members and to the bishop at least 10 days in advance of the meeting. Unless he or she is voting member of the congregation, the bishop, and the bishop's designees, if any, shall have voice but not vote at the meeting.
- e. A copy of the resolution, attesting that the special meeting was legally called and conducted and certifying the outcome of the vote, shall be sent to the bishop within 10 days after the resolution has been adopted, at which time the relationship between the congregation and this church shall be terminated subject to paragraphs g., h., and i. below. Unless this notification to the bishop also certifies that the congregation has voted by a two-thirds vote to affiliate with another Lutheran denomination, the congregation will be conclusively presumed to be an independent or non-Lutheran church.
- f. Notice of termination shall be forwarded by the bishop to the secretary of this church the ELCA, who shall report the termination to the Churchwide Assembly.
- 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.
 - ~~h.~~ 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 synodical approval before terminating their membership in this church.
 - ~~i.~~ 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.
 - ~~jh.~~ If a this congregation fails to achieve the required two-thirds vote of voting members present at the congregation's first meeting as specified in paragraph a. above, another special meeting to consider termination of relationship with this church may be called no sooner than six months after that first meeting. If a this congregation fails to achieve the required two-thirds vote of voting members present at the 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 that second meeting.

*C6.06. If this congregation considers relocation, it shall confer with the bishop of the synod in which it is territorially located and the appropriate unit of the churchwide

organization before any steps are taken leading to such action. The approval of the Synod Council shall be received before any such action is affected.

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

Chapter 7

PROPERTY OWNERSHIP

- *C7.01. If this congregation ceases to exist, title to undisposed property shall pass to the North Carolina Synod of the Evangelical Lutheran Church in America.
- *C7.02. If this congregation is removed from membership in the Evangelical Lutheran Church in America according to its procedure for discipline, title to property shall continue to reside in this congregation.
- *C7.03. If ~~a two-thirds majority~~ of the voting members of this congregation present at a 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 (insert name of synod) Synod.
- *C7.04. If ~~a two-thirds majority~~ of the voting members of this congregation present at a legally called and conducted special meeting of this congregation vote to become independent or relate to a 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 established synodical process, may give approval to the request to become independent or to relate to a non-Lutheran church body, in which case title shall remain with the majority of 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.

Chapter 8

MEMBERSHIP

- *C8.01. Members of this congregation shall be those baptized persons on the roll of the congregation at the time that this constitution is adopted and those who are admitted thereafter and who have declared and maintain their membership in accordance with the provisions of this constitution and its bylaws.
- *C8.02 . Members shall be classified as follows:

- a. **Baptized** members are those persons who have been received by the Sacrament of Holy Baptism in this congregation, or, having been previously baptized in the name of the Triune God, have been received by certificate of transfer from other Lutheran congregations or by affirmation of faith.
- b. **Confirmed** members are baptized persons who have been confirmed in this congregation, those who have been received by adult baptism or by transfer as confirmed members from other Lutheran congregations, or baptized persons received by affirmation of faith.
- c. **Voting** members are confirmed members. Such confirmed members, during the current or preceding calendar year, shall have communed in this congregation and shall have made a contribution of record to this congregation. 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 the congregation as well as the other rights and privileges ascribed to voting members by the provisions of this constitution and its bylaws.
- d. **Associate** members are persons holding membership in other [ELCA] [Lutheran] [Christian] congregations who wish to retain such membership but desire to participate in the life and mission of this congregation, or persons who wish to retain a relationship with this congregation while being members of other congregations. ~~They~~ These individuals have all the privileges and duties of membership except voting rights and eligibility for elected offices or membership on the Congregation Council of this congregation 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 ELCA congregations who wish to retain such membership but desire to participate in the life and mission of this congregation, including exercising limited voting rights in this congregation. The Congregation Council may grant seasonal membership to such persons provided that this congregation is a member of a synod where the Synod Council has approved seasonal member voting on its territory. Such seasonal members shall have all the privileges and duties of voting members except that:
 - 1) they shall not be eligible for elected office in, or for membership on the Congregation Council or on a call committee of, this congregation;
 - 2) they shall not have the right to vote on any matter concerning or affecting the call or termination of call of any minister of this congregation;
 - 3) they shall not have the right to vote on any matter concerning or affecting the affiliation of this congregation with the ELCA;
 - 4) they shall not be eligible to serve as voting members from this congregation of the Synod Assembly or the Churchwide Assembly;
 - 5) they shall not, even if otherwise permitted by this congregation, vote by proxy or by absentee ballot; and
 - 6) they shall not, within any two calendar month period, exercise voting rights in this congregation and in the congregation where they remain voting members.

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

- *C8.04. It shall be the privilege and duty of members of this congregation to:
- make regular use of the means of grace, both Word and sacraments;
 - live a Christian life in accordance with the Word of God and the teachings of the Lutheran church; and
 - support the work of this congregation, the North Carolina Synod, and the churchwide organization of the Evangelical Lutheran Church in America through contributions of their time, abilities, and financial support as biblical stewards.
- *C8.05. Membership in this congregation shall be terminated by any of the following:
- death;
 - resignation;
 - transfer or release;
 - disciplinary action in accordance with ELCA constitutional provision 20.4041. and the accompanying bylaws; or
 - removal from the roll due to inactivity ~~as defined in the bylaws 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.

(BYLAW)
C8.05.01.

- Procedure for removal of members from the roll due to inactivity.
- Members who have not communed (of record) and made a contribution (of record) during the current or preceding calendar year shall no longer be voting members as defined in section C8.02.c of the Constitution. They shall be considered inactive members.
 - A letter of concern, as approved by the Congregation Council, shall be sent to all inactive members reminding them of their membership privileges and responsibilities and encouraging their return to active participation in this (or another) congregation.
 - Inactive members who do not commune and make a contribution of record in the next year may be removed from the roll by action of the Congregation Council. They shall be informed of this final action.
 - This process shall not be applied to members who are in school, in the military, or residing under parental support.

Chapter 9
THE PASTOR ROSTERED MINISTER

- *C9.01. Authority to call a pastor shall be in this congregation by at least a two-thirds ~~majority~~ ~~ballot~~ vote of ~~voting~~ members present and voting at a meeting legally called for that purpose. Before a call is issued, the officers, or a committee elected by [this congregation][the Congregation Council] to recommend the call, shall seek the advice and help of the bishop of the synod.
- *C9.02. Only a member of the ~~clergy roster of Ministers of Word and Sacrament~~ of the Evangelical Lutheran Church in America or a candidate for the roster of ~~ordained ministers~~ ~~Ministers of Word and Sacrament~~ who has been recommended for the

congregation by the synodical bishop may be called as a pastor of this congregation.

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

- a. Every ~~ordained minister 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 distribution of its communications and publications;
 - 7) witness to the Kingdom of God in the community, in the nation, and abroad; and
 - 8) speak publicly to the world in solidarity with the poor and oppressed, calling for justice and proclaiming God's love for the world.
- b. Each ~~ordained minister~~ pastor with a congregational call shall, within the congregation:
 - 1) offer instruction, confirm, marry, visit the sick and distressed, and bury the dead;
 - 2) ~~supervise~~ relate to all schools and organizations of this congregation;
 - 3) install regularly elected members of the Congregation Council; and
 - 4) with the council, administer discipline.
- c. Every pastor shall:
 - 1) strive to extend the Kingdom of God in the community, in the nation, and abroad;
 - 2) seek out and encourage qualified persons to prepare for the ministry of the Gospel;
 - 3) impart knowledge of this church and its wider ministry through distribution of its periodicals and other publications; and
 - 4) endeavor to increase the support given by the congregation to the work of the ELCA churchwide organization of the Evangelical Lutheran Church in America (ELCA) and of the (insert name of synod) Synod of the ELCA.

***C9.04.** The specific duties of a 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 ~~a this~~ congregation, when accepted by a pastor, shall constitute a continuing mutual relationship and commitment, which shall be terminated only by death or, following consultation with the synodical bishop, for the following reasons:
 - 1) mutual agreement to terminate the call or the completion of a call for a specific term;
 - 2) resignation of the pastor, which shall become effective, unless otherwise agreed, no later than 30 days after the date on which it was submitted;
 - 3) inability to conduct the pastoral office effectively in the congregation in view of local conditions;
 - 4) physical disability or mental incapacity of the pastor;
 - 5) suspension of the pastor through discipline for more than three months;
 - 6) resignation or removal of the pastor from the roster of ~~ordained ministers~~ **Ministers of Word and Sacrament** of this church;
 - 7) termination of the relationship between this church and the congregation;
 - 8) dissolution of the congregation or the termination of a parish arrangement; or
 - 9) suspension of the congregation through discipline for more than six months.
- b. When allegations of physical disability or mental incapacity of the pastor under paragraph a.4) above, or ineffective conduct of the pastoral office under paragraph a.3) above, have come to the attention of the bishop of this synod,
 - 1) the bishop in his or her sole discretion may investigate such conditions personally together with a committee of two ~~ordained~~ **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 the congregation, the bishop personally shall investigate such conditions together with a committee of two ~~ordained-rostered~~ ministers and one layperson.
- c. In case of alleged physical disability or mental incapacity under paragraph a.4) above, the bishop's committee shall obtain and document competent medical opinion concerning the pastor's condition. When a disability or incapacity is evident to the committee, the bishop of this synod may declare the pastorate vacant ~~and the pastor shall be listed on the clergy roster as disabled.~~ **When the pastorate is declared vacant, the Synod Council shall list the pastor on the roster of Ministers of Word and Sacrament as disabled.** Upon removal of the disability and the restoration of the pastor to health, the bishop shall take steps to enable the pastor to resume the ministry, either in the congregation last served or in another

- appropriate call.
- d. In the case of alleged local difficulties that imperil the effective functioning of the 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 the 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 the congregation and by the pastor, if appropriate. If the pastor and congregation agree to carry out such recommendations, no further action need be taken by the synod.
 - e. If either party fails to assent to the recommendations of the bishop's committee concerning the pastor's call, the congregation may dismiss the pastor only at a legally called meeting after consultation with the bishop, either (a) by a two-thirds ~~majority~~ vote of the voting members present and voting where the bishop and the committee did not recommend termination of the call, or (b) by a ~~simple~~ 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 ~~disciplinary action~~ discipline, the committee shall make recommendations concerning disciplinary action in accordance with the provisions of this church's constitution, bylaws, and continuing resolutions.

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- *C9.06. At the time of a 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 the congregation of a regularly called pastor and may delegate the same in part to a supply pastor with the consent of the bishop of the synod and this congregation or Congregation Council. The interim pastor and any ~~ordained pastor-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 related to the Evangelical Lutheran Church in America.
- *C9.09. When a pastor is called to serve in company with another pastor or pastors, the privileges and responsibilities of each pastor shall be specified in documents to accompany the call and to be drafted in consultation involving the pastors, the Congregation Council, and the bishop of the synod. As occasion requires, the documents may be revised through a similar consultation.

- *C9.11. With the approval of the bishop of the synod the congregation may depart from *C9.05.a. and call a pastor for a specific term. Details of such calls shall be in writing setting forth the purpose and conditions involved. Prior to the completion of a term, the bishop or a designated representative of the bishop, shall meet with the pastor and representatives of the congregation for a review of the call. Such call may also be terminated before its expiration in accordance with the provisions of *C9.05.a.
- *C9.12. The pastor(s) of this congregation:
- a) shall keep accurate parochial records of all baptisms, confirmations, marriages, burials, communicants, members received, members dismissed, or members excluded from the congregation;
 - b) shall submit a summary of such statistics annually to the synod; and
 - c) shall become a member of this congregation upon receipt and acceptance of the letter of call.
- *C9.13. The pastor(s) shall submit a report of his or her ministry to the bishop of the synod at least ninety (90) days prior to each regular meeting of the Synod Assembly.
- *C9.14. The parochial records of this congregation shall be maintained by the pastor and shall remain the property of the congregation. The secretary of this congregation shall attest in writing to the bishop of this synod that such records have been placed in his or her hands in good order by a departing pastor before the installation of that pastor in another field of labor or the granting by the synod of retired status to the pastor.

C9.20. — Ecumenical pastoral ministry

C9.21.

C9.15.

Under special circumstances, subject to the approval of the synodical bishop and the concurrence of this congregation, an ordained 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 the congregation and the ordained minister-pastor in a form proposed by the synodical bishop and approved by the congregation.

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

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

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

- a. Be rooted in the Word of God, for proclamation and service;
 - b. Advocate a prophetic diakonia that commits itself to risk-taking and innovative service on the frontiers of the Church's outreach, giving particular attention to the suffering places in God's world;
 - c. Speak publicly to the world in solidarity with the poor and oppressed, calling for justice and proclaiming God's love for the world, witnessing to the realm of God in the community, the nation, and abroad;
 - d. Equip the baptized for ministry in God's world that affirms the gifts of all people;
 - e. Encourage mutual relationships that invite participation and accompaniment of others in God's mission;
 - f. Practice stewardship that respects God's gift of time, talents, and resources;
 - g. Be grounded in a gathered community for ongoing diaconal formation;
 - h. Share knowledge of the ELCA and its wider ministry of the gospel and advocate for the work of all expressions of this church; and
 - i. Identify and encourage qualified persons to prepare for ministry of the gospel.
- *C9.24.** The specific duties of the deacon, compensation, and other matters pertaining to the service of the deacon shall be included in a letter of call, which shall be attested by the bishop of the synod.
- *C9.25.** The provisions for termination of the mutual relationship between a minister of Word and Service and a congregation shall be as follows:
- a. The call of a congregation, when accepted by a deacon, shall constitute a continuing mutual relationship and commitment, which shall be terminated only by death or, following consultation with the synodical bishop, for the following reasons:
 - 1) mutual agreement to terminate the call or the completion of a call for a specific term;
 - 2) resignation of the deacon, which shall become effective, unless otherwise agreed, no later than 30 days after the date on which it was submitted;
 - 3) inability to conduct the ministry of Word and Service effectively in this congregation in view of local conditions;
 - 4) physical disability or mental incapacity of the deacon;
 - 5) suspension of the deacon through discipline for more than three months;
 - 6) resignation or removal of the deacon from the roster of Ministers of Word and Service of this church;
 - 7) termination of the relationship between this church and this congregation;
 - 8) dissolution of this congregation or the termination of a parish arrangement; or
 - 9) suspension of this congregation through discipline for more than six months.
 - b. When allegations of physical disability or mental incapacity of the deacon under paragraph a.4) above, or ineffective conduct of the office of minister of Word and Service under paragraph a.3) above, have come to the attention of the bishop of this synod,
 - 1) the bishop in his or her sole discretion may investigate such conditions personally together with a committee of two rostered ministers and one layperson, or
 - 2) when such allegations have been brought to the synod's attention by an official recital of allegations by the Congregation Council or by a petition signed by at least one-third of the voting members of this congregation, the bishop personally shall investigate such conditions together with a committee of two rostered ministers and one layperson.
 - c. In case of alleged physical disability or mental incapacity under paragraph

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

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

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

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

***C9.26.** The deacon shall make satisfactory settlement of all financial obligations to a former congregation before:

- a. installation in another field of labor, or
- b. the issuance of a certificate of dismissal or transfer.

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

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

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

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

Chapter 10 CONGREGATION MEETING

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

(BYLAW)

Sun- **C10.01.01.** The annual congregational meeting shall be held on the second day in November.

C10.02. Procedure for Calling Special Meetings

A special Congregation Meeting may be called by the [senior] pastor, the Congregation Council, or the president of this congregation, and shall be called by the president of the congregation upon the written request of 10% of the voting members. The president of the Congregation Council shall call a special meeting upon request of the synodical 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 (2) consecutive Sundays and by mail or electronic means as permitted by state law to all voting members at least ten (10) days in advance of the date of the meeting.

C10.04. Fifteen (15) 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 the 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.

Chapter 11 OFFICERS

C11.01. The officers of this congregation shall be a president, vice president, president-elect, secretary, treasurer, financial secretary, and personnel secretary.
a. Duties of the officers shall be specified in C11.01.01 below.

- b. The president, vice-president, president-elect, and secretary shall be voting members of this congregation.
- c. Officers of this congregation shall serve similar offices of the Congregation Council. The treasurer, financial secretary, and personnel secretary, unless otherwise elected members of the Congregation Council, shall be *ex officio* members of the Congregation Council and shall have voice, but no vote, in its meetings. They shall attend Executive Committee and Congregation Council meetings as requested.
- d. The president, vice president, president-elect, and secretary shall be elected, as set out in C11.02, from the membership of the Congregation Council. The treasurer, financial secretary, and personnel secretary shall be elected annually by the Congregation Council from the membership of the congregation.

(BYLAW)

C11.01.01. Duties of officers

- a. President: The president shall preside at all meetings of the Congregation and Congregation Council. He/she shall represent the congregation in dealings with the North Carolina Synod and be responsible for liaison and communication between the Synod and the congregation. The president shall oversee the proper functioning of the Congregation Council and insure that the annual reports are published and presented at the Annual Congregation Meeting in November. It shall be the responsibility of the president to recruit Council committee members and with the Executive Committee, communicate actions taken by the Congregation Council needing follow-up to the Business Manager. The president shall attend TEAM meetings and those specified in the Bylaws.
- b. Vice-President: The vice-president shall preside at all meetings in the president's absence or in the event of his/her inability to act. He/she shall be a member of the Executive Committee and shall serve on the Strategic Planning Committee and *ex officio* on the Personnel Committee.
- c. President-Elect: The duties of the president-elect shall include, but are not limited to:
 - 1) act as an understudy to the presiding president;
 - 2) attend Executive Committee meeting as a non-voting member;
 - 3) attend the Strategic Planning Committee meetings;
 - 4) attend the monthly TEAM meeting;
 - 5) attend the Preassembly Conference meeting and Synod Assembly;
 - 6) recruit Council committee appointments/chairs for his/her upcoming presidential year;
 - 7) plan Board Retreat for his/her presidential year;
 - 8) consult and counsel with the pastoral staff.
- d. Secretary: The secretary shall support the pastor(s) and their programs, provide congregational leadership and assist the pastors and congregation to fulfill functions and obtain goals. Specific duties are to:
 - 1) keep accurate minutes of all meetings of the congregation and Congregation Council;

- 2) record the attendance at the Congregation Council meetings;
 - 3) serve on the Executive Committee;
 - 4) prepare the agenda for the Congregation Council Meeting;
 - 5) keep records of motions and communications in the Motions Notebook;
 - 6) serve as corresponding secretary of the Council.
- e. Treasurer: The treasurer shall be responsible for overseeing the Business Manager in respect to the proper maintenance of the books of account. The treasurer shall have accountability for all funds and securities belonging to the congregation and shall have responsibility of seeing that they are disbursed under the direction of the Congregation Council. He/she shall be a member of the Finance Committee and an *ex officio*, non-voting member of the Executive Committee and Congregation Council. The treasurer shall:
- 1) oversee that the books of all accounts of the congregation are current and in accordance with accepted accounting and legal practices;
 - 2) prepare, with the Business Manager, a monthly report of all income and expenses for the Congregation Council;
 - 3) oversee that the payroll and all monthly bills are paid on time and that all invoices, financial documents and records are properly filed;
 - 4) be responsible for completion and filing of all federal, state, and local tax forms from St. John's;
 - 5) assist with information for preparation and presentation annual budget;
 - 6) make a financial report to the congregation at the November Annual meeting;
 - 7) attend the Executive Committee and /or Congregation Council when requested.
- f. Financial Secretary: The financial secretary is a lay volunteer elected annually by the Congregation Council to assist and advise in financial matters with focus on revenue trends and cash reserves, reporting to the Executive Committee, Council and/or Congregation when requested. The financial secretary shall be an *ex officio*, non-voting member of the Executive Committee and Congregation Council. The financial secretary shall:
- 1) serve on the Finance Committee;
 - 2) provide for distribution of member statements;
 - 3) assure annual distribution of member donation envelopes;
 - 4) assist the Stewardship Campaign Committee by accounting for pledges and tallying;
 - 5) track monthly and annual revenue patterns to aid in budget forecasts;
 - 6) develop cash forecast models to assist Finance Committee and Congregation Council in budget affordability issues;
 - 7) act as an advisory resource to Council, pastor(s), and Business Manager.
- g. Personnel Secretary: The personnel secretary is a lay volunteer elected annually by the Congregation Council to assist and advise the Council, Congregation, and staff concerning personnel matters, reporting to the

Executive Committee, Council, and/or Congregation when requested. The Secretary shall be an *ex officio*, non-voting member of the personnel Executive Committee and Congregation Council. The personnel secretary shall:

- 1) serve on the Personnel Committee;
- 2) maintain staff salary ranges:
 - a) annual inflation adjustment
 - b) periodic surveys to ascertain market competitiveness;
- 3) facilitate administration of Annual Performance review cycle and resulting salary adjustment recommendation;
- 4) collaborate with the Business Manager in development of annual payroll budget;
- 5) develop and maintain Position Descriptions that reflect the accountabilities appropriate to each staff focus;
- 6) act as an advisory resource to Council, Pastors and Business Manager.

C11.02. The Congregation Council shall elect its officers and they shall be the officers of this congregation. The officers shall be elected by ecclesiastical ballot and shall serve for one (1) year or until their successors are elected unless otherwise stated.

- a. The president, vice president, secretary, treasurer, financial secretary, and personnel secretary shall begin their terms in January.
- b. The election of the president-elect shall take place at the April Congregation Council meeting, with all Council members present, eligible to vote. Council members eligible to be nominated to serve in this position shall come from the first and second year Council classes. The president-elect shall be the Congregation president for the following Council year beginning January 1.

C11.03. With the exception of the position of president-elect, no officer shall hold more than one (1) office at a time. The president, vice president and secretary shall not be eligible to serve more than two (2) consecutive terms in the same office.

Chapter 12 CONGREGATION COUNCIL

C12.01. The voting membership of the Congregation Council shall consist of the pastor(s) and not more than fifteen (15) adult and two (2) youth members of this congregation. Any voting member of the congregation may be elected, subject only to the limitations as provided herein.

Fifteen (15) members of the Congregation Council shall be elected by ballot for terms of three (3) years. Their terms shall be arranged so that one-third (1/3) of the terms expire annually.

The two (2) youth members shall be eighteen (18) years of age or below, and shall be elected annually for a term of one (1) year. The Senior High Youth shall elect

the youth members of the Congregation Council subject to ratification by a majority vote of this congregation at the Annual Congregational Meeting in November. The Youth Advisors, the Youth and Family Life Board, including the staff liaison person, and the pastor(s) shall provide guidance to the Senior High Youth in the election process.

All elected members of the Congregation Council shall be eligible to serve no more than one (1) full term consecutively. A member's place on the Congregation Council shall be declared vacant if the member

- a. ceases to be a voting member of this congregation or
- b. is absent from three (3) successive regular meetings of the Congregation Council without cause.

C12.02. The members of the Congregation Council except the pastor(s) shall be elected in accordance with the bylaws of the congregation.

(BYLAWS)

C12.02.01. Members of the Congregation council shall be elected and such other business as necessary shall be conducted at the annual meeting.

C12.02.02.

- a. The Nomination and Election Committee shall seek out and receive nominees for membership to the Congregation Council and oversee nominations and election for membership to the Congregation Council.
- b. Nominations will be received from August 1 until September 15. The committee will see that every family receives at least one copy of the Nomination Form not later than August 1. The Nomination Form shall require the signature of the nominator and the nominee. All active congregation members, including Congregation Council members, may make nominations. All nominations must be submitted to the
Nomination and Election Committee by September 15.
- c. The Committee shall be responsible for presenting to the full congregation a final slate with a minimum of eight (8) nominees for the five (5) three-year term Council seats, and shall receive and present the two (2) nominees for the one-year term Youth Seats which have been elected by the Youth Members of the congregation as provided in Chapter 12, Paragraph 12.01A of the Constitution of this congregation. The Nomination and Election Committee shall make every effort to present a slate of candidates that is representative of the congregation.
- d. No later than October 10, the Committee shall publish an alphabetical list of nominees, their personal information, and photographs, and the date of the first ballot, which shall be the second Sunday in November at all services.
- e. The committee shall present the ballot with these nominees to the congregation at the Annual Meeting in November. No further

nominations shall be received on election Sunday. Election shall be by written ballot. There may be no absentee ballots. A Unity Service shall be conducted for the Annual Meeting and election of Council members.

- f. Unless all five vacancies on the Council have been filled on the first ballot by 40% of the ballots cast, then a second ballot would occur following the Worship Service on Annual Meeting Sunday in November. If more than five (5) candidates receive votes on 40% of the ballots cast in the first ballot, then the top five (5) nominees would be elected. If a second ballot is necessary, it would contain the two nominees for each vacancy to be filled. These nominees would come from the remaining highest vote-getters. The highest number of votes would determine the remaining vacancies.
- g. The Chairman of the Nomination and Election Committee shall appoint, from confirmed members of St. John's, a sufficient number of tellers to count and tally the votes.

C12.03. Should a member's place on the Congregation Council be declared vacant, the Congregation Council shall elect, by majority vote, a successor to serve the remainder of the term left vacant.

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 strategic planning, to set goals and priorities, and to evaluate its activities in light of its mission and goals;
- b. to seek to involve all members of this congregation in worship, learning, witness, service, and support.;
- c. to oversee and provide for the administration of this congregation to enable it to fulfill its functions and perform its mission;
- d. to maintain supportive relationships with the ~~pastor~~ **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 partnership with the synod and church wide organizations 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 and to seek to introduce the church's periodicals and books of family devotion into the homes of the congregation;
- j. to seek out and encourage qualified persons to prepare for the ministry of the Gospel.

- C12.05. The Congregation Council shall be responsible for the financial and property matters of this congregation.
- a. The Congregation Council shall be the board of directors of this congregation, and as such shall be responsible for maintaining and protecting its property and the management of its business and fiscal affairs. It shall have the powers and be subject to the obligations that pertain to such boards under the laws of the State of North Carolina, except as otherwise provided herein.
 - b. The Congregation Council shall not have the authority to buy, sell, or encumber real property unless specifically authorized to do so by a meeting of this congregation.
 - c. The Congregation Council may enter into contracts of up to ten percent (10%) in excess of the anticipated receipts for items not included in the budget.
 - d. The Congregation Council shall prepare an annual budget for adoption by this congregation, shall supervise the expenditure of funds in accordance therewith following its adoption, and may incur obligations of more than ten percent (10%) in excess of the anticipated receipts only after approval by a Congregation Meeting. The budget shall include this congregation's full indicated share in support of the wider ministry being carried on in partnership with the synod and church wide organization.
 - e. The Congregation Council shall ascertain that the financial affairs of this congregation are being conducted efficiently, giving particular attention to the prompt payment of all obligations and to the regular forwarding of benevolence monies to the synodical treasurer.
 - 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, the 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 staff of this congregation. Nothing in this provision shall be deemed to affect the congregation's responsibility for the call, terms of call, or termination of call of any employees who are on a roster of this church.
- C12.09. The Congregation Council shall submit a comprehensive report 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 (1/2) of its members. Notice of each special meeting shall be given to all who are entitled to be present.

(BYLAW)

- C12.11.01.** Order of Business: The following shall constitute the Order of Business for regular meetings of the Congregation Council:
- i. Devotions and Prayer

- ii. Consent Agenda
 - 1) Minutes of the Previous Meeting
 - 2) Approval of Agenda
 - 3) Board Minutes
 - 4) Communications
- iii. Financial Report
- iv. Ministry Reports
- v. Council Committee Reports
- vi. Old Business
- vii. New Business
- viii. Announcements
- ix. Prayer Concerns and Adjournment

C12.12. A quorum for the transaction of business shall consist of a majority of the members of the Congregation Council, including the [senior] pastor or interim pastor, except when the [senior] pastor or interim pastor requests or consents to be absent and has given prior approval to the agenda for a particular regular or special meeting, which shall be the only business considered at that meeting. Chronic or repeated absence of the [senior] pastor or interim pastor who has refused approval of the agenda of a subsequent regular or special meeting shall not preclude action by the Congregation Council, following consultation with the synodical bishop.

C12.13. The Congregation Council and its committees may hold meetings by remote communication, including electronically and by telephone conference, and to the extent permitted by state law, notice of all meetings may be provided electronically.

Chapter 13

CONGREGATION COMMITTEES

C13.01. The president, vice president, president-elect, secretary, one at-large member of the Congregation Council of this congregation, and the pastors shall constitute the voting members of the Executive Committee. The Treasurer shall be an *ex officio* non-voting member of the Executive Committee. Members of Congregation Council shall fill the at-large position.

(CONTINUING RESOLUTION)

C13.01.A13 Executive Committee of the Congregation Council: The Executive Committee shall carry out tasks assigned to it by the Council, which may include agenda planning, budget performance review, sensitive personnel matters, and nominations for ministry group and committee membership. It shall be an enabling servant of the Congregation Council. It is composed of the Congregation Council, president, vice-president, president elect, secretary, one at-large member of the Congregation Council, the pastor(s), and the treasurer who shall be an *ex officio* non-voting member. The president shall preside.

The Executive Committee shall oversee and direct the available subsidy funds from the Susie B. Thomas Fund for qualifying children to attend the

Child Development Center and Kindergarten/Pre-Kindergarten.

C13.02. The Congregation Council shall appoint the following Standing Committees, with the number of members and the presiding officer of each to be determined by the Congregation Council:

- a. Nomination & Election Committee
- b. Strategic Planning Committee (Reports directly to Executive Committee)
- c. Finance Committee (Reports directly to Executive Committee)
- d. Personnel Committee (Reports directly to Executive Committee)
- e. Mutual Ministry Committee
- f. Scholarship Committee
- g. Memorial Garden and Columbarium Committee
- h. Constitution and Bylaws Committee
- i. Property Committee (Reports directly to Executive Committee)
- j. Stewardship Committee (Reports Directly to Executive Committee:
- k. Archives Committee

C13.03. Reserved

C13.04. ~~**Mutual Ministry Committee** (in the absence of a mutual ministry committee, the duties shall be fulfilled by the executive committee) shall be appointed jointly by the president [vice president¹] and the pastor. Term of office shall be two years, with three members to be appointed each successive year.~~

C13.05. When a pastoral vacancy occurs, a Call Committee of six (6) voting members shall be elected by the Congregation Council. Term of office will terminate upon installation of the newly called pastor.

C13.06. The Congregation Council shall appoint as many ministry groups, task forces, committees, and community outreach teams as the local and wider concerns of this congregation shall require. The number of members and the presiding officer of each shall be determined by the Congregation Council. Members of ministry groups, task forces, and committees shall be selected from among the voting members of this congregation. Additional members of community outreach teams may be selected from the greater community, provided that a majority of the members of the team are voting members of this congregation. At least one Congregation Council member may be appointed as liaison to each ministry group, task force, and committee. The pastor(s) assigned shall have voice and vote on all ministry groups, task forces, and committees.

C13.07. The duties of all ministry groups, task forces, and committees created under this article shall be assigned in writing by the Congregation Council, along with such instructions as in its judgment are in the best interest of this congregation. All actions of the ministry groups task forces, committees, and community outreach teams shall be subject to the approval of the Congregation Council. Although appointed by and responsible to the Congregation Council, ministry groups, task forces, committees, and community outreach teams shall be recognized as representative of the interests of, and performing essential service for this congregation as a whole.

(CONTINUING RESOLUTION)

C13.07.A13. Standing Committees of the Congregation Council Reporting Directly to the Executive Committee

Each standing Committee of the Congregation reporting directly to the Executive Committee may have a Congregation Council member as a *liaison* to the Council. Specific officers may be designated as *liaisons* in these bylaws.

A person whose expertise is valuable to the operation of a committee may be retained as a consultant by the committee, renewable on an annual basis, with voice but no vote.

a. Finance Committee

The Finance Committee is a standing committee of the Congregation Council. The committee shall consist of the senior pastor, treasurer, financial secretary and four (4) at-large members, one of which shall be a voting member of the Congregation Council. At-large members shall serve for a one (1) year term and may succeed themselves for not more than three (3) consecutive terms. The chairperson shall be recommended by the Executive Committee and ratified by the Congregation Council. The chairperson may succeed himself/herself for one additional term. The committee shall choose one of its members as secretary.

The Committee shall be responsible for:

- 1) approving and monitoring the corporate finances of the congregation;
- 2) creating a financial climate for fulfilling the mission of the congregation;
- 3) authorizing and approving an annual audit of the financial records of the congregation;
- 4) preparing an Annual Budget to be submitted to the Congregation Council at its August meeting;
- 5) preparing financial projections with consideration of the current Strategic Plan of the Congregation;
- 6) maintaining communication with the treasurer of the North Carolina Synod and seeing that the congregation's annual apportionment and other benevolence monies and appropriate financial reports are promptly forwarded to the Synod;
- 7) keeping a written record of all meetings.

b. Personnel Committee

The Personnel Committee is a standing committee of the Congregation Council. The Congregation Council shall appoint the committee which shall consist of the vice president, the personnel secretary, and four (4) at-large members. Two (2) of the at-large members shall be appointed each year to serve a two year term. At-large members shall be eligible to serve two (2) consecutive terms. The Committee shall elect its own Chairperson.

The Committee shall be responsible for:

- 1) providing the structure, procedure and policy by which sound human resource programs and relations can be conducted for the benefit of church staff, Congregation Council and congregation;
- 2) acting as an advisory resource to the Congregation Council and senior pastor on related human resource matters;
- 3) researching, developing, executing, monitoring, assessing, and advising on the following:
 - a) administration of the salary/benefit programs:
 - i. developing and maintaining individual staff position description that clearly illustrate main accountabilities;
 - ii. establishing proper salary ranges in relation to other staff positions and the competitive job market;
 - iii. implementing performance review procedures for all staff positions. Evaluations shall begin in March. Salary recommendations shall be submitted to the Finance Committee no later than July 1;
 - iv. developing supervisory guidelines for salary increases based on merit, promotion and/or salary relationship to market price of position.
 - b) analysis and recommendations related to the budgeting of payroll/benefit costs;
 - c) implement recruitment activities and orientation/training programs for lay staff;
 - d) act as advisor and liaison to the Congregation Council in matters of:
 - i. organizational structure/chain-of-command
 - ii. morale/discipline – hire/terminate
 - iii. new human resource programs
 - iv. improvements to existing human resource programs
 - v. pastoral employment contracts
- 4) keeping a written record of all committee and sub-committee meetings.

c. Property Committee

The Property Committee shall be comprised of at least six members of the congregation and a pastor. Members of the Congregation Council, with the exception of the pastors, may serve only as liaison members. Members of the committee shall be appointed by the Congregation Council to serve a one (1) year term, and may succeed themselves for no more than three (3) consecutive terms. Chairpersons shall be appointed for a two-year term and may succeed themselves for an additional two-year term.

~~The Committee shall meet as needed and shall maintain a written record of its activities and proceedings.~~ **[Moved to end of document.]**

The Property Committee is responsible for the overall upkeep and maintenance of the physical facility and equipment. For this purpose, it has the authority to spend up to \$15,000 without securing permission from the Congregation Council.

1. Contracts for major repairs and/or equipment between \$5,000 and \$15,000 shall require the signatures of the Facility Manager and the Chair of the Property Committee. These same signatures will be required to authorize payment.
2. Contracts for major repairs and/or equipment over the amount of \$15,000 shall require the signatures of the Council President, the Chair of the Property Committee, and the Facility Manager.
3. A third-party, with expertise in a particular area of a project, will be recruited to oversee any project over \$25,000. Members of St. John's congregation who may be willing to volunteer their expertise should be considered first. Council approval will be needed if there is cost associated with third party oversight.
4. Persons who signed the original contract will be required to also sign the final request for payment. Final payment will not be processed until after an inspection by the third-party overseer of St. John's indicating all work has been satisfactorily completed.

The Property Committee will report to Council quarterly on the state of the campus and concerning any needed immediate/short term repairs and/or improvements.

On an annual basis, the Property Committee will provide Council with a prioritized list of repairs/replacements needed, along with proposals as to measures that can be taken to postpone those items that are not urgent.

The Property Committee shall:

1. regularly develop a long-range plan for the replacement and upgrading of equipment, including audio equipment;
2. provide for the proper maintenance and protection of all property of the congregation and keep all property and grounds in good repair, including the Child Development Center and Retreat Property;
3. supervise additions and improvements to existing property;
4. make recommendations in regard to the purchase or sale of real property.
5. the Property Committee shall meet periodically to:
 - a) stimulate its own spiritual growth;
 - b) report on conditions of the congregation's property;
 - c) plan, oversee the implementation of, and evaluate property management;
 - d) define its activities and address concerns.

The Committee shall maintain a written record of its activities and proceedings.

d. Stewardship Committee

The Stewardship Committee shall be comprised of at least six members of the congregation and a pastor. Members of the Congregation Council, with the exception of the pastors, may serve only as *liaison* members. Members of the committee shall be appointed by the Congregation Council to serve a term of three years. Beginning in the year this provision is ratified, committee appointments shall be made on a staggered basis so that in subsequent years one-third (1/3) of the members will rotate off.

[NOTE: Two members will serve only one (1) year, 2012; two will serve The Congregation Council will make these assignments.] The Committee shall elect its own chairperson. The Committee shall meet as needed and shall maintain a written record of its activities and proceedings.

The Stewardship Committee is responsible for the annual Stewardship Campaign and shall encourage and promote among the members of the congregation a fuller awareness of their ministry in daily life and lead all members of the congregation to strive for higher proportional giving for the mission of the church.

The Stewardship Committee shall be responsible for instructing new members in the Stewardship program.

e. Strategic Planning Committee

The Strategic Planning Committee is a standing committee of the Congregation Council. The committee shall be comprised of the vice president and at least three (3) members whose terms are staggered. The chairman and members are recommended by the Executive Committee and ratified by the Congregation Council.

The Committee is responsible for helping the Council develop and communicate the congregation's strategic plan for ministry and, after completing annual reviews of the plan, to suggest revisions, as needed. The Strategic Planning Committee may also be asked to complete various studies as assigned by the Council.

(CONTINUING RESOLUTION)

C13.07.B12.c. Mutual Ministry Committee

- 1) The Mutual Ministry Committee is a standing committee of the Congregation Council. The committee shall consist of:
 - a) all rostered* staff members of the congregation; [*"rostered staff" as referred to in these Bylaws includes persons included on one of the active ministry rosters of the Evangelical Lutheran Church in America and called by a vote of St. John's congregation to serve as a pastor;

~~diaconal minister, deaconess, or associate in ministry~~ or
deacon.]

C13.07.B13.

Standing Committees of the Congregation Council

With the exception of the Nominations and Elections Committee which is chaired by a Congregation Council member as directed by these Bylaws, each Standing Committee of the Congregation Council may have at least one Council member as a *liaison* member.

a. Constitution and Bylaws Committee

The Constitution and Bylaws Committee is comprised of not less than three (3) members whose terms are staggered. At least one (1) member shall be on the Congregation Council. Members and the chairman shall be appointed by the Congregation Council to serve at least two (2) years. The Committee's duties are to review and update the Constitution and Bylaws, as needed.

b. Memorial Garden/Columbarium Committee

The Congregation Council established the Memorial Garden/Columbarium Committee as a committee of six individuals who shall oversee the operation of the Memorial Garden/Columbarium. Terms of service shall be for three (3) years, with the Congregation Council appointing two new members each year. Members of the committee may be reappointed for an unlimited number of terms. The committee elects its chairman. Any vacancy on the committee due to resignation or other cause shall be filled immediately by the Congregation Council to complete the unexpired term. The committee shall meet at the call of the chair to carry out policies and make recommendations on policy changes to the Congregation Council.

c. Mutual Ministry Committee

- 1) The Mutual Ministry Committee is a standing committee of the Congregation Council. The committee shall consist of:
 - a) all rostered * staff members of the congregation; [* "rostered staff" as referred to in these Bylaws includes persons included on one of the active ministry rosters of the Evangelical Lutheran Church in America and called by a vote of St. John's congregation to serve as a pastor, diaconal minister, deaconess, or associate in ministry.]
 - b) the council president, who shall serve as liaison to the Congregation Council;
 - c) two (2) congregation members per rostered staff

person, selected by said staff person in consultation with the Council President. These appointees will be ratified by the Council, serve a two-year staggered term, and be eligible for reappointment for one (1) additional term. Members should be persons committed to the vision of the church, the mission of the congregation, and the ministry of the staff.

- 2) The structure of the committee shall be:
 - a) members of the committee shall elect a chair each year. Neither the Council Liaison nor members of the rostered staff may serve as chair. The chair may succeed himself/herself once;
 - b) The committee shall meet quarterly. Assigned committee members are expected to meet with their respective rostered staff person during intervening months.
- 3) The purposes of the committee are to affirm and strengthen the ministry of the rostered staff through facilitating communication among the rostered staff members and to strengthen the bond between the rostered staff and congregation by addressing concerns both of congregation members and rostered staff members.
- 4) The Committee's responsibilities are to:
 - a) listen to concerns of the congregation and to those of the rostered staff and provide appropriate, positive and supportive forums for expression of these concerns;
 - b) assist the rostered staff in clarifying roles and expectations within the staff and between the staff and congregation;
 - c) encourage and support rostered staff in setting and fulfilling goals for continuing education and self-care;
 - d) foster a climate for spiritual strengthening and personal expression;
 - e) provide a sounding-board for new and creative ideas;
 - f) maintain strict confidentiality regarding all conversations with rostered persons;
 - g) communicate regularly with the appropriate Ministry Groups regarding recommendations that arise from the work of the Mutual Ministry Committee;
 - h) support and advocate for rostered staff during Annual Performance Review;
 - i) keep a written record of all committee and sub-committee meetings.

d. Nomination and Election Committee

The Nomination and Election Committee is a standing committee of the Congregation Council. By May 1 of each year, the Congregation Council shall appoint six (6) voting members of the congregation to the committee, three (3) of which shall be current members of the Congregation Council, one each from the first-year member class, second-year member class, and third-year member class. The third-year class member shall be the Chairperson and serve a one (1) year term. The committee shall choose one of its members as secretary.

e. Scholarship Committee

The Scholarship Committee is a standing committee of the Congregation Council whose purpose is to disperse funds of established St. John's Lutheran Church scholarships to a wide range of applicants who meet the qualifications as established for each scholarship. The committee meets in March to select recipients and the awards are made in May.

The committee shall consist of five (5) members, two (2) assigned from the Congregation Council and three (3) selected from the congregation and confirmed by the Congregation Council. The chairperson and the Congregation Council president shall identify one (1) new congregation member in August. Selected members shall serve a three (3) year term. The selected member in his/her third year shall be the chair.

The fiscal year runs with the school year with the incoming chair to assume duties at the beginning of the new school year.

f. Archives Committee

The Archives Committee is composed of not less than three (3) members whose terms shall be staggered. Members and the chairman shall be appointed by the Congregation Council to serve at least three (3) years. **[NOTE: Beginning in the year this provision is approved by the congregation, (2017?), committee appointments shall be made so that in subsequent years one-third (1/3), of the members will rotate off.]**

This committee will be responsible for the orderly maintenance of records, especially those of legal and operational value; and also those that document the history and accomplishments of St. John's Lutheran Church, Salisbury, NC. The committee will abide by the Record Retention Schedule provided by the ELCA, discarding obsolete records as directed by this

Schedule. The committee shall meet as needed and maintain a written record of its activities and proceedings. It shall report to the Congregation Council when requested.

Records stored in the Archives Room are available for study and perusal, but must be signed for if removed from the room.

(CONTINUING RESOLUTION)

13.07.C13. Ministry Groups

Ministry Groups shall be appointed by the Congregation Council for the purposes of organization, support, evaluation and accountability.

- a. These Groups will coordinate the activities of the Ministry Teams which will serve the interests of the congregation.
- b. Ministry Groups shall meet as needed, but no less than once a quarter.
- c. A staff member and a Congregation Council member are assigned to each Ministry Group. Each Group also shall have a Ministry Chair.
- d. Members of Groups shall be appointed by the Congregation Council to serve a one (1) year term, and may succeed themselves for no more than three (3) consecutive terms. Chairpersons shall be appointed for a two-year term and may succeed themselves for an additional two-year term.
- e. Each Group shall maintain a written record of its activities and proceedings.
- f. Each Group shall carry out the goals and policies established by the Congregation Council relative to its area of concern by appointing Ministry Teams to carry out the work of the Ministry Group. The number of teams coordinated by a Ministry Group is based on the needs at a point in time. A Ministry Team is focused on a specific activity or group of activities and is responsible for their success. Ministry Teams may be ongoing, supporting functions of the church, or may be established for a single activity or project and dissolved once the activity is complete. The Ministry Group supports the Ministry Teams and evaluates the effectiveness of the ministry structure, programs, and activities. Ministry teams will meet as needed to complete activities.
- g. The Congregation Council shall have proactive oversight of the Ministry Groups in planning, focus, ensuring proper management of the five basic ministries and control of Church resources. The Congregation Council shall establish Churchwide benchmarks of results.
- h. Each Ministry Group is responsible for the overall budget of its Group.
- i. Teams, which will serve the interests of the congregation and function on behalf of the Council in the following areas:

Congregational Life Ministry Group
Discipleship Ministry Group
Glocal Ministry Group
Outreach Ministry Group
Worship Ministry Group

1) Congregational Life Ministry Group

Congregational Life Ministry includes care ministries such as pastoral care and the hospital visitation team. This Ministry Group is the umbrella for fellowship groups within the congregation.

2) Discipleship Ministry Group

The Discipleship Ministry Group includes three separate Ministry sub-groups: adults, youth in grades 6-12, and children. Each sub-group provides vision, programming, and the training and equipping of leaders.

3) Glocal Ministry Group

The Glocal Ministry Group is responsible for creating opportunities for the church to engage in service both globally and locally through volunteer work, education, prayer and financial support.

4) Outreach Ministry Group

The objectives of the Outreach Ministry Group are to develop evangelistic ministries and to promote activities that will welcome all peoples to St. John's Lutheran Church, encouraging them to believe that God's love and purpose is best discovered through the local church, thereby leading them into a relationship with Christ and into ministry through the church.

5) Worship Ministry Group

The objective of the Worship Ministry Group is to provide for meaningful and relevant worship in various settings and for special occasions through ensuring needed worship materials, décor, incorporating lay persons and professional participation in worship.

(CONTINUING RESOLUTION)

C13.07.D13. Team for Ministry

- a. There shall be a Team for Ministry that shall consist of the chairpersons of the Congregational Life Ministry Group, the Discipleship Ministry Group, the Glocal Ministry Group, the Outreach Ministry Group, the Worship Ministry Group, pastors, staff person for Youth and Outreach and president of the Congregation Council. The pastor(s) shall conduct the meetings.
- b. The Team for Ministry shall coordinate the planning, implementation, and evaluation of the activities of the Ministry Groups in order to create a dynamic and balanced program of Christian congregational ministry. The Team for Ministry has the responsibility of helping recruit new

- Group chairs.
- c. The Team for Ministry shall meet periodically to:
- 1) stimulate its own growth;
 - 2) report on and coordinate the activities of the Ministry Groups;
 - 3) share accomplishments and challenges that are related to their concerns for ministry in the Groups;
 - 4) address issues that involve multiple Ministry Groups.

(CONTINUING RESOLUTION)

C13.07.E13. Benevolent Foundation

The Congregation shall have a Benevolent Foundation that shall operate according to the purpose and policies specified in the Bylaws of the Foundation. The Foundation will report to the Congregation Council. The purpose of the various funds of the Benevolent Foundation is to provide ministry and scholarship support beyond the operational budget of this congregation.

C13.07.F13. Outreach Ministries

The Congregation Council may authorize outreach ministries of the congregation to be operated pursuant to such guidelines, policies, and bylaws as may be approved by the Congregation Council.

a. THE CHILD DEVELOPMENT CENTER

The Congregation shall have a child development center known as the St. John's Evangelical Lutheran Church Child Development Center and shall operate as an extended Ministry of the church and as such shall report to the Congregation Council.

1) Purpose

The purpose of the St. John's Evangelical Child Development Center ("CDC") is to provide a Christ-centered, stimulating, and nourishing learning environment where the developmental needs of each child are met through creative learning, spiritual growth, and interaction with other children and adults. The CDC is available to all families and children.

2) Administration

- a) The Congregation Council of St. John's Evangelical Lutheran Church shall be responsible for the business

and governing of the CDC. All activities of the Child Center shall be consistent and in compliance with the Constitution and Bylaws of St. John's Evangelical Lutheran Church.

- b) The Child Development Center shall be operated in a financially sufficient and secure manner.
- c) The Child Development Center Executive Director is the Chief Operating Officer of the CDC and this position reports to the designated Staff Pastor. There will also be a team relationship between the CDC Executive Director and the St. John's Business Manager.

3) Advisory Committee

The CDC shall have an Advisory Committee whose members are approved by the Congregation Council.

- a) The primary responsibility of the Committee is to advise and assist St. John's Evangelical Lutheran Church Congregation Council in accomplishing the Child Development Center's Mission within the parameters of the St. John's Bylaws.
- b) The Committee will develop a partnership with the CDC Executive Director and advise and assist the director in the accomplishment of position accountabilities (Assistance guidelines are on file per Council recommendations, November 15, 2011.)
- c) There may be as many as ten members (with no more than 4 being outside St. John's membership.) Members will serve three-year staggered terms and be eligible to serve no more than one term consecutively.
- d) The CDC Advisory Committee shall select its chair.
- e) The appointed Staff Pastor shall be a permanent member of the Committee.
- f) The CDC Executive Director shall be an *ex officio* member of the Advisory Committee with voice, but no vote.
- g) The St. John's Business Manager shall be an *ex officio* member with voice, but no vote.
- h) The Congregation Council shall appoint from its membership each year, a *liaison* to the CDC Advisory Committee.

b. KINDERGARTEN/PRE-KINDERGARTEN

The Congregation shall have a Kindergarten/Pre-Kindergarten known as the St. John's Evangelical Lutheran Church Kindergarten/Pre-Kindergarten. It shall operate as an extended ministry of the church and as such, will report to the Congregation Council. They will be team-connected with the Child Development Center.

1) Purpose

St. John's Kindergarten and Pre-Kindergarten are committed to the physical, social, intellectual, spiritual, and moral development of each child, all in a loving, Christ-centered environment. Its purpose is to continue the process parents have begun by:

- Showing each child how special he or she is to us and unto God;
- Enhancing awareness of the world around them and their place in it;
- Cultivating within each child an enthusiasm for learning;
- Allowing children to play, to have fun, to share, and to explore their surroundings.

2) Administration

- a) The Congregation Council of St. John's Evangelical Lutheran Church shall be responsible for the business and governing of the Kindergarten/Pre-Kindergarten. The Kindergarten/Pre-Kindergarten will follow the common core standards as required by the State of North Carolina. All activities shall be consistent and in compliance with the Church Constitution and Bylaws.
- b) The Kindergarten/Pre-Kindergarten shall be operated in a financially sufficient and secure manner.
- c) The Kindergarten/Pre-Kindergarten Executive Director is Chief Operating Officer of the Kindergarten/Pre-Kindergarten and this Position reports to the designated Staff Pastor. The Executive Director is accountable for program quality and financial performance of the Kindergarten/Pre-Kindergarten. There will also be a team relationship between the Kindergarten/Pre-Kindergarten and the St. John's Business Manager.

3) Advisory Committee

The Kindergarten/Pre-Kindergarten shall have an Advisory Committee whose members are approved by the Congregation Council.

- a) A primary responsibility of the Committee is to advise and assist St. John's Evangelical Lutheran Church Congregation Council in accomplishing the Kindergarten's/Pre-Kindergarten's Purpose within the parameters of St. John's Bylaws.
- b) The Committee will advise and assist the Kindergarten/Pre-Kindergarten Executive Director in the accomplishment of position accountabilities. (Assistance guidelines are on file per Council recommendations June 18, 2013.)
- c) The Advisory Committee shall elect its chair and determine terms of advisor positions.
- d) The appointed Staff Pastor shall be a permanent member of the Committee.
- e) The Kindergarten/Pre-Kindergarten Executive Director shall be an *ex officio* member of the Advisory committee with voice, but no vote.
- f) The St. John's Business Manager shall be *ex officio* member with voice, but no vote.
- g) The Congregation Council shall appoint from its membership each year, a *liaison* to the Kindergarten/Pre-Kindergarten Advisory Committee.

Chapter 14 ORGANIZATIONS WITHIN THE CONGREGATION

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

Chapter 15 DISCIPLINE OF MEMBERS

- *C15.01. 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 the congregation, or willful and repeated harassment or defamation of member(s) of the 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 the congregation shall be governed as prescribed by the chapter on discipline in the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*. If the counseling, censure, and admonitions pursuant to *C15.01. do not result in repentance and amendment of life, charges against the accused member(s) that are specific and in writing may be prepared by the Congregation Council, signed, and submitted to the vice president of the synod. The vice president shall select from the synod's Consultation Committee a panel of five members (three lay persons and two **clergy ministers of Word and Sacrament**). A copy of the written charges shall be provided to the consultation panel and the accused member(s). The consultation panel, after requesting a written reply to the charges from the accused member(s), shall consider the matter and seek a resolution by means of investigation, consultation, mediation, or whatever other means may seem appropriate. The panel's efforts to reach a mutually agreeable resolution shall continue for no more than 45 days after the matter is submitted to it.

*C15.03. If the consultation panel fails to resolve the matter, that panel shall refer the case in writing, including the written charges and the accused member's reply, to the Committee on Discipline of the synod for a hearing. A copy of the panel's written referral shall be delivered to the vice president of the synod, the Congregation Council, and the accused member(s) at the same time it is sent to the Committee on Discipline of the synod. The Executive Committee of the Synod Council shall then select six members from the Committee on Discipline to decide the case, and shall appoint a member of the Synod Council to preside as nonvoting chair. Those six members plus the nonvoting chair comprise the discipline hearing panel for deciding the case. The Congregation Council and the accused member(s) are the parties to the case.

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

Evangelical Lutheran Church in America.

- *C15.05. By the vote of at least two-thirds of the members of the discipline hearing panel who are present and voting, one of the following disciplinary sanctions can be imposed:
- suspension from the privileges of congregation membership for a designated period of time;
 - suspension from the privileges of congregation membership until the pastor and Congregation Council receive evidence, satisfactory to them, of repentance and amendment of life;
 - termination of membership in the congregation; or
 - termination of membership in the 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 the 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.
- *C15.08. Reserved
- *C15.09. Reserved
- *C15.10. Adjudication.
- *C15.11. When there is disagreement among factions within this congregation on a substantive issue that cannot be resolved by the parties, members of this congregation shall have access to the synodical bishop for consultation after informing the chair of the Congregation Council of their intent. If the consultation fails to resolve the issue(s), the Consultation Committee of the synod shall consider the matter. If the Consultation Committee of the synod shall fail to resolve the issue(s), the matter shall be referred to the Synod Council, whose decision shall be final.

Chapter 16.

BYLAWS

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

members of the proposal with the council's recommendations at least 30 days in advance of the Congregation Meeting. Notification may take place by mail or electronic means, as permitted by state law.

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

Chapter 176. **AMENDMENTS**

***C176.01.** Unless provision ***C176.04.** 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 20% of voting members or by the Congregation Council. Proposals must be filed in writing with the Congregation Council 60 days before formal consideration by this congregation at a regular or special Congregation Meeting called for that purpose. The Congregation Council shall notify the congregation's members of the proposal together with the council's recommendations at least 30 days in advance of the meeting. Notification may take place by mail or electronic means, as permitted by state law.

***C176.02.** An amendment to this constitution, proposed under ***C176.01.**, shall:

- a. be approved at a legally called Congregation Meeting according to this constitution by a majority vote of those voting members present and voting;
- b. be ratified without change at the next annual meeting by a two-thirds majority vote of those voting members present and voting; and
- c. have the effective date included in the resolution¹ and noted in the constitution.

***C176.03.** Any amendments to this constitution that result from the processes provided in ***C176.01.** and ***C176.02.** shall be sent by the secretary of this congregation to the synod. The synod shall notify the 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.

***C176.04.** 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 simple majority vote of those voting members present and voting at any legally called meeting of the congregation without presentation at a prior meeting of the congregation, provided that the Congregation Council has submitted by mail or electronic means, as permitted by state law, notice to the congregation of such an amendment or amendments, together with the council's recommendations, at least 30 days prior to the meeting. Upon the request of _____ at least two (2) voting members of the congregation, the Congregation Council shall submit such notice. Following the adoption of an amendment, the secretary of the congregation shall submit a copy thereof to the synod. Such provisions shall become effective immediately following a 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 majority two-thirds vote of those voting members present and voting.
- *C17.03.** Changes to the bylaws may be proposed by any voting member, provided that such additions or amendments be submitted in writing to the Congregation Council at least 60 days before a regular or special Congregation Meeting called for that purpose. The Congregation Council shall notify this congregation's members of the proposal with the council's recommendations at least 30 days in advance of the Congregation Meeting. Notification may take place by mail or electronic means, as permitted by state law.
- *C17.04.** Approved changes to the bylaws shall be sent by the secretary of this congregation to the synod.

Chapter 18 CONTINUING RESOLUTIONS

- *C18.01.** The 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 the congregation or a two-thirds (2/3) vote of all voting members of the Congregation Council.

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 person is or was a Congregation Council member, officer, employee or 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.

Chapter 20. PARISH AUTHORIZATION

[Required provisions when congregation is part of a parish]*

- *C20.01.** This congregation may unite in partnership with one or more other congregations recognized by the synod named in *C6.01. to form a parish. Except as provided in *C20.02. and *C20.03., a written agreement, developed in consultation with the synod and approved by the voting members of each congregation participating in the parish, shall specify the powers and responsibilities that have been delegated to a Parish Council.

- *C20.02.** Whenever a letter of call is being recommended for extension to an ordained minister of the Evangelical Lutheran Church in America or a candidate for the roster of ordained ministers who has been recommended to the congregation by the synodical bishop to serve the congregations of a parish, such letter of call shall be first approved by a two-thirds vote at congregational meetings of each of the congregations forming the parish. If any congregation of the parish should fail to approve extending this call, the other congregation(s) in the same parish shall have the right to terminate the parish arrangement.
- *C20.03.** Any one of the congregations of a parish may terminate the call of a pastor as provided in †S14.13.d. of the synodical constitution of the synod named in *C6.01. In such case, the other congregation(s) in the same parish shall have the right to terminate the parish arrangement.
- *C20.04.** Whenever a parish arrangement is terminated, the call of any rostered person serving that parish is terminated. Should any congregation that formerly was part of the parish arrangement desire to issue a new call to that rostered person, it may do so in accordance with the call process of this church.
- *C20.01.** This congregation may unite in partnership with one or more other congregations recognized by the synod named in *C6.01. to form a parish. Except as provided in *C20.02. and *C20.03., a written agreement, developed in consultation with the synod and approved by the voting members of each congregation participating in the parish, shall specify the powers and responsibilities that have been delegated to the Parish Council. The Parish Agreement shall identify which congregation of the parish issues calls on behalf of the member congregations or shall establish a process for identifying which congregation issues calls on behalf of the member congregations.
- *C20.02.** One congregation of a parish shall issue a call on behalf of the member congregations to a minister of Word and Sacrament or a candidate for the roster of Ministers of Word and Sacrament who has been recommended by the synodical bishop to serve the congregations of the parish. Such a call shall be approved prior to issuance by a two-thirds vote at a congregational meeting of each congregation forming the parish. If any congregation of the parish should fail to approve the call, the other congregations of the parish shall have the right to terminate the parish agreement.
- *C20.03.** One congregation of a parish may issue a call on behalf of the member congregations to a minister of Word and Service or a candidate for the roster of Ministers of Word and Service who has been recommended by the synodical bishop to serve the congregations of the parish. Such a call shall be approved prior to issuance by a two-thirds vote at a congregational meeting of each congregation forming the parish. If any congregation of the parish should fail to approve the call, the other congregations of the parish shall have the right to terminate the parish agreement.
- *C20.04.** Any one of the congregations of the parish may terminate their relationship with the pastor as provided in †S14.18.d. of the synodical constitution of the synod named in *C6.01. In such case, the other congregation(s) of the same parish shall have the right to terminate the parish agreement.
- *C20.05.** Any one of the congregations of the parish may terminate their relationship with a minister of Word and Service as provided in †S14.43.d. of the synodical constitution of the synod named in *C6.01. In such case, the other congregation(s) of the same parish shall have the right to terminate the parish agreement.

***C20.06.** Whenever a parish agreement is terminated, the call of any rostered minister serving that parish is terminated. Should any congregation that was formerly part of the parish agreement desire to issue a new call to that rostered minister, it may do so in accordance with the call process of this church.

**PER INSTRUCTIONS FROM THE LEGAL COMMITTEE OF THE NORTH CAROLINA
SYNOD, ELCA:**

“The Church Constitution will become effective after the second vote of approval and after a copy certified by your secretary as true and accurate is delivered to the Synod office where it will be maintained on file. This would include a clean copy of the constitution as was submitted and the signatures of your church council members.”

**ST. JOHN’S EVANGELICAL CHURCH, SALISBURY, NORTH CAROLINA CONSTITUTION,
BYLAWS, AND CONTINUING RESOLUTIONS duly ratified and signed by the following
Church Council Members, February 16, 2016.**

Jonathan Williams, President_____

Brenda Munday, Vice President_____

Raymond Coltrain_____

Boyd Hough_____

Dennis Rogers_____

Karen South Jones_____

Norman Sloop_____

Nancy Shirley_____

Ronald Smith_____

Donny Yost_____

(continued)

Ben Goodman_____

Frank Goodnight_____

Jeanie Moore_____

Gary Rhodes_____

Bill Safrit_____

I hereby certify that this is a true and accurate copy of the Constitution, Bylaws, and Continuing Resolutions of St. John's Evangelical Church, Salisbury, NC, approved and ratified by the Congregation Council and the Congregation of St. John's.

Karen South Jones, Council Secretary

February 16, 2015

(All signatures were in place on Synod Copy. mcl)