

**CONSTITUTION, BYLAWS
AND CONTINUING RESOLUTIONS**

OF

**ABIDING SAVIOR LUTHERAN CHURCH
MOUNDS VIEW, MINNESOTA**

November 2011

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OF
ABIDING SAVIOR LUTHERAN CHURCH**

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***NOTE: Reference for Chapter 3 is the Book of Concord, Tappert, 3rd Edition**

Codification Explanation: A numerical codification indicates (a) general subject, (b) constitutional provisions, (c) bylaws, and (d) continuing resolutions.

- a. Major sectors are designated as chapter. The chapter designation becomes the first number in the codification sequence and is followed by a period. Thus, provisions in “Chapter 8. Membership” are preceded by “8”.
- b. Constitutional provisions are codified with two sets of numbers: the chapter number and a two-digit number preceding the second period in the codification. Thus, one constitutional provision related to “Membership” is codified “08.02”.
- c. Bylaw provisions are codified with three sets of number: the chapter number, the related constitutional provision number, and a two-digit number. Thus, one bylaw provision related to Membership” would be codified “08.02.01”.
- d. Continuing Resolutions also are codified with three sets of numbers except that the third set is preceded by a capital letter. Thus, a continuing resolution might be numbered 03.04.A01, noting that the A represents the first continuing resolution regarding that subject and to indicate by the “01” that it was adopted in 2001.

1 ABIDING SAVIOR LUTHERAN CHURCH
2 CONSTITUTION, BYLAWS AND CONTINUING RESOLUTIONS
3

4 In the Name of the Father, the Son and the Holy Spirit...Amen
5

6 **PREAMBLE**
7

8 As baptized members of the Church of Christ, responding in faith to the call of the Holy
9 Spirit through the Gospel, desiring to unite together to preach the Word, administer the
10 sacraments, carry out God's mission and being mindful of our Christian privileges and
11 duties, we adopt this constitution and solemnly pledge ourselves to be governed by its
12 provision.
13

14 **Chapter 1 – NAME AND INCORPORATION**
15

16 01.01 The name of this congregation shall be Abiding Savior Lutheran Church.
17

18 01.02 For the purpose of this constitution and the accompanying bylaws, the
19 Abiding Savior Lutheran Church congregation is hereinafter designated as
20 "this congregation."
21

22 01.03 This congregation shall be incorporated under the laws of the State of
23 Minnesota.
24

25 **Chapter 2 – NATURE OF THE CHURCH**
26

27 02.01 The Holy Christian Church exists as an inclusive fellowship of all who
28 believe that Jesus is the Son of God. All power in the church belongs to
29 our Lord Jesus Christ. All actions of this congregation are to be carried
30 out under His rule and authority.
31

32 **Chapter 3 – CONFESSION OF FAITH**
33

34 03.01 This congregation confesses the Triune God, Father, Son, and Holy Spirit.
35

36 03.02 This congregation confesses Jesus Christ as Lord and Savior and the
37 Gospel as the power of God for the salvation of all who believe that:
38

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

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

- 1 c. The canonical Scriptures of the Old and New Testaments are the
2 written Word of God. Inspired by God’s Spirit speaking through
3 their authors, they record and announce God’s revelation centering
4 in Jesus Christ. Through them God’s Spirit speaks to us to create
5 and sustain Christian faith and fellowship for service in the world.
6
- 7 03.03 This congregation accepts the canonical Scriptures of the Old and New
8 Testaments as the inspired Word of God and the authoritative source and
9 norm of its proclamation, faith, and life.
10
- 11 03.04 This congregation acknowledges and accepts the following creeds,
12 confessions, and other writings as they appear in the Book of Concord,
13 Tappert, 3rd edition.
14
- 15 a. This congregation accepts the Apostles’, Nicene, and Athanasian
16 Creeds as true declarations of the faith of this congregation.
17 b. This congregation accepts the Unaltered Augsburg Confession as
18 a true witness to the Gospel, acknowledging as one with it in faith
19 and doctrine all churches that likewise accept the teachings of the
20 Unaltered Augsburg Confession.
21 c. This congregation also accepts the other confessional writings in
22 the Book of Concord, namely, the Apology of the Augsburg
23 Confession, the Smalcald Articles and the Treatise, the Small
24 Catechism, the Large Catechism, and the Formula of Concord, as
25 further valid interpretations of the faith of the Church.
26
- 27 03.04.A01 The phrase “holy Christian church” was restored to the Third Article of
28 the Apostles’ Creed, for use in all public services of this congregation.
29
- 30 03.05 This congregation confesses the Gospel, as recorded in the Holy
31 Scriptures and confessed in the ecumenical creeds and Lutheran
32 confessional writings, as the power of God to create and sustain the
33 Church for God’s mission in the world.
34

35 **Chapter 4 – STATEMENT OF PURPOSE**

- 36
- 37 04.01 The Church is the people created by God in Christ, empowered by the
38 Holy Spirit, called and sent to bear witness to God’s creative, redeeming,
39 and sanctifying activity in the world.
40
- 41 04.02 To participate in God’s mission, this congregation as part of the Church
42 shall:

- 1 a. Worship God in proclamation of the Word and administration of
- 2 the sacraments and through lives of prayer, praise, thanksgiving,
- 3 witness, and service.
- 4 b. Proclaim God's saving Gospel of justification by grace for Christ's
- 5 sake through faith alone, according to the apostolic witness in the
- 6 Holy Scripture, preserving and transmitting the Gospel faithfully to
- 7 future generations.
- 8 c. Carry out Christ's Great Commission by reaching out to all people
- 9 to bring them to faith in Christ and by doing all ministry with a
- 10 global awareness consistent with the understanding of God as
- 11 Creator, Redeemer, and Sanctifier of all.
- 12 d. Serve in response to God's love to meet human needs, caring for
- 13 the sick and the aged, advocating dignity and justice for all people,
- 14 working for peace and reconciliation among the nations, and
- 15 standing with the poor and powerless, and committing itself
- 16 to their needs.
- 17 e. Nurture its members in the Word of God so as to grow in faith and
- 18 hope and love, to see daily life as the primary setting for the
- 19 exercise of their Christian calling, and to use the gifts of the Spirit
- 20 for their life together and for their calling in the world.
- 21 f. Manifest the unity given to the people of God by living together in
- 22 the love of Christ and by joining with other Christians in prayer
- 23 and action to express and preserve the unity which the Spirit gives.
- 24

25 04.03

To fulfill these purposes, this congregation shall:

- 26
- 27 a. Provide services of worship at which the Word of God is preached
- 28 and the sacraments are administered.
- 29 b. Provide pastoral care and assist all members to participate in this
- 30 ministry.
- 31 c. Challenge, equip, and support all members in carrying out their
- 32 calling in their daily lives and in this congregation.
- 33 d. Teach the Word of God.
- 34 e. Witness to the reconciling Word of God in Christ, reaching out to
- 35 all people.
- 36 f. Respond to human need, work for justice and peace, care for the
- 37 sick and the suffering, and participate responsibly in society.
- 38 g. Motivate its members to provide financial support for this
- 39 congregation's ministry and the ministry of other parts of the
- 40 Evangelical Lutheran Church in America.
- 41 h. Foster and participate in organizational cooperative relationships
- 42 with other congregations, organizations, the St. Paul Area Synod,
- 43 and the Evangelical Lutheran Church in America.

- 1 04.03.01 Participation in Holy Communion shall be open to everyone who has had
2 an opportunity to learn what the Scriptures teach concerning Holy
3 Communion and who has sincere repentance and faith in Jesus Christ as
4 Savior. Oral announcements shall make prospective participants aware of
5 the understandings of the Lutheran Church concerning Holy Communion.
6
- 7 04.04 This congregation shall develop an organizational structure. The
8 Congregation Council shall prepare descriptions of the responsibilities
9 each committee, task force, and other organizational groups and shall
10 review their actions. These descriptions shall be contained in continuing
11 resolutions of the Congregation Council.
12
- 13 04.05 This congregation shall have a mission statement which provides direction
14 for its programs.
15

16 **Chapter 5 – POWERS OF THE CONGREGATION**

17

- 18 05.01 The powers of this congregation are those necessary to fulfill its
19 purpose.
20
- 21 05.02 The powers of this congregation are vested in the Congregation Meeting
22 called and conducted as provided in this constitution and bylaws, and held
23 in conformity with civil law.
24
- 25 05.03 Only such authority as is delegated to the Congregation Council or other
26 organizational units in this congregation's governing documents is
27 recognized. All remaining authority is retained by this congregation.
28
- 29 This congregation is authorized to:
30
- 31 a. call, ordain or commission a pastor;
 - 32 b. terminate the call of a pastor;
 - 33 c. appoint or terminate the appointment of associates in ministry;
 - 34 d. approve the annual budget;
 - 35 e. acquire real and personal property by gift, devise, purchase, or
36 other lawful means;
 - 37 f. hold title to and use its property for any and all activities consistent
38 with its purpose;
 - 39 g. sell, mortgage, lease, transfer, or otherwise dispose of its property
40 by any lawful means;
 - 41 h. elect its officers and Congregation Council and require them to
42 carry out their duties in accordance with the constitution and
43 bylaws and continuing resolutions; and
 - 44 i. terminate its relationship with the Evangelical Lutheran Church
45 in America as provided in Chapter 6.
46

1 05.03.01 Real property shall not be purchased, disposed of, or encumbered in any
2 manner except by resolution adopted by not less than a two-thirds majority
3 vote of the members present and voting at a legally called meeting of this
4 congregation. (See Minnesota Statute Chapter 315.12 for law
5 governing sale or encumbrance of real estate).
6

7 **Chapter 6 – CHURCH AFFILIATION**
8

9 06.01 This congregation is a Lutheran Congregation working with other
10 congregations and organizations to spread the Good News of Jesus
11 Christ. This congregation is affiliated with the Evangelical Lutheran
12 Church in America or its successor, and with the St. Paul Area Synod
13 of the Evangelical Lutheran Church in America.
14

15 06.02 This congregation may cooperate with other organizations as it may
16 decide.
17

18 06.03 This congregation acknowledges a cooperative relationship with the
19 Evangelical Lutheran Church in America and other organizations, in
20 which:
21

- 22 a. This congregation agrees to be responsible for its life as a Christian
23 community.
- 24 b. This congregation agrees to support and participate in the life and
25 mission of the Evangelical Lutheran Church in America and other
26 organizations.
- 27 c. This congregation agrees to consider associates in ministry for
28 appointment to other staff positions in this congregation according
29 to the procedures of the Evangelical Lutheran Church in America.
- 30 d. This congregation agrees to file this constitution and any
31 subsequent changes to this constitution with the St. Paul Area
32 Synod.
33

34 06.04 Affiliation with the Evangelical Lutheran Church in America may be
35 terminated as follows:
36

- 37 a. This congregation takes action to dissolve.
- 38 b. This congregation ceases to exist.
- 39 c. This congregation is removed from membership by the Evangelical
40 Lutheran Church in America.
- 41 d. This congregation terminates its relationship with the ELCA
42 following the procedures outlined in 06.05.
43

44 06.05 This congregation may terminate its relationship with the Evangelical
45 Lutheran Church in America by the following procedure:

- 1 a. A resolution indicating the desire of this congregation to terminate
2 its relationship must be adopted at a legally called and conducted
3 annual or special meeting of this congregation by a two-thirds
4 majority of the voting members present and voting. Immediately
5 prior to voting on this issue the presence of a quorum, shall be
6 determined.
- 7 b. The secretary of this congregation shall submit a copy of the
8 resolution to the Synodical bishop and shall mail a copy of the
9 resolution to voting members of this congregation. These actions
10 shall happen within 10 days after the resolution has been
11 adopted.
- 12 c. The Bishop of the St. Paul Area Synod shall be invited to meet
13 with this congregation for discussion relative to this proposed
14 separation from the Evangelical Lutheran Church in America.
- 15 d. After consultation with the Bishop, this congregation may consider
16 separation from the Evangelical Lutheran Church in America at a
17 legally called annual or special meeting. If two-thirds of the
18 voting members present and voting, vote in favor of separation,
19 this congregation will be separated from the ELCA. Not
20 withstanding other provisions of this constitution, a quorum,
21 for considering this action shall be twice the quorum
22 required for an annual or special meeting. Notice of this meeting
23 shall be mailed to the Bishop of the St. Paul Area Synod.
- 24 e. A certified copy of the resolution to terminate its relationship shall
25 be sent to the St. Paul Area Synodical Bishop.

26
27 06.06 If this congregation is considering relocation, it shall confer with the
28 Bishop of the St. Paul Area Synod before any steps are taken leading to
29 such action.

30
31 **Chapter 7 – PROPERTY OWNERSHIP**

32
33 07.01 If the Evangelical Lutheran Church in America removes this congregation
34 from its membership, title to property shall continue to reside in this
35 congregation.

36
37 07.02 If this congregation ceases to exist, title to undisposed property in
38 accordance with the laws of Minnesota shall pass to the St. Paul Area
39 Synod of the Evangelical Lutheran Church in America or its successor
40 organization.

41
42 07.02.01 This congregation shall cease to exist when:
43 a. There are no more active members
44 b. No worship service has been conducted for two (2) years, or
45 c. The members vote at an annual or special meeting to dissolve.

1 07.03 If a two-thirds majority of the members of this congregation present
2 and voting at a legally called and conducted annual or special meeting of
3 this congregation vote to transfer to another Lutheran body or become an
4 independent Lutheran congregation, title shall continue to reside in this
5 congregation. Before this congregation takes action to transfer to another
6 Lutheran body or become an independent Lutheran congregation, it shall
7 consult with representatives of the St. Paul Area Synod. Notwithstanding
8 other provisions of this constitution, a quorum, for considering this
9 action shall be twice the quorum required for an annual or special meeting.

10
11 07.04 If a two-thirds majority of the members of this congregation present and
12 voting at a legally called and conducted annual or special meeting of this
13 congregation vote to become an independent non-Lutheran congregation
14 or relate to a non-Lutheran body, title to property shall continue to reside
15 in this congregation only with consent of the St. Paul Area Synod Council.
16 The St. Paul Area Synod Council, after consultation with this congregation
17 by the established synodical process, may give approval to the request to
18 become an independent non-Lutheran church or to relate to a non-
19 Lutheran body, in which case title shall remain with the majority of this
20 congregation. If the St. Paul Area Synod Council fails to give such
21 approval, title shall remain with those members who desire to continue as
22 a congregation of the Evangelical Lutheran Church in America. Not
23withstanding other provisions of this constitution, a quorum, see 10.03.01,
24 for considering this action shall be twice the quorum required for an
25 annual or special meeting.

26
27 **Chapter 8 – MEMBERSHIP**

28
29 08.01 Members of this congregation shall be those baptized persons on the roll
30 of this congregation at the time that this constitution is adopted and those
31 who are admitted thereafter and who have declared and maintain their
32 membership in accordance with the provisions of this constitution and its
33 bylaws.

34
35 08.02 Members shall be classified as (a) baptized; (b) confirmed; (c) voting;
36 (d) associate and (e) inactive.
37
38 a. Baptized members are those who have been baptized in the name
39 of the Triune God and who are received by this congregation.
40 b. Confirmed members are baptized persons who have been
41 confirmed in the Lutheran faith.
42 c. Voting members are the confirmed members of this congregation.
43 d. Associate members are persons holding membership in other
44 Lutheran congregations who wish to retain such membership but
45 desire to participate in the life and mission of this congregation.
46 They have all the privileges and duties of membership except

- 1 voting rights, eligibility for elected office, and membership on the
2 Congregation Council of this congregation, see also 08.02.05
3 of the bylaws.
- 4 e. An inactive member shall be a confirmed member who, in the
5 opinion of the Congregation Council, shows no interest in
6 attending church services, does not partake of the Holy
7 Communion, and who does not contribute financially according to
8 this congregation's records for a period of two (2) years. An
9 inactive member shall be presumed to no longer desire
10 membership. An inactive member shall lose the right to vote and
11 shall not be counted in the membership statistics of this
12 congregation. However, the individual's name and record shall
13 be kept in the files for a period of five (5) years thereafter. Such a
14 person shall be encouraged to take part in the congregational life,
15 or to transfer elsewhere. If the person resumes activity within the
16 five (5) year period, the person shall be restored to the active
17 membership list; if not, the individual shall be dismissed from
18 notified of this action.
19
- 20 08.02.01 Children whose parents or guardians are inactive members of this
21 congregation shall be dropped from the baptized membership roll if
22 the children fail to attend services and fail to participate in the Christian
23 education program of this congregation for a period of five (5) years.
24
- 25 08.02.02 The responsibility for carrying out the provisions of 08.02(e), and
26 08.02.01 is vested in the Congregation Council.
27
- 28 08.02.03 Unbaptized adults who have received instruction and have given evidence
29 of their understanding and acceptance of the teachings of the Word of God
30 as professed in the Lutheran Confessions shall, upon confession of faith
31 and Christian baptism, be received as baptized and confirmed members.
32
- 33 08.02.04 Baptized persons who have not been confirmed in the Lutheran faith but
34 who have received instruction and have given evidence of their
35 understanding and acceptance of the teachings of the Word of God as
36 professed in the Lutheran Confessions shall be received to confirmed
37 membership.
38
- 39 08.02.05 Voting members and associate members who have been confirmed in the
40 Lutheran faith may serve as teachers in the education program of this
41 congregation.
42
- 43 08.03 All applications for membership shall be submitted to and shall require the
44 approval of the Congregation Council.
- 45 08.04 It shall be the privilege and duty of members of this congregation to:

- 1 a. make regular use of the means of grace, both Word and
- 2 sacraments;
- 3 b. live a Christian life in accordance with the Word of God and the
- 4 teachings of the Lutheran Church;
- 5 c. support the work of this congregation and of the Evangelical
- 6 Lutheran Church in America through contributions of their time,
- 7 abilities, and financial support as biblical stewards.
- 8

9 08.05 Membership in this congregation shall be terminated by any of the
10 following:

- 11
- 12 a. death;
- 13 b. resignation;
- 14 c. transfer or release;
- 15 d. disciplinary action by the Congregation Council; or
- 16 e. removal from the roll due to inactivity as defined by 08.02(e).
- 17 Such persons who have been removed from the roll of
- 18 members shall remain persons for whom the Church has a
- 19 continuing pastoral concern.
- 20

21 **Chapter 9 – THE PASTOR**

22

23 09.01 This congregation shall have the authority to call a pastor.

- 24
- 25 a. This congregation shall make satisfactory settlement of all
- 26 financial obligations to a former pastor before calling a successor.
- 27 b. All Staff in counsel with the Congregation Council
- 28 shall make recommendations to the Call Committee as to the
- 29 privileges and responsibilities of the pastor to be called.
- 30 c. Before a call is issued, the officers or a call committee shall seek
- 31 the counsel of the Bishop of the St. Paul Area Synod.
- 32 d. At the time of a pastoral vacancy, an interim pastor may be
- 33 appointed by the Bishop of the St. Paul Area Synod with the
- 34 consent of this congregation or the Congregation Council. An
- 35 interim pastor shall have the rights and duties of a regularly called
- 36 pastor and may delegate the same in part to a supply pastor with
- 37 the consent of the Bishop of the St. Paul Area Synod or this
- 38 congregation or Congregation Council. The interim pastor and any
- 39 ordained pastor providing assistance shall refrain from exerting
- 40 influence in the selection of a pastor.
- 41

42 09.02 A Call Committee shall be formed when a pastoral vacancy occurs.

43

44 09.02.01 The Call Committee shall consist of seven (7) members. It shall be elected
45 by this congregation from nominations made from the floor. It shall
46 be considered a committee of the congregation.

- 1 09.02.02 The Call Committee shall have the authority to seek the consultation or
2 advice it deems necessary, inside or outside this congregation, in
3 making its recommendation to this congregation.
4
- 5 09.02.03 All meetings and minutes of the Call Committee shall be open to
6 members of this congregation, except as stated below:
7
- 8 The Call Committee shall meet in closed session when interviewing a
9 candidate, considering or discussing information identifying a candidate,
10 (including but not limited to the candidate's name, address, location of
11 current and prior positions, and names of family members), and when
12 considering all information provided to the Call Committee, from any
13 source, for which confidentiality is requested by that source.
14
- 15 a. Minutes of closed meetings shall be kept confidential and separate
16 from the minutes of open meetings.
17 b. Minutes of closed meetings shall be destroyed by the Secretary of
18 the Call Committee after the installation of the candidate
19 recommended for call.
20
- 21 09.02.04 The Call Committee shall recommend a candidate to this congregation
22 to fill the vacancy for which it was established.
23
- 24 a. The Senior Pastor and the Call Committee shall agree on the
25 selection of a candidate for all pastors other than the Senior
26 Pastor.
27 b. The Call Committee term of office shall terminate at the
28 installation of the newly called pastor.
29 c. If the Call Committee cannot, for any reason, make a
30 recommendation to this congregation, it shall inform the
31 President of this congregation.
32
- 33 1. The President of this congregation shall, after consultation
34 with appropriate sources, declare the Call Committee
35 terminated and/or take such other action deemed appropriate
36 under this constitution.
37
- 38 09.03 The call may be extended to a pastor only with at least a two-thirds
39 majority ballot vote of members present and voting at an annual or special
40 meeting legally called for that purpose.
41
- 42 09.03.01 When the person recommended by a Call Committee for call to the
43 position of senior pastor is currently serving as an assistant or
44 associate pastor in this congregation, the call may be extended only
45 with at least an 80% majority ballot vote of members present and
46 voting at an annual or special meeting legally called for that
47 purpose.

- 1 09.03.02 The specific duties of a pastor, compensation, and other matters pertaining
2 to the services of a pastor shall be documented and included in a letter
3 of call.
4
- 5 1. The Letter of Call shall state that this agreement is to be
6 reviewed yearly by the pastor and the Executive
7 Committee and, as the situation requires, these matters
8 may be revised by the Congregational Council.
9
- 10 09.04 The call of this congregation, when accepted by a pastor, shall constitute a
11 continuing mutual relationship and commitment.
12
- 13 09.05 Each pastor shall, consistent with the Lutheran faith as stated in Chapter 3
14 of this constitution, preach the Word, administer the sacraments, conduct
15 public worship, provide pastoral care, and speak publicly to the world in
16 solidarity with the poor and oppressed, calling for justice and proclaiming
17 God's love for the world. Each pastor shall offer instruction, confirm,
18 marry, visit the sick and distressed, and bury the dead; shall advise
19 all schools and organizations of this congregation; shall install regularly
20 elected members of the Congregation Council; and shall, with the
21 Congregation Council, administer discipline. Each pastor shall seek out
22 and encourage qualified persons to prepare for the ministry of the Gospel
23 and strive to extend the Kingdom of God in the community, in the nation,
24 and abroad; shall impart knowledge of this congregation and its wider
25 ministry through distribution of its periodicals and other publications, and
26 shall encourage support given by this congregation to the work of the
27 Evangelical Lutheran Church in America and of the St. Paul Area
28 Synod.
29
- 30 09.05.01 The senior pastor shall be responsible for assembling accurate parochial
31 records of all baptisms, confirmations, marriages, burials, communicants,
32 members received, members dismissed, and members excluded from this
33 congregation, and shall submit a summary of such statistics annually to the
34 St. Paul Area Synod and to this congregation.
35
- 36 09.05.02 The pastors shall submit a report of their ministry to the St. Paul Area
37 Synod at least 90 days prior to each regular meeting of the St. Paul Area
38 Synod.
39
- 40 09.05.03 Each pastor shall submit a report of his/her ministry to this congregation
41 annually.
42
- 43 09.06 Pastoral Calls may be terminated by this congregation:
44
45 a. A pastor's call shall be terminated for the following reasons.

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1. The death of the pastor
2. Mutual agreement to terminate the call
3. Resignation of the pastor
4. Dissolution of this congregation

b. A pastor's call may be terminated for the following reasons after consultation with the Bishop of the St. Paul Area Synod.

1. Inability to conduct the pastoral office effectively in this congregation in view of local conditions, without reflection on the competence of the moral and spiritual character and/or this pastor.

a. In the case of alleged local difficulties which imperil the effective functioning of this congregation, all concerned persons shall be heard, after which the Bishop of the St. Paul Area Synod together with a committee of two (2) ordained ministers and one (1) lay person may decide a course of action for the pastor and this congregation.

1. If the pastor and this congregation by a majority vote, agree to carry out such recommendations they shall be implemented with no further action.
2. If the pastor of this congregation fails to assent, or if the committee makes no recommendations, this congregation may dismiss the pastor by a two-thirds majority vote of the voting members present at a annual or special meeting legally called for that purpose.

b. If, in the course of the proceedings, it should become apparent that the pastoral office cannot be conducted effectively in this congregation by the pastor due to local conditions, the Bishop of the St. Paul Area Synod may temporarily suspend the pastor from service in this congregation without prejudice and with pay provided through a joint church-wide synod fund and with housing costs/allowance provided by this congregation.

2. The physical or mental incapacity of a pastor.

(a) In the case of alleged physical or mental incapacity of a pastor or ineffective conduct of the pastoral office, assistance may be requested from the Bishop of the St. Paul Area Synod. The Bishop may, when such difficulties are personally known or 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 twenty-five (25) of the voting

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members of this congregation, investigate such conditions personally in company with a committee of two (2) ordained ministers and one (1) lay person.

(1) In the case of alleged local difficulties, which imperil the effective functioning of this congregation, all concerned persons shall be heard, after which the Bishop of the St. Paul Area Synod together with a committee of two (2) ordained ministers and one (1) lay person may recommend a course of action to the pastor and this congregation.

(a) If the pastor, and this congregation by a majority vote, agree to carry out such recommendations they shall be implemented with no further action.

(b) If the pastor or this congregation fails to assent, or if the committee makes no recommendation(s) this congregation may dismiss the pastor by a two-thirds majority vote of the voting members present at an annual or special meeting of this congregation legally called for that purpose.

(b) In the case of alleged physical or mental incapacity, competent medical testimony shall be obtained. When such disability is evident, the Bishop of the St. Paul Area Synod with the advice of a committee of two (2) ordained ministers and one (1) lay person may declare the pastorate vacant. Upon the restoration of a disabled pastor to health, the Bishop of the St. Paul Area Synod shall take steps to enable the pastor to resume the ministry either in this congregation in another field of labor.

3. The foregoing shall never be invoked when questions of doctrine, morality, or continued neglect of duty are involved, all such cases being treated as disciplinary matters.

4. Disqualification of this pastor through discipline on grounds of doctrine, morality, or continued neglect of duty.

09.07 Upon termination a pastor shall make satisfactory settlement of all financial obligations to this congregation.

Chapter 10 – CONGREGATION MEETINGS

10.01 The annual meeting of this congregation shall be held at a time specified

- 10 in the bylaws.
- 11
- 12 10.01.01 The annual meeting of this congregation shall be held during the month of
- 13 January. The date of this meeting shall be decided by the Senior Pastor
- 14 and the Congregation Council.
- 15
- 16 10.01.02 The order of business at the annual meeting shall be:
- 17
- 18 a. Opening devotions
- 19 b. Approval of the minutes of the previous meeting
- 20 c. Elections
- 21 d. Reports of Pastors, Congregation Council, Treasurer, and
- 22 Committees
- 23 e. Approval of the Budget
- 24 f. Unfinished Business
- 25 g. New Business
- 26 h. Report of Elections
- 27 i. Closing Prayer
- 28
- 29 10.01.03 Submission of resolutions by members of this congregation.
- 30
- 31 a. Resolutions to be considered at the annual meeting shall be
- 32 submitted in writing to the church office thirty (30) days prior to the
- 33 annual meeting. Copies will be mailed to the members of this
- 34 congregation at least ten (10) days prior to the meeting.
- 35 b. Resolutions not mailed to members of this congregation shall be
- 36 submitted in writing to this congregation at the annual meeting.
- 37 This congregation shall, without debate, vote to accept or reject
- 38 consideration of each resolution. The presenter of such resolution shall
- 39 be given five minutes to explain the resolution before the vote to
- 40 accept or reject consideration is taken.
- 41
- 42 10.02 A special congregation meeting may be called by the Senior Pastor, the
- 43 Congregation Council, the president of this congregation, or by a written
- 44 request signed by twenty-five (25) voting members. The call for each
- 45 special meeting shall specify meeting time and place and the purpose for
- 46 which it is to be held, no other business shall be transacted.
- 10.03 Notice of all meetings of this congregation shall be given at the services of
- worship on the preceding two (2) consecutive Sundays and posted
- conspicuously in the place of worship. The notice shall be mailed to all
- voting members at least ten (10) days in advance of the date of the
- meeting. The notice shall be sent by first class mail to the last known
- address of such members. The notice shall be signed by the person or
- persons who called the meeting.
- 9 10.03.01 A quorum shall consist of the number of voting members present
- 10 at the meeting.

- 11
12 10.04 Voting by proxy or by absentee ballot shall not be permitted.
13
14 10.05 All actions by this congregation shall be by a majority vote except as
15 otherwise provided in this constitution.
16
17 10.06 Robert's Rules of Order, as most recently revised, shall govern
18 parliamentary procedures of all meetings of this congregation.
19
20 10.06.01 In the following cases, voting shall be by written ballot:
21
22 a. To elect the officers and members of the Congregation Council,
23 Nominating Committee, Audit Committee, and Call Committee. If
24 more than one ballot is required in an election, a motion shall
25 be in order to limit the balloting, after the first ballot, to the three
26 (3) candidates receiving the highest number of votes on the first
27 ballot and after the second ballot, to limit the balloting to the two
28 (2) candidates receiving the highest number of votes.
29 b. To adopt or amend the articles of incorporation, the constitution or
30 bylaws of this congregation.
31 c. To call a pastor or request a pastor's resignation.
32 d. To remove a member from this congregation or to remove a
33 member from office in this congregation.
34 e. To terminate relationship with the Evangelical Lutheran Church in
35 America.
36 f. To dispose of, encumber, or purchase real property.
37 g. When requested by ten (10) or more voting members present.
38
39 10.07 A meeting of this congregation may, by majority vote, recess to reconvene
40 upon call, provided the time and place of the reconvened meeting is
41 announced at a public service of this congregation, and a written notice is
42 mailed to the voting members not less than ten (10) days in advance of the
43 reconvened meeting.

Chapter 11 – OFFICERS

- 11.01 The officers of this congregation shall consist of a president, vice
president, secretary, and treasurer.
- 7 a. Duties of the officers shall be specified in the bylaws.
8 b. The officers shall be voting members of this congregation.
9 c. Officers shall be elected for a term of two (2) years and shall be
10 eligible to serve no more than two (2) consecutive terms in the
11 same office. Officers who have completed four (4) consecutive
12 terms shall be ineligible to serve as either an officer or
13 Congregation Council member for a period of one (1) year.
14 d. Officers of this congregation shall serve similar offices on the
Congregation Council and shall be voting members of the council.

15 e. The officers shall exercise only such authority as may be delegated
16 by this congregation or the Congregation Council. This authority
17 shall be exercised in accordance with the constitution, bylaws and
18 continuing resolutions of this congregation.

19
20 11.01.01 The President shall:

- 21
22 a. Prepare an agenda for any meeting at which he/she presides.
23 b. Meet once a month with the Executive Committee to review past,
24 present, and future programs and emphases as well as determine
25 needs.
26 c. Delegate definite responsibilities to the vice president.
27 d. Encourage officers, Congregation Council members and
28 committee chairs and other organizations to adhere to the terms of
29 the constitution and bylaws and seek every opportunity to
30 commend “leadership shown” and “job well done”.
31 e. Make appointments in consultation with the pastors, concerned
32 officers, and chairs on the basis of member’s talents, interests and
33 willingness, as directed by this congregation, Congregation
34 Council, or the constitution and bylaws.
35 f. Preside over meetings of this congregation and the Congregation
36 Council. Appoint tellers, parliamentarian, sergeant at arms, and
37 such other persons to assist in the conduct of the meetings.
38 g. Acquire a working knowledge of parliamentary procedure and a
39 thorough understanding of the constitution and bylaws of this
40 congregation and see that the meetings are conducted in
41 accordance with the constitution and bylaws and “Robert’s Rules
42 of Order” as most recently revised.
43 h. Call a special meeting of this congregation and the Congregation
44 Council when deemed necessary.

11.01.A90 Other responsibilities of the president as stated in this constitution will be
found under the following articles and bylaws.

- 3
4 10.02 Special meetings of this congregation
5 12.07.01 Special meetings of the Congregation Council
6 13.02.01.(a) Call of the Nominating Committee
7 13.02.02.(a) Call of the Auditing Committee
8 13.02.03.(a) Call of the Constitution Committee
9

10 11.01.02 The Vice President shall:

- 11
12 a. Fulfill responsibilities designated by congregation resolution or
13 delegated by the president of the Congregation Council.
14 b. Assume responsibilities of the president in the event of the
15 president’s absence, disability, or at the president’s request.
16 c. Meet once a month with the Executive Committee to review past,
17 present, and future programs and emphases as well as determine

- 18 needs.
- 19
- 20 11.01.03 The Secretary shall:
- 21
- 22 a. Meet once a month with the Executive Committee to review past,
- 23 present, and future programs and emphases as well as determine
- 24 needs.
- 25 b. Keep the minutes of this congregation and the Congregation
- 26 Council, and ensure their timely publication and availability to the
- 27 congregation.
- 28 c. Keep accurate records of attendance at congregation and
- 29 Congregation Council meetings.
- 30 d. Notify voting members of the date, time, and place of annual and
- 31 special meetings.
- 32 e. Notify a member of the council having two consecutive unexcused
- 33 absences from council meetings.
- 34
- 35 11.01.04 The Treasurer shall:
- 36
- 37 a. Be custodian of all funds of this congregation.
- 38 b. Disburse all funds in accordance with the decisions of this
- 39 congregation and the Congregation Council.
- 40 c. Keep a current report of income and expenditures to be presented
- 41 monthly to the Executive Committee and the Congregation
- 42 Council.
- 43 d. Submit an audited financial report to this congregation at its annual
- 44 meeting.
- 45 e. Meet once a month with the Executive Committee to review past,
- 46 present, and future programs and emphases as well as determine
- 47 needs.

Chapter 12 – CONGREGATION COUNCIL

- 12.01 A Congregation Council shall be established to conduct affairs of this congregation as defined in the constitution and bylaws.
- 6 12.01.01 The Congregation Council shall consist of the officers of this congregation
- 7 (who hold similar offices on the council) and eight (8) members elected by
- 8 this congregation.
- 9
- 10 The pastor(s) shall be ex-officio members without vote.
- 11
- 12 12.01.02 Terms of office shall be as specified under 11.01(c). Terms shall begin on
- 13 the first Sunday after the close of the annual meeting at which they are
- 14 elected. Elected members shall be installed at worship on the Sunday they
- 15 assume office.
- 16
- 17 12.02 Congregation Council members shall be voting members of this

18 congregation.

19

20 12.03 Should a member's place on the Congregation Council be declared vacant,
21 the council shall elect, by majority vote, a successor until the next annual
22 meeting.

23

24 A member's place on the Congregation Council shall be declared vacant if
25 the member ceases to be a voting member of this congregation or is absent
26 without cause from three (3) consecutive meetings of the Congregation
27 Council.

28

29 12.04 The Congregation Council shall have oversight of the life and activities of
30 this congregation, to the end that everything be done in accordance with
31 the Word of God. The duties of the Congregation Council shall include the
32 following:

33

34 a. To lead this congregation in stating its mission, to do long range
35 planning, to set goals and priorities, and to evaluate this
36 congregation's activities in light of its mission and goals. The
37 Congregation Council shall annually review the mission statement
38 of this congregation.

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

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

43 d. To maintain supportive relationships with the pastors and staff and
44 help them annually to evaluate the fulfillment of their calling
45 appointment, or employment.

e. To be examples, individually and corporately, of the style of life
and ministry expected of Christians.

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

6 g. To emphasize partnership with the St. Paul Area Synod and
7 church wide units of the Evangelical Lutheran Church in America,
8 as well as cooperation with other congregations, both Lutheran and
9 non-Lutheran.

10 h. To evaluate the use of program resources produced or approved
11 by the Evangelical Lutheran Church in America.

12 i. Unless otherwise provided for in this constitution and bylaws, the
13 Congregation Council shall fill all vacancies in elected positions
14 until the next annual meeting.

15

16 12.05 The Congregation Council shall be responsible for the financial and
17 property matters of this congregation.

18

19 a. The Congregation Council shall be the "Board of Trustees" of this

- 20 congregation and as such, shall be responsible for maintaining and
 21 protecting its property and the management of its business and
 22 fiscal affairs. It shall have the powers and be subject to the
 23 obligations that pertain to such boards under the laws of the State
 24 of Minnesota, except as otherwise provided herein.
- 25 b. The Congregation Council shall not have the authority to buy, sell,
 26 or encumber real property unless specifically authorized to do so
 27 by a meeting of this congregation.
 - 28 c. The Congregation Council shall consider, modify as necessary, and
 29 approve an annual budget proposed by the Executive Committee
 30 and subsequently present and recommend this budget to this
 31 congregation for adoption at the annual meeting of this
 32 congregation.
 - 33 d. Total expenditures by the Congregation Council shall not exceed
 34 5% of the annual budget unless approved by this congregation.
 - 35 e. The Congregation Council shall ascertain that the financial affairs
 36 of this congregation are being conducted efficiently, giving
 37 particular attention to the prompt payment of all obligations and
 38 benevolences.
 - 39 f. The Congregation Council shall each month pay at least 10% of
 40 this congregation's monthly income toward benevolences.
 41 Monthly income is defined as undesignated money received from
 42 envelopes, loose offerings, Sunday, and festival offerings.

43
 44 12.06 The Congregation Council shall:

- 45 a. Have a president, vice president, secretary, and treasurer as its
 46 officers who will perform the usual duties of these offices.
- b. See that the provisions of this constitution, its bylaws, and
 continuing resolutions are carried out.
- c. Submit a comprehensive report to this congregation at the annual
 meeting.
- 6 d. Be responsible for establishing, implementing, and updating
 7 Personnel Policies of this congregation.
- 8 e. Approve the selection of the paid lay workers of this
 9 congregation as provided for in Personnel Policies.
- 10 f. Have the authority to require reports of any officer, pastor,
 11 committee, task force or other organizational group of this
 12 congregation.
- 13 g. Provide for an annual review of the membership roster.
- 14 h. Perform such other duties authorized by this congregation as do
 15 not specifically belong to any of the committees.
- 16 i. Exercise only such authority as may be delegated by this
 17 congregation, this authority shall be exercised in accordance with
 18 the constitution and bylaws.
- 19 j. Elect delegates to the St. Paul Area Synod Assembly.
- 20 k. Recommend the names of members of this congregation to be

1 delegates at the Evangelical Lutheran Church in America's
22 national assembly and forward them to the St. Paul Area Synod for
23 approval.
24

25 12.07 Meetings of the Congregation Council shall be open to all members of this
26 congregation.
27

28 12.07.01 The Congregation Council shall meet once a month at a regularly
29 appointed time, to hear reports and to review and designate the activities
30 of the committees under its jurisdiction. Special meetings may be called
31 by the senior pastor, the president, or by a written request of at least one-
32 half of its members. Written notice of each special meeting shall be given
33 to all members at least ten (10) days in advance.
34

35 12.08 A quorum for the transaction of business shall consist of a two-thirds
36 majority of the voting members of the Congregation Council.
37

38 12.09 In the event the council member liaison to a committee cannot be present
39 for a Congregation Council meeting, another person from the committee
40 may present the report of the committee, and shall have the right to speak
41 but shall not vote.
42

43 12.10 At least once a year the Congregation Council should invite the full
44 membership of the committees of this congregation to review the program
45 of this congregation.

12.11 Other responsibilities of the Congregation Council as stated in this
constitution will be found under the following articles and bylaws.

04.04 Organizational structure

08.03 Approval of confirmed members

6 08.05 Termination of membership

7 09.06 Interim Pastors

8 09.07 Interim Pastor

9 09.08 Pastors serving with other pastors

10 10.02 Congregation Meeting

11 13.02.03 Constitution Committee

12 13.02.05 Staff Resources and Review

13 13.03 Committee Authority

14 Chapter 14 Approval of other organizations

15 Chapter 17 Continuing resolutions

16 Chapter 19 Discipline within the congregation

17 13.02.04 Staff Support Committee

18 13.02.06 Call Committee
19

20 **Chapter 13 – CONGREGATION GOVERNANCE STRUCTURE**

21

22 13.01 This congregation shall adopt a structure to further its mission and

23 ministry.

24

25 13.02 Standing committees will be established as needed and shall not be in

26 conflict with the constitution and bylaws.

27

28 13.02.01 Nominating Committee – The Nominating Committee shall consist of

29 seven (7) voting members. Three (3) members shall be elected at the

30 annual meeting for a term of one (1) year and two (2) members for a term

31 of two (2) years; they shall not be eligible for re-election for one (1) year.

32

33 a. This committee shall be convened at the call of the president of the

34 congregation within thirty (30) days after the annual meeting. This

35 committee shall elect a chair and secretary from its membership.

36 b. This committee shall meet as often as needed to meet their

37 responsibilities.

38 c. A vacancy on this committee shall be filled by the Congregation

39 Council.

40 d. This committee shall nominate one or more candidates for each

41 office to appear on the ballot at the annual meeting of this

42 congregation. In addition to these nominees, nominations may be

43 made from the floor during the annual meeting.

44 e. This committee shall secure the consent of nominees before

45 placing their names on the ballots.

f. This committee shall seek information pertaining to prospective

candidates for nomination from the Shared Ministry Committee.

g. This committee shall present to this congregation, two weeks in

advance of the annual meeting, a sample ballot. To the extent

possible, a brief biographical sketch of the persons being

nominated for office shall be included.

7 h. In addition to its responsibility to provide a ballot at the annual

8 meeting, this committee shall, when requested, provide names of

9 persons to fill vacancies on other committees, or the Congregation

10 Council.

11 i. In selecting candidates, the Nominating Committee shall determine

12 the person’s eligibility in accordance with the constitution and

13 bylaws.

14

15 13.02.A88 Such constitution and bylaw references are: 08.02(d), 11.01, 12.01.01,

16 12.02. 13.01.02, 13.02.01 and 13.02.02.

17

18 13.02.02 Auditing Committee – The Auditing Committee shall consist of three (3)

19 voting members of this congregation, elected by this congregation for a

20 term of three (3) years. One member to be elected each year and shall not

21 be eligible for re-election for one (1) year.

22

23 a. This committee shall be convened at the call of the president of the

24 congregation within thirty (30) days after this congregation’s

- 25 annual meeting.
- 26 b. This committee shall elect a chair and secretary from its
- 27 membership.
- 28 c. This committee shall conduct an annual audit of the financial
- 29 records of all organizations of this congregation that handle
- 30 money.
- 31 d. This committee shall provide a report of its audit at this
- 32 congregation's annual meeting.
- 33
- 34 13.02.03 Constitution Committee – The Constitution committee shall consist of
- 35 nine (9) voting members appointed by the Congregation Council for terms
- 36 of three (3) years. The terms of office shall be staggered in such a way that
- 37 three new members will be appointed each year.
- 38
- 39 a. This committee shall be convened at the call of the president of
- 40 this congregation.
- 41 b. This committee shall elect a chair and secretary from its
- 42 membership.
- 43 c. This committee shall meet at least once a year to review the
- 44 constitution and bylaws and propose any changes that may be
- 45 needed.
- d. This committee shall also receive amendments and resolutions proposed by any voting member of this congregation and act upon them in accordance with the constitution and bylaws.
- 13.02.B88 Such constitution and bylaw references are: 15.02, 16.01, and 17.01.
- 6
- 7 13.03 All committees shall exercise only such authority as may be delegated by
- 8 this congregation or the Congregation Council; this authority shall be
- 9 exercised in accordance with the constitution, bylaws, and resolutions
- 10 of this congregation.
- 11
- 12 13.03.01 Other committees may be formed as the need arises by the decision of the
- 13 Congregation Council or by a resolution of this congregation.
- 14
- 15 13.03.02 Each committee shall assure that proper minutes are kept of all meetings.
- 16
- 17 13.03.03 Unless otherwise provided for in this constitution and bylaws, all elected
- 18 committee members shall begin their term of office on the Sunday
- 19 following the congregation meeting at which they were elected.
- 20
- 21 **Chapter 14 – ORGANIZATIONS WITHIN THE CONGREGATION**
- 22
- 23 14.01 All schools, societies, and other organizations within this congregation
- 24 shall be organized only with the approval of the Congregation Council,
- 25 this approval subject to being rescinded by this congregation at the next
- 26 annual meeting or a special meeting, and shall operate in harmony with

27 the policies of this congregation.

28

29 14.02 Special interest groups other than those of the official organizations of the
30 Evangelical Lutheran Church in America, may be organized only after
31 authorization has been given by the Congregation Council.

32

33 **Chapter 15 – AMENDMENTS**

34

35 15.01 Amendments to this constitution may be proposed by any voting
36 member provided that such amendment(s) be submitted in writing to the
37 Constitution Committee at least sixty (60) days before an annual or special
38 congregation meeting and that the Constitution Committee notify the
39 members of this congregation of the proposal with recommendation of the
40 Constitution Committee at least thirty (30) days prior to the congregation
41 meeting. Copies of the proposed amendment will be mailed by first class
42 mail to the members of this congregation at their last known address two
43 (2) weeks prior to the congregation meeting.

44 15.01.01 Copies of the proposed amendment will be made available in the church
45 office.

15.02 A proposed amendment to this constitution shall:

- a. be approved at a legally 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 or at a special meeting at least six (6) months after the meeting at which it was approved, 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.

7

8

9

10

11

12 15.03 Any amendments to this constitution shall be sent by the secretary of this
13 congregation to the St. Paul Area Synod.

14

15 **Chapter 16 – BYLAWS**

16

17 16.01 This congregation may adopt bylaws. No bylaw may conflict with this
18 constitution.

19

20 16.02 Bylaws may be adopted or amended at any legally called meeting of this
21 congregation with a quorum present by a majority vote of those members
22 present and voting.

23 16.03 Changes to the bylaws may be proposed by any voting member provided
24 that such additions or amendments be submitted in writing to the
25 Constitution Committee at least sixty (60) days before a regular or special
26 congregation meeting and that the Constitution Committee notify the
27 members of the congregation of the proposal with the recommendation of
28 the Constitution Committee at least thirty (30) days prior to the

- 29 congregation meeting. Copies of the proposed bylaw will be mailed by
30 first class mail to the members of the congregation at their last known
31 address two (2) weeks prior to the congregation meeting.
32 16.03.01 Copies of the proposed bylaw will be made available in the church office.
33
34 16.04 Approved changes to the bylaws shall be sent by the secretary of this
35 congregation to the St. Paul Area Synod.
36

37 **Chapter 17 – CONTINUING RESOLUTIONS**

- 38
39 17.01 This congregation and/or the Congregation Council may enact continuing
40 resolutions that are consistent with the constitution and bylaws and which
41 describe policy and/or the functions of the various committees or
42 organizations of this congregation.
43
44 17.02 Continuing resolutions shall be enacted or amended by a majority vote of
45 those members present and voting at a congregation meeting or by a
46 majority vote of all the voting members of the Congregation Council.

Chapter 18 – MISSION ENDOWMENT FUND

- 18.01 There shall be a Mission Endowment Fund of Abiding Savior Lutheran
Church (to be known as the FUND) for the purpose of enhancing the
mission outreach of this congregation apart from the general operation of
this congregation; that no portion of the income generated by the FUND
shall be used for the annual operating budget of this congregation.
- 18.02 A Mission Endowment Fund Committee shall be the custodian of the
FUND and be responsible for the administration and management of the
FUND.
- 18.02.01 This committee shall consist of seven (7) members, all of whom shall be
voting members of Abiding Savior Lutheran Church. The term of each
member after the initial election shall be three (3) years. Committee
members may serve two (2) consecutive terms. Candidates for the
committee shall be nominated in the same manner as for other offices and
committees. The senior pastor and the president of the congregation shall
be advisory members of the committee.
- 1
1
1
1 18.02.02 This committee shall meet quarterly, or more frequently as deemed to be
1 in the best interest of the FUND. A quorum shall consist of four (4)
2 members. Any motion or resolution shall require a minimum of four (4)
2 votes for approval.
2
- 2 18.02.03 This committee shall elect from its membership a chairperson, recording
2 secretary and financial secretary.
2
2
2 a. The chairperson or member designated by the chairperson shall

- 2 preside at all committee meetings.
- 2 b. The recording secretary shall maintain complete and accurate
2 minutes of all meetings and supply a copy to each member of the
3 committee. Each member shall keep a complete copy of minutes to
3 be delivered to his/her successor. The recording secretary shall
3 also supply a copy of the minutes to the Congregation Council.
- 33 c. The financial secretary shall maintain and coordinate complete
34 and accurate accounts for the FUND and all other necessary
35 documents on behalf of this congregation in furtherance of the
36 purposes of the FUND. The books shall be audited annually by a
37 certified public accountant or other appropriate person who is not a
38 member of the committee. All checks must be signed by any two
39 (2) of the three (3) officers of the committee.
- 40
- 41 18.02.04 This committee shall report on a quarterly basis to the Congregation
42 Council. This committee shall also give a complete audited account of the
43 FUND at the annual meeting of this congregation or at special meetings
44 called for that purpose.
- 1 18.03 This committee shall communicate FUND purposed by interpreting how
2 the Gospel will be served and how people will benefit and what additional
 ministry will be accomplished beyond that made through the regular
 Sunday offerings.
- 18.03.01 This committee shall promote and encourage gifts to the FUND through
 bequests in wills, assignment of life insurance policies, trusts, charitable
 gift annuities, and transfer of properties (cash, stocks and real estate). This
 committee shall either accept or decline to accept any gift to the FUND.
- 18.04 All assets are to be held in the name of the Abiding Savior Lutheran
10 Church Mission Endowment Fund.
- 11
- 12 18.04.01 Recommendations to hold, sell, exchange, rent, lease, transfer, convert,
13 invest, reinvest, and in all other respects to manage and control the assets
14 of the FUND, including stocks, bonds, debentures, mortgages, notes or
15 any other securities, as in their judgment and discretion they deem wise
16 and prudent, are to be made by this committee, with subsequent execution
17 by a delegated member of this committee.
- 18
- 19 This committee may request other members of this congregation to serve
20 as advisory members and, at the expense of FUND income, may provide
21 for such professional counseling on investments or legal matters as it
22 deems to be in the best interest of the FUND.
- 23
- 24 18.04.02 Members of this committee shall not be liable for any losses which may be
25 incurred upon the investments of the assets of the FUND except to the
26 extent such losses shall have been caused by bad faith or gross negligence.
27 No member shall be personally liable as long as he/she acts in good faith

28 and with ordinary prudence. Each member shall be liable only for his/her
29 willfull misconduct or omissions and shall not be liable for the acts or
30 omissions of any other member. No member shall engage in self-dealing
31 or transactions with the FUND in which the member has direct or indirect
32 financial interest and shall, at all times, refrain from any conduct in which
33 his/her personal interest would conflict with the interest of the FUND.

34
35 18.05 Distribution of Income

36
37 18.05.01 Gifts and bequests to the FUND shall accumulate until the principal
38 amount of \$50,000, is achieved or until gifts and bequests have
39 accumulated for a period of three (3) years (whichever comes first) after
40 which the income generated from the investment of principal may be
41 expended.

42
43 18.05.02 Income from the FUND shall be distributed annually and at such other
44 times as deemed necessary and/or feasible to accomplish the following
45 purposes:

- 46
47
- a. Outreach into the community and synod, including but not limited to grants to ELCA seminaries, colleges, or students attending such schools.
 - b. Social service agencies, institutions and agencies to which this congregation related.
 - c. Special programs designed for those persons in our parish area who are in spiritual and/or economic need.
 - d. Missions of the ELCA in this continent and worldwide, including but not limited to, grants to the ELCA for new congregational development in North America.
 - e. Grants for professional leadership, educational ministries, global mission, ecumenism, evangelism, social ministries, and capital financing.
 - f. Capital improvements, debt reduction, or a building program at Abiding Savior Lutheran Church.
 - g. Up to 40% for any one of the above designated areas in any proportion as determined by this committee or for causes and programs which at the direction of this committee are consistent with the FUND purpose of enhancing the mission outreach of Abiding Savior Lutheran Church.

8
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19
20
21 18.05.03 Programs for support shall be recommended by this committee and
22 approved by the Congregation Council for funding according to the
23 guidelines established by this congregation.

24
25 18.05.04 Disbursement of income from the FUND need not occur annually in the
26 event that causes and programs have not yet been approved by this
27 committee sufficient to utilize total income available, or if in the
28 judgment of this committee, total annual disbursement of income is not

29 recommended.

30

31 18.06 Distribution of Principal

32

33 When, in the opinion of this committee, circumstances are so dire and of
34 such an emergency nature that the future of this congregation is at stake,
35 and that the only recourse seems to be the use of FUND principal, this
36 committee may, upon a two-thirds majority vote, recommend such
37 authorizing action to the Congregation Council.

38

39 Any amendment to this document which will change, alter or amend the
40 purpose for which the FUND is established shall be adopted by a two-
41 thirds vote of the members present at an annual meeting of this
42 congregation or at a special meeting called specifically for amending this
43 document.

44

45 18.07 Disposition or Transfer of the FUND

In the event that Abiding Savior Lutheran Church ceases to exist either
through merger or dissolution, disposition or transfer of the FUND shall
be at the discretion of the Congregation Council in conformity with the
constitution of Abiding Savior Lutheran Church and in consultation with
the bishop of the St. Paul Area Synod to which this congregation is
affiliated (see Chapters 6 and 7 of this constitution).

7

8

Chapter 19 – DISCIPLINE OF MEMBERS AND ADJUDICATION

9

10 19.01 Denial of the Christian Faith as described in this constitution, conduct
11 grossly unbecoming a member of the Church of Christ, or persistent
12 trouble-making in this congregation are sufficient cause for discipline of a
13 member. Prior to disciplinary action, reconciliation will be attempted
14 following the concepts of Matthew 18:15-17, proceeding through these
15 successive steps: a) private admonition by the pastor, b) admonition by the
16 pastor in the presence of two or three witnesses, and c) citation to appear
17 before the Congregation Council. If, for any reason, the pastor is unable to
18 administer the admonitions required by a. and b. hereof, the president (if
19 not the pastor) or vice president shall administer such admonitions.

20

21 19.02 The process for discipline of a member of this congregation shall be
22 governed as prescribed by the chapter on discipline in the *Constitution,*
23 *Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church*
24 *in America.* A member charged with an offense shall appear before the
25 Congregation Council, after having received a written notice at least ten
26 (10) days prior to the meeting, specifying the exact charges that have been
27 made against the member.

28

29 19.03 Members of the Congregation Council who participate in the preparation
30 of the written charges or who present evidence or testimony in the hearing

31 before the Congregation Council are disqualified from voting upon the
32 question of the guilt of the accused member. Should the allegations be
33 sustained by a two-thirds majority vote of the members of the
34 Congregation Council who are not disqualified but who are present and
35 voting, and renewed admonition prove ineffectual, the Congregation
36 Council shall impose one of the following disciplinary actions:

- 37
38 a. censure before the Congregation Council or this congregation;
39 b. suspension from membership for a definite period of time; or
40 c. exclusion from membership in this congregation.

41
42 Disciplinary actions b. and c. shall be delivered to the member in
43 writing.
44

45 19.04 The member against whom disciplinary action has been taken by the
46 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.

19.05 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.

8 19.10 Adjudication
9

10 19.11 When there is disagreement among factions within this congregation on a
11 substantive issue that cannot be resolved by the parties, members of this
12 congregation shall have access to the synodical bishop for consultation
13 after informing the president of the Congregation Council of their intent. If
14 the consultation fails to resolve the issue(s), the Consultation Committee
15 of the synod shall consider the matter. If the Consultation Committee of
16 the synod shall fail to resolve the issue(s), the matter shall be referred to
17 the Synod Council, whose decision shall be final.