Prince of Peace Lutheran Church
Roseville, Minnesota

CHURCH CONSTITUTION

Approved by the Congregation at its
Annual Meeting on January 27, 2008

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 Prince of Peace Lutheran Church of Roseville, Minnesota.

C1.02. For the purpose of this constitution and the accompanying bylaws, the congregation of Prince of Peace Lutheran Church of Roseville, Minnesota is hereinafter designated as "this congregation."

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

Chapter 2.

CONFESSION OF FAITH

C2.01. This congregation confesses the Triune God, Father, Son, and Holy Spirit.

C2.02. This congregation confesses Jesus Christ as Lord and Savior and the Gospel as the power of God for the salvation of all who believe.

a. Jesus Christ is the Word of God incarnate, through whom everything was made and through whose life, death, and resurrection God fashions a new creation.

b. The proclamation of God's message to us as both Law and Gospel is the Word of God, revealing judgment and mercy through word and deed, beginning with the Word in creation, continuing in the history of Israel, and centering in all its fullness in the person and work of Jesus Christ.

c. The canonical Scriptures of the Old and New Testaments are the written Word of God. Inspired by God's Spirit speaking through their authors, they record and announce God's revelation centering in Jesus Christ. Through them God's Spirit speaks to us to create and sustain Christian faith and fellowship for service in the world.

C2.03. This congregation accepts the canonical Scriptures of the Old and New Testaments as the inspired Word of God and the authoritative source and norm of its proclamation, faith, and life.

C2.04. This congregation accepts the Apostles', Nicene, and Athanasian Creeds as true declarations of the faith of this congregation.

C2.05. This congregation accepts the Unaltered Augsburg Confession as a true witness to the Gospel, acknowledging as one with it in faith and doctrine all churches that likewise accept the teachings of the Unaltered Augsburg Confession.

C2.06. This congregation accepts the other confessional writings in the Book of Concord, namely, the Apology of the Augsburg Confession, the Smalcald Articles and the Treatise, the Small Catechism, the Large Catechism, and the Formula of Concord, as further valid interpretations of the faith of the Church.

C2.07. This congregation confesses the Gospel, recorded in the Holy Scriptures and confessed in the ecumenical creeds and Lutheran confessional writings, as the power of God to create and sustain the Church for God's mission in the world.

Chapter 3.

NATURE OF THE CHURCH

C3.01. All power in the Church belongs to our Lord Jesus Christ, its head. All actions of this congregation are to be carried out under his rule and authority.

C3.02. The Church exists both as an inclusive fellowship and as local congregations gathered for worship and Christian service. Congregations find their fulfillment in the universal community of the Church, and the universal Church exists in and through congregations. 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.

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 churchwide organization of the Evangelical Lutheran Church in America.

I. Foster and participate in ecumenical relationships consistent with churchwide policy.

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

actions. Such descriptions shall be contained in continuing resolutions in the section on the Congregation Council.

C4.05. This congregation shall, from time to time, adopt a mission statement which will provide specific direction for its programs.

Chapter 5.

POWERS OF THE CONGREGATION

C5.01. The powers of this congregation are those necessary to fulfill its purpose.

C5.02. The powers of this congregation are vested in the Congregation Meeting called and conducted as provided in this constitution and bylaws.

C5.03. Only such authority as is delegated to the Congregation Council or other organizational units in this 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 or terminate the call of associates in ministry, deaconesses, and diaconal ministers in conformity with the applicable policy of the Evangelical Lutheran Church in America;

d. adopt amendments to the constitution as provided in Chapter 17, and amendments to the bylaws, as specified in Chapter 16;

e. approve the annual budget;

f. acquire real and personal property by gift, devise, purchase, or other lawful means;

g. hold title to and use its property for any and all activities consistent with its purpose;

h. sell, mortgage, lease, transfer, or otherwise dispose of its property by any lawful means;

i. elect its officers and Congregation Council and require them to carry out their duties in accordance with the constitution, the bylaws; and continuing resolutions;

j. terminate its relationship with the Evangelical Lutheran Church in America as provided in Chapter 6.

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

C5.05 This Congregation shall have a mission endowment fund hereafter known as the Enduring Gifts Fund, which will operate under guidelines as specified in this congregation's bylaws. The purpose of the Enduring Gifts fund will be to provide for mission work beyond the operating budget of the congregation.

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 Saint Paul Area Synod of the Evangelical Lutheran Church in America. This congregation is subject to the discipline of the Evangelical Lutheran Church in America.

C6.02. This congregation accepts the Confession of Faith and agrees to the Purposes of the Evangelical Lutheran Church in America and shall act in accordance with them.

C6.03. This congregation acknowledges its relationship with the Evangelical Lutheran Church in America in which:

a. This congregation agrees to be responsible for its life as a Christian community.

b. This congregation pledges its financial support and participation in the life and mission of the Evangelical Lutheran Church in America.

c. This congregation agrees to call pastoral leadership from the clergy roster of the Evangelical Lutheran Church in America in accordance with its call procedures except in special circumstances and with the approval of the bishop of the synod.

d. This congregation agrees to consider associates in ministry, deaconesses, and diaconal ministers 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 and with the constitution of the synod.

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

a. This congregation takes action to dissolve.

b. This congregation ceases to exist.

c. This congregation is removed from membership in the Evangelical Lutheran Church in America according to the procedures for discipline of the Evangelical Lutheran Church in America.

d. This congregation follows the procedures outlined in C6.05.

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

a. A resolution indicating the desire of this congregation to terminate its relationship must be adopted at a legally called and conducted special meeting of this congregation by a two-thirds majority of the voting members present.

b. The secretary of this congregation shall submit a copy of the resolution to the synodical bishop and shall mail a copy of the resolution to voting members of this congregation. This notice shall be submitted within 10 days after the resolution has been adopted.

c. The bishop of the synod shall consult with this congregation during a period of at least 90 days.

d. If this congregation, after consultation, still desires to terminate its relationship, such action may be taken at a legally called and conducted special meeting by a two-thirds majority of the voting members present, at which meeting the bishop of the synod or an authorized representative shall be present. Notice of the meeting shall be mailed to all voting members at least 10 days in advance of the meeting.

e. A certified copy of the resolution to terminate its relationship shall be sent to the synodical bishop, at which time the relationship between this congregation and the Evangelical Lutheran Church in America shall be terminated.

f. Notice of termination shall be forwarded by the synodical bishop to the secretary of this church and published in the periodical of this church.

g. Since this congregation was established by the Evangelical Lutheran Church in America, it shall be required, in addition to the foregoing provisions in C6.05., to receive synodical approval before terminating its membership in the Evangelical Lutheran Church in America.

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

Chapter 7.

PROPERTY OWNERSHIP

C7.01. If this congregation ceases to exist, title to undisposed property shall pass to the Saint Paul Area Synod of the Evangelical Lutheran Church in America.

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

C7.03. If a two-thirds majority of the voting members of this congregation present at a regularly called and conducted special meeting of this congregation vote to transfer to another Lutheran church body, title to property shall continue to reside in this congregation. Before this congregation takes action to transfer to another Lutheran church body, it shall consult with representatives of the Saint Paul Area 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, 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 this congregation at the time that this constitution is adopted and those who are admitted thereafter and who have declared and maintain their membership in accordance with the provisions of this constitution and its bylaws.

C8.02. Members shall be classified as follows:

a. Baptized members are those persons who have been received by the Sacrament of Holy Baptism in this congregation, or, having been previously baptized in the name of the Triune God, have been received by certificate of transfer from other Lutheran congregations or by affirmation of faith.

b. Confirmed members are baptized persons who have been confirmed in this congregation, those who have been received by adult baptism or by transfer as confirmed members from other Lutheran congregations, or baptized persons received by affirmation of faith.

c. Voting members are confirmed members. Such confirmed members, during the current or preceding calendar year, shall have communed in this congregation and shall have made a contribution of record to this congregation.

d. Associate members are persons holding membership in other Christian congregations who wish to retain such membership, but desire to participate in the life and mission of this congregation, or persons who wish retain a relationship with this congregation while being members of other congregations. They have all the privileges and duties of

membership except voting rights and eligibility for elected offices or membership on the Congregation Council of this congregation.

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

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

a. make regular use of the means of grace, both Word and sacraments;

b. live a Christian life in accordance with the Word of God and the teachings of the Lutheran church; and

c. support the work of this congregation, the synod, and the churchwide organization of the Evangelical Lutheran Church in America through contributions of their time, abilities, and financial support as biblical stewards.

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

a. death;

b. resignation;

c. transfer or release;

d. disciplinary action by the Congregation Council; or

e. removal from the roll due to inactivity as defined in the bylaws.

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

Chapter 9.

THE PASTOR

C9.01. Authority to call a pastor shall be in this congregation by at least a two-thirds majority ballot vote of members present and voting at a meeting regularly called for that purpose. Before a call is issued, the officers, or a committee elected by 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 the Evangelical Lutheran Church in America or a candidate for the roster of ordained ministers 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 shall:

1) preach the Word;

2) administer the sacraments;

3) conduct public worship;

4) provide pastoral care; and

5) speak publicly to the world in solidarity with the poor and oppressed, calling for justice and proclaiming God's love for the world.

b. Each ordained minister with a congregational call shall, within the congregation:

1) offer instruction, confirm, marry, visit the sick and distressed, and bury the dead;

2) supervise all schools and organizations of 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 churchwide organization of the Evangelical Lutheran Church in America (ELCA) and of the Saint Paul Area Synod of the ELCA.

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

C9.05. a. The call of a congregation, when accepted by a pastor, shall constitute a continuing mutual relationship and commitment, which, except in the case of the death of the pastor, shall be terminated only following consultation with the synodical bishop and for the following reasons:

1) mutual agreement to terminate the call or the completion of a call for a specific term;

2) resignation of the pastor, which shall become effective, unless otherwise agreed, 30 days after the date on which it was submitted;

3) inability to conduct the pastoral office effectively in the congregation in view of local conditions, without reflection on the competence or the moral and spiritual character of the pastor;

4) the physical or mental incapacity of the pastor;

5) disqualification of the pastor through discipline on grounds of doctrine, morality, or continued neglect of duty;

6) the dissolution of the congregation; or

7) suspension of the congregation as a result of discipline proceedings.

b. When allegations of physical or mental incapacity of the pastor or ineffective conduct of the pastoral office have come to the attention of the bishop of the synod, the bishop in his or her sole discretion may, or when such allegations have been brought to the synod's attention by an official recital of allegations by the Congregation Council or by a petition signed by at least one-third of the voting members of the congregation, the bishop shall, investigate such conditions personally in company with a committee of two ordained ministers and one layperson.

c. In case of alleged physical or mental incapacity, competent medical testimony shall be obtained. When such disability is evident, the bishop of the synod with the advice of the committee shall declare the pastorate vacant. Upon the restoration of a disabled pastor to health, the bishop of the synod shall take steps to enable the pastor to resume the ministry, either in the congregation last served or in another field of labor.

d. In the case of alleged local difficulties that imperil the effective functioning of the congregation, all concerned persons shall be heard, after which the bishop of the synod together with the committee described in C9.05.b. shall decide on the course of action to be recommended to the pastor and the congregation. If they agree to carry out such recommendations, no further action shall be taken by the synod. If either party fails to assent, the congregation may dismiss the pastor 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.

e. If, in the course of proceedings described in C9.05.d., the committee concludes that there may be grounds for disciplinary action, the committee shall make recommendations concerning disciplinary action to the synodical bishop who may bring charges, in accordance with the provisions of the constitution and bylaws of the Evangelical Lutheran Church in America and the constitution of this synod.

f. If, following the appointment of the committee described in C9.05.b. or d., it should become apparent that the pastoral office cannot be conducted effectively in the congregation(s) being served by the ordained minister due to local conditions, the bishop of the synod may temporarily suspend the pastor from service in the congregation(s) without prejudice and with pay provided through a joint synodical and churchwide fund and with housing provided by the congregation(s).

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

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

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 of 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 a call may also be terminated before its expiration in accordance with the provisions of C9.05.a.

C9.12. The pastor of this congregation:

a. shall keep accurate parochial records of all baptisms, confirmations, marriages, burials, communicants, members received, members dismissed, or members excluded from the congregation;

b. shall submit a summary of such statistics annually to the synod; and

c. shall become a member of this congregation upon receipt and acceptance of the letter of call. In a parish of multiple congregations, the pastor shall hold membership in one of the congregations.

C9.13. The pastor(s) shall submit a report of his or her ministry to the bishop of the synod at least 90 days prior to each regular meeting of the Synod Assembly.

C9.14 The parochial records of this congregation shall be maintained by the pastor and shall remain the property of 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 granting by the synod of retired status to the pastor.

C9.15-20 [Left intentionally blank.]

C9.21. Under special circumstances, subject to the approval of the synodical bishop and the concurrence of this congregation, an ordained minister of a church body with which the Evangelical Lutheran Church in America officially has established a relationship of full communion may serve temporarily under contract as pastor of this congregation and the ordained minister in a form proposed by the synodical bishop and approved by the congregation.

Chapter 10.

CONGREGATION MEETING

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

C10.02. A special Congregation Meeting may be called by a 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 thirty voting members. The call for each special meeting shall specify the purpose for which it is to be held and no other business shall be transacted.

C10.03. Notice of all meetings of this congregation shall be given at the services of worship on the preceding two consecutive Sundays at least ten days in advance of the date of the meeting. The posting of such notice in the regular mail, with the regular postage affixed or paid, sent to the last known address of such members shall be sufficient.

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

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

C10.06. All actions by the congregation shall be by majority vote of those 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, secretary, and treasurer.

a. Duties of the officers shall be specified in the job descriptions in the bylaws and reported at the annual meeting.

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

c. Officers of this congregation shall serve similar offices of the Congregation Council and shall be voting members of the Congregation Council.

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

C11.03. No officer shall hold more than one office at a time. No elected officer shall be eligible to serve more than three 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), the officers of the congregation, and not more than twelve additional nor fewer than 6 members of the congregation. Any voting member of the congregation may be elected, subject only to the limitation on the length of continuous service permitted in that office. A member's place on the Congregation Council shall be declared vacant if the member a) resigns, b) ceases to be a voting member of this congregation or c) is absent from four successive regular meetings of the Congregation Council without cause.

C12.02. The members of the Congregation Council except the pastor(s) shall be elected by written ballot to serve for two years or until their successors are elected. Such members shall be eligible to serve no more than two full terms consecutively. Their terms shall begin at the close of the annual meeting at which they are elected.

C12.03. Should a member's place on the Congregation Council be declared vacant, the Congregation Council shall elect, by majority vote, a successor until the next annual meeting. At the next annual meeting, a successor shall be elected to serve the unexpired term.

C12.04. The Congregation Council shall have general oversight of the life and activities of this congregation, and in particular its worship life, to the end that everything be done in accordance with the Word of God and the faith and practice of the Evangelical Lutheran Church in America. The duties of the Congregation Council shall include the following:

a. To lead this congregation in stating its mission, to do long-range planning, to set goals and priorities, and to evaluate its activities in light of its mission and goals.

b. To seek to involve all members of this congregation in worship, learning, witness, service, and support.

c. To oversee and provide for the administration of this congregation to enable it to fulfill its functions and perform its mission.

d. To maintain supportive relationships with the pastor(s) and staff and help them annually to evaluate the fulfillment of their calling or employment.

e. To be examples individually and corporately of the style of life and ministry expected of all baptized persons.

f. To promote a congregational climate of peace and goodwill, and, as differences and conflicts arise, to endeavor to foster mutual understanding.

g. To arrange for pastoral service during the sickness or absence of the pastor.

h. To emphasize partnership with the synod and churchwide units of the Evangelical Lutheran Church in America as well as cooperation with other congregations, both Lutheran and non-Lutheran, subject to established policies of the synod and the Evangelical Lutheran Church in America.

i. To recommend and encourage the use of program resources produced or approved by the Evangelical Lutheran Church in America.

j. To seek out and encourage qualified persons to prepare for the ministry of the Gospel.

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

a. The Congregation Council shall be the board of directors of this congregation, and as such shall be responsible for maintaining and protecting its property and the management of its business and fiscal affairs. It shall have the powers and be subject to the obligations that pertain to such boards under the laws of the State of Minnesota, except as otherwise provided herein.

b. The Congregation Council shall not have the authority to buy, sell, or encumber real property unless specifically authorized to do so by a meeting of the congregation. Real or personal property encumbrances – The Congregation Council shall not mortgage or otherwise encumber or sell any real or personal property without first receiving specific authorization to do so by two-thirds of the voting members present at a legally called meeting of the congregation. Notice that a vote will be taken to consider such authorization must be given at the Services of Worship on the preceding two consecutive Sundays and by mail to all voting members at least ten days in advance of the date of the meeting. The posting of such notice in the regular mail, with the regular postage affixed or paid, sent to the last known address of such members shall be sufficient.

c. The Congregation Council may enter into contracts involving the expenditure of up to 3 per cent of the current annual congregation budget for items not included in the budget.

d. The Congregation Council shall prepare an annual budget for adoption by this congregation, shall supervise the expenditure of funds in accordance therewith following its adoption, and may incur obligations of more than 3 percent in excess of the anticipated receipts only after approval by a Congregation Meeting. The budget shall include this congregation's full planned support of the wider ministry being carried on in partnership with the synod and churchwide organization.

e. The Congregation Council shall ascertain that the financial affairs of this congregation are being conducted efficiently, giving particular attention to the prompt payment of all obligations and to the regular forwarding of 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, its bylaws and the continuing resolutions are carried out.

C12.07. The Congregation Council shall provide for an annual review of the membership roster.

C12.08. The Congregation Council shall be responsible for the employment and supervision of the salaried lay workers of this congregation.

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 a pastor or the president, and shall be called by the president at the request of at least one-half of its members. Notice of each special meeting shall be given to all who are entitled to be present.

C12.12. A quorum for the transaction of business shall consist of a simple majority of the members of the Congregation Council, including the pastors or interim pastor, except when a 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 a 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.

Chapter 13.

CONGREGATION COMMITTEES

C13.01. The officers of this congregation and the Senior pastor shall constitute the **Executive Committee.**

C13.02. A **Nominating Committee** consisting of three voting members of this congregation, shall be elected at the annual meeting for a term of three years.

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

C13.04. A **Personnel Committee** shall consist of the congregation president, vice president, the immediate past president plus two members at large selected by the President and Senior Pastor. The term of office for the additional at large members shall be two years. The immediate past president shall serve as chairperson for the personnel committee.

C13.05. When a pastoral vacancy occurs, a **Call Committee** consisting of the congregation President, Vice President and at least five members elected by the Congregation, one of which shall be a Congregation Council member. Term of office will terminate upon installation of the newly called pastor.

C13.06. An **Enduring Gifts Committee** of five voting members shall be elected by the congregation. Term of office shall be three years, with one member elected every three years. Members are eligible for only two consecutive terms.

C13.07. Duties of committees of this congregation shall be specified in the Bylaws.

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

C13.09. The pastor(s) of this congregation shall be *ex officio* a member of all committees of the congregation and attend meetings when needed.

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 meetings shall determine their policies, guide their activities, and receive reports concerning their membership, work, and finances.

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

Chapter 15.

DISCIPLINE OF MEMBERS AND ADJUDICATION

C15.01. Denial of the Christian faith as described in this constitution, conduct grossly unbecoming a member of the Church of Christ, or persistent trouble-making in this congregation are sufficient cause for discipline of a member. Prior to disciplinary action, reconciliation will be attempted following Matthew 18:15-17, proceeding through these successive steps: a) private admonition by the pastor, b) admonition by the pastor in the presence of two or three witnesses, and c) citation to appear before the Congregation Council. If for any reason, the pastor is unable to administer the admonitions required by a. and b. hereof, the president (if not the pastor) or vice president shall administer such admonition.

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 discipline against a member proceeds beyond counseling and admonition by the pastor, charges against the accused member(s) that are specific and in writing shall be prepared by member(s) of the congregation who shall sign the charges as the accuser(s). The written charges shall be filed with the pastor, who shall advise the Congregation Council of the need to the issue a written citation to the accused and the accusers that specifies the time and place of the hearing before the Congregation Council. The written charges shall accompany the written citation to the accused. A member charged with the offense shall appear before the Congregation Council after having

received a written citation at least ten days prior to the meeting. If the member charged with the offense fails to appear at the scheduled hearing, the Congregation Council may proceed with the hearing and may pass judgment in the member's absence.

C15.03. Members of the Congregation Council who participate in the preparation of the written charges or who present evidence or testimony in the hearing before the Congregation Council are disqualified from voting upon the question of the guilt of the accused member. Should the allegations be sustained by a two-thirds majority vote of the members of the Congregation Council, who are not disqualified but who are present and voting, and renewed admonition prove ineffectual, the council shall impose one of the following disciplinary actions:

a. censure before the council or congregation;

b. suspension from membership for a definite period of time; or

c. exclusion from membership in this congregation.

Disciplinary actions b. and c. shall be delivered to the member in writing.

C15.04. The member against whom disciplinary action has been taken by the Congregation Council shall have the right to appeal the decision to the Synod Council. Such right may not be abridged and the decision of the Synod Council shall be final.

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

15.06 For disciplinary actions in this congregation, "due process" shall be observed as specified in 2-.41.04 in the Consititution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America

C15.10. Adjudication

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

Chapter 16.

BYLAWS

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

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

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

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

Chapter 17.

AMENDMENTS

C17.01. Amendments to this constitution may be proposed by at least thirty voting members or by the Congregation Council. Proposals must be filed in writing with the Congregation Council 60 days before formal consideration by this congregation at its regular or special meeting called for that purpose. The Congregation Council shall notify the members of the proposal with the council's recommendations at least 30 days in advance of the meeting.

C17.02. A proposed amendment to this constitution shall:

a. be approved at a properly called meeting according to this constitution by a majority vote of those present and voting;

b. be ratified without change at the next annual meeting by a two-thirds majority vote of those present and voting; and

c. have the effective date included in the resolution and noted in the constitution.

4 Such and effective date must be stated in relation to the requirements of C17.03. to allow time for synodical review of the amendment.

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

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

Chapter 18.

CONTINUING RESOLUTIONS

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

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

Chapter 19.

INDEMNIFICATION

C19.01. Consistent with the provisions of the laws under which this 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, agent, or other member of any committee of this congregation, was or is threatened to made a party to any threatened, pending, or completed civil, criminal, administrative, arbitration, or investigative proceeding.

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