



**Evangelical Lutheran  
Church in America**  
God's work. Our hands.

**Constitution of Wittenberg Lutheran Church  
Granite Quarry, NC**

***Wittenberg Lutheran Church***

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**Updated by Wittenberg Congregation Council October 10, 2021  
to be consistent with The Model Constitution of the  
Evangelical Lutheran Church in America®**

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*Solo Deo Gratia*

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### **\*Preamble**

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

**C1.02.** For the purpose of this constitution and the accompanying bylaws, the congregation of Wittenberg Evangelical Lutheran Church, in Granite Quarry, NC, is hereinafter designated as "this congregation".

**C1.11.** This congregation shall be incorporated under the laws of the State of North Carolina.

## **Chapter 2. Confession of Faith**

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

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

- a. Jesus Christ is the Word of God incarnate, through whom everything was made and through whose life, death, and resurrection God fashions a new creation.
- b. The proclamation of God's message to us as both Law and Gospel is the Word of God, revealing judgment and mercy through word and deed, beginning with the Word in creation, continuing in the history of Israel, and centering in all its fullness in the person and work of Jesus Christ.
- c. The canonical Scriptures of the Old and New Testaments are the written Word of God. Inspired by God's Spirit speaking through their authors, they record and announce God's revelation centering in Jesus Christ. Through them God's Spirit speaks to us to create and sustain Christian faith and fellowship for service in the world.

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

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

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

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

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

### **Chapter 3. Nature of the Church**

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

**\*C3.02.** This church confesses the one, holy, catholic, and apostolic Church and is resolved to serve Christian unity throughout the world

**\*C3.03.** The Church exists both as an inclusive fellowship and as local congregations gathered for worship and Christian service. Congregations find their fulfillment in the universal community of the Church, and the universal Church exists in and through congregations. The Evangelical Lutheran Church in America, therefore, derives its character and powers both from the sanction and representation of its congregations and from its inherent nature as an expression of the broader fellowship of the faithful. In length, it acknowledges itself to be in the historic continuity of the communion of saints; in breadth, it expresses the fellowship of believers and congregations in our day.

**\*C3.04.** This church, inspired and led by the Holy Spirit, participates in The Lutheran World Federation as a global communion of churches, engaging in faithful witness to the gospel of Jesus Christ and in service for the sake of God's mission in the world.

**\*C3.05.** The name Evangelical Lutheran Church in America (ELCA or "this church") as used herein refers in general references to this whole church, including its three expressions: congregations, synods, and the churchwide organization. The name Evangelical Lutheran Church in America is also the name of the corporation of the churchwide organization to which specific references may be made herein.

## **Chapter 4. Statement of Purpose**

**\*C4.01.** The Church is a people created by God in Christ, empowered by the Holy Spirit, called and sent to bear witness to God's creative, redeeming, and sanctifying activity in the world.

**\*C4.02.** To participate in God's mission, this congregation as a part of the Church shall:

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

**\*C4.03.** To fulfill these purposes, this congregation shall:

- a. Provide services of worship at which the Word of God is preached and the sacraments are administered.
- b. Provide pastoral care and assist all members to participate in this ministry.
- c. Challenge, equip, and support all members in carrying out their calling in their daily lives and in their congregation.
- d. Teach the Word of God.
- e. Witness to the reconciling Word of God in Christ, reaching out to all people.

- f. Respond to human need, work for justice and peace, care for the sick and the suffering, and participate responsibly in society.
- g. Motivate its members to provide financial support for this congregation's ministry and the ministry of other expressions of the Evangelical Lutheran Church in America.
- h. Foster and participate in interdependent relationships with other congregations, the synod, and the churchwide organization of the Evangelical Lutheran Church in America.
- i. Foster and participate in ecumenical relationships consistent with churchwide policy.

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

**\*C4.05.** This congregation shall adopt and periodically review a mission statement which will provide specific direction for its programs.

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

## **Chapter 5. Powers of the Congregation**

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

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

**\*C5.03.** Only such authority as is delegated to the Congregation Council or other organizational units in this congregation's governing documents is recognized. All remaining authority is retained by this congregation. This congregation is authorized to:

- a. call a pastor as provided in Chapter 9;
- b. terminate the call of a pastor as provided in chapter 9;

- c. call a minister of Word and Service;
- d. terminate the call of a minister of Word and Service in conformity with the constitution of the Evangelical Lutheran Church in America;
- e. adopt amendments to the constitution, as provided in Chapter 16, amendments to the bylaws, as specified in Chapter 17, and continuing resolutions, as provided in Chapter 18;
- f. approve the annual budget;
- g. acquire real and personal property by gift, devise, purchase, or other lawful means;
- h. hold title to and use its property for any and all activities consistent with its purpose;
- i. sell, mortgage, lease, transfer, or otherwise dispose of its property by any lawful means;
- j. elect its Congregation Council, and require the members of the council to carry out their duties in accordance with the constitution, bylaws, and continuing resolutions; and
- k. terminate its relationship with the Evangelical Lutheran Church in America as provided in Chapter 6.

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

## **Chapter 6. Church Affiliation**

**\*C6.01.** This congregation shall be an interdependent part of the Evangelical Lutheran Church in America or its successor, and of the North Carolina Synod of the Evangelical Lutheran Church in America. This congregation is subject to the discipline of the Evangelical Lutheran Church in America.

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

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

- a. This congregation agrees to be responsible for its life as a Christian community.
- b. This congregation pledges its financial support and participation in the life and mission of the Evangelical Lutheran Church in America.
- c. This congregation agrees to call pastoral leadership from the roster of Ministers of Word and Sacrament of the Evangelical Lutheran Church in America in accordance with its call procedures except in special circumstances and with the approval of the bishop of the synod. These special circumstances are limited either to calling a candidate approved for the roster of ministers of Word and Sacrament of the Evangelical Lutheran Church in America or to contracting for pastoral services with a Minister of Word and Sacrament of a church body with which the Evangelical Lutheran Church in America officially has established a relationship of full communion.
- d. This congregation agrees to consider ministers of Word and Service for call to other staff positions in 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 or in accordance with provision 9.23. of the constitution and bylaws of the Evangelical Lutheran Church in America.
- d. The North Carolina Synod takes charge and control of the property of this congregation to hold, manage, and convey the same on behalf of the synod pursuant to †S13.24. of the synod constitution. This congregation shall have the right to appeal the decision to the next Synod Assembly.
- e. This congregation follows the procedures outlined in \*C6.05.



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

- a. A resolution indicating the intent to terminate its relationship must be adopted at two legally called and conducted special meetings of this congregation by a two-thirds vote of the voting members present at each meeting. The first such meeting may be held no sooner than 30 days after written notice of the meeting is received by the bishop of the synod, during which time the congregation shall consult with the bishop and the bishop's designees, if any. The times and manner of the consultation shall be determined by the bishop in consultation with the Congregation Council. Unless he or she is a voting member of the congregation, the bishop and the bishop's designees, if any, shall have voice but not vote at the first meeting.
- b. Within 10 days after the resolution has been voted upon at the first meeting, the secretary of this congregation shall submit a copy of the resolution to the bishop, attesting that the special meeting was legally called and conducted and certifying the outcome of the vote, and shall send copies of the resolution and certification to voting members of this congregation.
- c. If the resolution was adopted by a two-thirds vote of the voting members present at the first meeting, the bishop of the synod and this congregation shall continue in consultation, as specified in paragraph a. above, during a period of at least 90 days after receipt by the bishop of the attestation and certification as specified in paragraph b. above.
- d. If this congregation, after such consultation, is still considering termination of its relationship with this church, such action may be taken at a legally called and conducted special meeting by a two-thirds vote of the voting members present. Notice of the second meeting shall be sent to all voting members and to the bishop at least 10 days in advance of the meeting. Unless he or she is a voting member of this congregation, the bishop and the bishop's designees, if any, shall have voice but not vote at the second meeting.
- e. Within 10 days after the resolution has been voted upon, the secretary of this congregation shall submit a copy of the resolution to the bishop, attesting that the second special meeting was legally called and conducted and certifying the outcome of the vote, and shall send copies of the resolution and certification to the voting members of the congregation. If the resolution was adopted by a two-thirds vote of the voting members present at the second meeting, the relationship between the congregation and this church shall be terminated subject to Synod Council approval as required by paragraphs f. and g. below.

- f. Unless this notification to the bishop also certifies that this congregation has voted to affiliate with another Lutheran denomination, this congregation shall be deemed an independent or non-Lutheran church, in which case \*C7.04. shall apply.
- g. This congregation shall abide by these covenants by and among the three expressions of this church:
  - 1) Congregations seeking to terminate their relationship with this church which fail or refuse to comply with each of the foregoing provisions in \*C6.05. shall be required to receive Synod Council approval before terminating their membership in this church.
  - 2) Congregations which had been members of the Lutheran Church in America shall be required, in addition to complying with the foregoing provisions in \*C6.05., to receive synod approval before terminating their membership in this church.
  - 3) Congregations established by the Evangelical Lutheran Church in America shall be required, in addition to complying with the foregoing provisions in \*C6.05., to satisfy all financial obligations to this church and receive Synod Council approval before terminating their membership in this church.
- h. If this congregation fails to achieve the required two-thirds vote of voting members present at this congregation's first meeting as specified in paragraph a. above or fails to achieve the required two-thirds vote of voting members present at this congregation's second meeting as specified in paragraph d. above, another attempt to consider termination of relationship with this church must follow all requirements of \*C6.05. and may begin no sooner than six months after the meeting at which the two-thirds vote was not achieved.

**\*C6.06.** If this congregation considers relocation, it shall confer with the bishop of the synod in which it is territorially located and the appropriate unit of the churchwide organization before any steps are taken leading to such action. The approval of the Synod Council shall be received before any such action is taken.

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

## Chapter 7. Property Ownership

**\*C7.01.** If this congregation ceases to exist, title to undisposed property shall pass to the North Carolina Synod of the Evangelical Lutheran Church in America.

**\*C7.02.** If this congregation is removed from membership in the Evangelical Lutheran Church in America according to its procedure for discipline or pursuant to 9.23. of the constitution and bylaws of the Evangelical Lutheran Church in America, title to property shall continue to reside in this congregation.

**\*C7.03.** If the voting members of this congregation present at a legally called and conducted special meeting of this congregation vote to transfer to another Lutheran church body, title to property shall continue to reside in this congregation provided the process for termination of relationship in \*C6.05. has been followed. Before this congregation takes action to transfer to another Lutheran church body, it shall consult with the representatives of the North Carolina Synod.

**\*C7.04.** If the voting members of this congregation present at a legally called and conducted special meeting of this congregation vote to become independent or relate to a non-Lutheran church body, and have followed the process for termination of relationship in \*C6.05., title to property of this congregation shall continue to reside in this congregation only with the consent of the Synod Council. The Synod Council, after consultation with this congregation by the process established by the synod, may give approval to the request to become independent or to relate to a non-Lutheran church body, in which case title shall remain with the majority of this congregation. If the Synod Council fails to give such approval, title shall remain with those members who desire to continue as a congregation of the Evangelical Lutheran Church of America. In neither case does title to this congregation's property transfer to the synod.

**\*C7.05.** Notwithstanding the provisions of \*C7.02. and \*C7.03. above, where this congregation has received property from the synod pursuant to a deed or other instrument containing restrictions under provision 9.71.a. of the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*, this congregation accepts such restrictions and:

- a. Shall not transfer, encumber, mortgage, or in any way burden or impair any right, title, or interest in the property without prior approval of the Synod Council.
- b. Shall—upon written demand by the Synod Council, pursuant to †S13.23. of the constitution of the North Carolina Synod—reconvey and transfer all right, title, and interest in the property to the synod.

## Chapter 8. Membership

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

**\*C8.02.** Members shall be classified as follows:

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

- 1) they shall not be eligible for elected office in, or for membership on the Congregation Council or on a call committee of, this congregation;

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

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

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

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

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

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

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

**(BYLAW)**

**C8.05.01.** Procedure for removal of members from the roll due to inactivity.

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

**Chapter 9. Rostered Ministers**

**\*C9.01.** Authority to call a pastor shall be in this congregation by at least a two-thirds majority ballot vote of members present and voting at a meeting legally called for that purpose. Before a call is issued, the officers, or a committee elected by 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 roster of Ministers of Word and Sacrament of the Evangelical Lutheran Church in America or a candidate for the roster of Ministers of Word and Sacrament who has been recommended for the congregation by the synod bishop may be called as a pastor of this congregation.

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

- a. Every minister of Word and Sacrament shall:
  - 1) preach the Word;
  - 2) administer the sacraments;
  - 3) conduct public worship;
  - 4) provide pastoral care;
  - 5) seek out and encourage qualified persons to prepare for the ministry of the Gospel;

- 6) impart knowledge of this church and its wider ministry through available channels of effective communication;
- 7) witness to the Kingdom of God in the community, in the nation, and abroad; and
- 8) speak publicly to the world in solidarity with the poor and oppressed, calling for justice and proclaiming God's love for the world.

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

- 1) offer instruction, confirm, marry, visit the sick and distressed, and bury the dead;
- 2) relate to all schools and organizations of this congregation;
- 3) install regularly elected members of the Congregation Council;
- 4) with the council, administer discipline;
- 5) endeavor to increase the support given by the congregation to the work of the churchwide organization and of the North Carolina Synod; and
- 6) encourage adherence to covenantal relationship with this church as expressed in the Constitutions, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America.

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

**\*C9.05.** The provisions for termination of the mutual relationship between a minister of Word and Sacrament and this congregation shall be as follows:

- a. The call of a congregation, when accepted by a pastor, shall constitute a continuing mutual relationship and commitment, which shall be terminated only by the pastor's death or, following consultation with the synod bishop, for the following reasons:
  - 1) mutual agreement to terminate the call or the completion of a call for 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;
  - 4) physical disability or mental incapacity of the pastor;
  - 5) suspension of the pastor through discipline for more than three months;

- 6) resignation or removal of the pastor from the roster of Ministers of Word and Sacrament of this church;
  - 7) termination of the relationship between this church and this congregation;
  - 8) dissolution of this congregation or the termination of a parish arrangement;  
or
  - 9) suspension of this congregation through discipline for more than six months.
- b. When allegations of physical disability or mental incapacity of the pastor under paragraph a.4) above, or ineffective conduct of the pastoral office under paragraph a.3) above, have come to the attention of the bishop of this synod,
- 1) the bishop in his or her sole discretion may investigate such conditions personally together with a committee of two rostered ministers and one layperson; or
  - 2) when such allegations have been brought to the synod's attention by an official recital of allegations by the Congregation Council or by a petition signed by at least one-third of the voting members of this congregation, the bishop personally shall investigate such conditions together with a committee of two rostered ministers and one layperson.
- c. In case of alleged physical disability or mental incapacity under paragraph a.4) above, the bishop's committee shall obtain and document competent medical opinion concerning the pastor's condition. When a disability or incapacity is evident to the committee, the bishop of this synod may declare the pastorate vacant. When the pastorate is declared vacant, the Synod Council shall list the pastor on the roster of Ministers of Word and Sacrament with disability status. Upon removal of the disability and the restoration of the pastor to health, the bishop shall take steps to enable the pastor to resume the ministry, either in the congregation last served or in another appropriate call.
- d. In the case of alleged local difficulties that imperil the effective functioning of this congregation under paragraph a.3) above, the bishop's committee shall endeavor to hear from all concerned persons, after which the bishop together with the committee shall present their recommendations first to the pastor and then to this congregation. The recommendations of the bishop's committee must address whether the pastor's call should come to an end and, if so, may suggest appropriate severance arrangements. The committee may also propose other actions that should be undertaken by this congregation and by the pastor, if appropriate. If the pastor and congregation agree to carry out such recommendations, no further action need be taken by the synod.



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

**\*C9.06.** At a time of pastoral vacancy, an interim pastor may be appointed by the bishop of the synod with the consent of this congregation or the Congregational 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 rostered minister providing assistance shall refrain from exerting influence in the selection of a pastor. Unless previously agreed upon by the Synod Council, an interim pastor is not available for a regular call to the congregation served.

**\*C9.08.** This congregation shall make satisfactory settlement of all financial obligations to a former pastor before calling a successor. A pastor shall make satisfactory settlement of all financial obligations to this congregation before beginning service in a call to another congregation or employment in another ministry setting.

**\*C9.09.** When a pastor is called to serve in company with another pastor or pastors, the privileges and responsibilities of each pastor shall be specified in documents to accompany the call and to be drafted in consultation involving the pastors, the Congregation Council, and the bishop of the synod. As occasion requires, the documents may be revised through a similar consultation.

**\*C9.11.** With the approval of the bishop of the synod, the congregation may depart from C9.05.a. and call a pastor for a specific term. Details of such calls shall be in writing setting forth the purpose and conditions involved. Prior to the completion of a term, the bishop or a designated representative of the bishop shall meet with the pastor and representatives of the congregation for a review of the call. Such call may also be terminated before its expiration in accordance with the provisions of C9.05.a.

**\*C9.12.** The pastor 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
- b.** 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 the granting by the synod of retired status to the pastor.

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

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

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

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

- a. Be rooted in the Word of God, for proclamation and service;
- b. Advocate a prophetic diakonia that commits itself to risk-taking and innovative service on the frontiers of the Church's outreach, giving particular attention to the suffering places in God's world;
- c. Speak publicly to the world in solidarity with the poor and oppressed, calling for justice and proclaiming God's love for the world, witnessing to the realm of God in the community, the nation, and abroad;
- d. Equip the baptized for ministry in God's world that affirms the gifts of all people;
- e. Encourage mutual relationships that invite participation and accompaniment of others in God's mission;
- f. Practice stewardship that respects God's gift of time, talents, and resources;
- g. Be grounded in a gathered community for ongoing diaconal formation;
- h. Share knowledge of this church and its wider ministry of the gospel and advocate for the work of all expressions of this church; and

i. Identify and encourage qualified persons to prepare for ministry of the gospel.

**\*C9.24.** The specific duties of the deacon, compensation, and other matters pertaining to the service of the deacon shall be included in a letter of call, which shall be attested by the bishop of the synod.

**\*C9.25.** The provisions for termination of the mutual relationship between a minister of Word and Service and this congregation shall be as follows:

- a. The call of this congregation, when accepted by a deacon, shall constitute a continuing mutual relationship and commitment, which shall be terminated only by the deacon's death or, following consultation with the synod bishop, for the following reasons:
  - 1) mutual agreement to terminate the call or the completion of a call for a specific term;
  - 2) resignation of the deacon, which shall become effective, unless otherwise agreed, no later than 30 days after the date on which it was submitted;
  - 3) inability to conduct the ministry of Word and Service effectively in this congregation in view of local conditions;
  - 4) physical disability or mental incapacity of the deacon;
  - 5) suspension of the deacon through discipline for more than three months;
  - 6) resignation or removal of the deacon from the roster of Ministers of Word and Service of this church;
  - 7) termination of the relationship between this church and this congregation;
  - 8) dissolution of this congregation or the termination of a parish arrangement; or
  - 9) suspension of this congregation through discipline for more than six months.
- b. When allegations of physical disability or mental incapacity of the deacon under paragraph a.4) above, or ineffective conduct of the office of minister of Word and Service under paragraph a.3) above, have come to the attention of the bishop of this synod,
  - 1) the bishop in his or her sole discretion may investigate such conditions personally together with a committee of two rostered ministers and one layperson, or
  - 2) when such allegations have been brought to the synod's attention by an official recital of allegations by the Congregation Council or by a petition signed by at least one-third of the voting members of this congregation, the bishop personally shall investigate such conditions together with a committee of two rostered ministers and one layperson.
- c. In case of alleged physical disability or mental incapacity under paragraph a.4) above, the bishop's committee shall obtain and document competent medical

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

- d. In the case of alleged local difficulties that imperil the effective functioning of this congregation under paragraph a.3) above, the bishop's committee shall endeavor to hear from all concerned persons, after which the bishop together with the committee shall present their recommendations first to the deacon and then to this congregation. The recommendations of the bishop's committee must address whether the deacon's call should come to an end and, if so, may suggest appropriate severance arrangements. The committee may also propose other actions that should be undertaken by this congregation and by the deacon, if appropriate. If the deacon and congregation agree to carry out such recommendations, no further action need be taken by the synod.
- e. If either party fails to assent to the recommendations of the bishop's committee concerning the deacon's call, this congregation may dismiss the deacon only at a legally called meeting after consultation with the bishop, either (a) by a two-thirds vote of the voting members present and voting where the bishop and the committee did not recommend termination of the call, or (b) by a majority vote of the voting members present and voting where the bishop and the committee recommended termination of the call.
- f. If, in the course of proceedings described in paragraph c. or paragraph d. above, the bishop's committee concludes that there may be grounds for discipline, the committee shall make recommendations concerning disciplinary action in accordance with the provisions of this church's constitution, bylaws, and continuing resolutions.

**\*C9.26.** This congregation shall make satisfactory settlement of all financial obligations to a former deacon before calling a successor. A deacon shall make satisfactory settlement of all financial obligations to this congregation before beginning service in a call to another congregation or employment in another ministry setting.

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

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

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

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

## **Chapter 10. Congregation Meeting**

**C10.01.** This congregation shall have at least one regular meeting per year. The regular meeting(s) of the congregation shall be held at the time(s) specified in the bylaws. Consistent with the laws of the State of North Carolina, the bylaws shall designate one regular meeting per year as the annual meeting of this congregation.

### **(BYLAW)**

**C10.01.01.** The Annual Meeting of the Congregation shall be held during the month of December each calendar year.

**C10.02.** A special Congregation Meeting may be called by the pastor, the Congregation Council, or the president of this congregation, and shall be called by the president of this congregation upon the written request of twenty-five percent of the voting members. The president of the Congregation Council shall call a special meeting upon request of the synod bishop. The call for each special meeting shall specify the purpose for which it is to be held, and no other business shall be transacted.

**C10.03.** Notice of all meetings of this congregation shall be given at the services of worship on the preceding two consecutive Sundays and by mail or electronic means, as permitted by state law, to all voting members at least 10 days in advance of the date of the meeting.

**C10.04.** Twenty-five percent of voting members shall constitute a quorum.

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

**C10.06.** All action by the congregation shall be by majority vote of those voting members present and voting except as otherwise provided in this constitution or by state law.

**C10.07.** *Roberts Rules of Order*, latest edition, shall govern parliamentary procedure of all meetings of this congregation.

**C10.08.** This congregation may hold meetings by remote communication, including electronically and by telephone conference, as long as there is an opportunity for simultaneous aural communication. To the extent permitted by state law, notice of all meetings may be provided electronically.

## **Chapter 11. Officers**

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

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

### **(BYLAWS)**

**C11.01.01.** The duties of the Officers of this Congregation are as follows:

- (a) The President of the Congregation shall:
  - i. provide leadership for the Congregation Council;
  - ii. serve as Chair for all congregational meetings;
  - iii. in consultation with the pastor, establish the agenda for each meeting of the Congregation Council;
  - iv. provide a copy of the agenda to each Congregation Council member prior to a Congregational Council meeting; and
  - v. serve as *ex-officio* member of all committees.
- (b) The Vice President
  - i. Work with the President and act as substitute when necessary; and
  - ii. Perform such duties as are assigned by the President or Congregation Council.
- (c) The Secretary shall
  - i. record and keep accurate minutes of all meetings of the Congregation Council;

- ii. record and keep accurate minutes of all regular, special, and emergency meetings of the Congregation;
- iii. preserve all meeting minutes in volume(s) provided by the congregation, which shall be preserved permanently in its archives.

(d) The Treasurer shall

- i. keep the books of accounts of the Congregation;
- ii. Oversee receipt of all funds and disbursements submitted on proper order;
- iii. shall make a monthly, written report of all transactions to the Congregation Council;
- iv. The Treasurer shall make an annual report to the Congregation with satisfactory audit; and
- v. Serve as the Registered Agent for this congregational in the corporate registry for non-profits in the Office of the Secretary of State of North Carolina.

**C11.02.** The officers shall be elected by the Congregational Council by written ballot and shall serve for one year. The term shall begin on January 1 and end on December 31, with the exception of the Treasurer whose term shall run concurrent with the Fiscal Year of the Congregation (April 1 – March 30).

**C11.03.** No officer shall hold more than one office at a time. No elected officer, except the treasurer, shall be eligible to serve more than two consecutive terms in the same office.

## **Chapter 12. Congregation Council**

**C12.01.** The voting membership of the Congregational Council shall consist of the pastor(s), deacon(s), and not more than 9 elected members of the congregation including the president, vice president, secretary, and treasurer (if an elected member of the Congregation Council). Any voting member of the congregation over the age of 18 may be elected, subject to one year of membership in this congregation and to the limitation on the length of continuous service permitted in that office. A member's place on the Congregation Council shall be declared vacant if the member:

- a) ceases to be a voting member of the congregation of
- b) is absent from four successive regular meetings of the Congregation Council without cause.

Consistent with the laws of the state in which this congregation is incorporated, this congregation may adopt procedures for the removal of a member of the Congregation Council in other circumstances.

**(BYLAW)**

**C12.01.01.** Elected Members of the Congregation Council shall be chosen by ballot for the term of three (3) years by a majority vote at the annual meeting, and tenure shall be arranged such that one-third of the terms expire annually.

**C12.02.** Nominations for the Congregation Council shall be made by any or all of the following:

- 1) The nominating committee.
- 2) Outgoing Congregation Council.
- 3) The entire Congregation.
- 4) The congregation at the annual congregation meeting.

Persons nominated shall have been contacted for consent before their names are placed on the ballot. The members of the Congregation Council, except the rostered ministers, shall be elected at a legally called meeting of the congregation during the month of December. The members of the Congregation Council, except the rostered ministers, shall be elected by written ballot to serve for a three (3) year term or until their successors are elected

**(BYLAW)**

**C12.02.01.** A council member shall be eligible to serve no more than one (1) full term consecutively, and shall be eligible for re-election after one (1) year has elapsed after having served a full three-year term. No spouses, parent/children, are eligible to serve at the same time on Congregation Council. Individuals elected to Congregation Council who are related as in-laws within the first-degree are not prohibited from serving concurrently.

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

**(BYLAW)**

**C12.03.01** Members elected to a vacated seat pursuant to C12.03, and who serve less than one-half of a regular term shall be eligible for nomination and possible election to a full term at the end of the originally elected Council Member's 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 rostered ministers and staff and help them annually to evaluate the fulfillment of their calling, appointment, 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 the 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 managing its business and fiscal affairs. It shall have the powers and be subject to the obligations that pertain to such boards under the laws of the State of North Carolina, except as otherwise provided herein.
- b. The Congregation Council shall not have the authority to buy, sell, or encumber real property unless specifically authorized to do so by a meeting of the congregation.

- c. The Congregation Council may enter into contracts of up to Ten Thousand Dollars (\$10,000.00) 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 Five Thousand Dollars (\$5,000.00) in excess of the anticipated receipts only after approval by a Congregation Meeting. The budget shall include this congregation's full, indicated share in support of the wider ministry being carried on in collaboration with the synod and churchwide organization.
- e. The Congregation Council shall ascertain that the financial affairs of this congregation are being conducted efficiently, giving particular attention to the regular forwarding of all obligations and to the regular forwarding of mission support monies to the synodical treasurer.
- f. The Congregational 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. Nothing in this provision shall be deemed to affect this congregation's responsibility for the call, terms of call, or termination of call of any employees who are on a roster of this church.

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

**C12.11.** The Congregation Council shall normally meet once a month to stimulate its own spiritual growth and to conduct the business of the Congregation pursuant to C12.05 above. Special meetings may be called by the pastor or 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.

#### **(CONTINUING RESOLUTION)**

**C12.11.A21. Order of Business:** the following shall constitute the Order of Business for regular meetings of the Congregation Council:

- a. Devotions and Prayer

- b. Consent Agenda which may include:
  - i. Minutes of the Previous Meeting
  - ii. Approval of Agenda
  - iii. Committee Ministry Groups and Task Group Reports
  - iv. Communications
- c. Old Business (*including any "old" items brought forward in above reports*)
- d. New Business (*including any new concerns, questions, issues brought forward in above reports*)
- e. Announcements
- f. Prayer Concerns and Adjournment

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

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

## **Chapter 13. Congregation Committees**

**C13.01 Executive Committee.** The Executive Committee shall be an enabling servant to the Congregation Council. The president, vice president, secretary, and the rostered ministers shall constitute the voting members of the Executive Committee. The Treasurer shall be an *ex-officio* non-voting member of the Executive Committee

### **(CONTINUING RESOLUTION)**

**C13.01.A21.** Meetings of the **Executive Committee:** The Executive Committee of the Congregation Council shall meet as needed but not less than monthly, not less than 5 business days prior to the regular monthly meeting of the Congregation Council to:

- a. Stimulate its own spiritual growth;
- b. Define its activities and address concerns;

- c. Review Committee, Ministry Team, and Task Force reports, and identify action items and recommendations to the Congregation Council for resolving or addressing any issues or concerns;
- d. Address sensitive personnel matters;
- e. Plan, oversee implementation of, and evaluate all financial resources, policies, and procedures;
- f. Conduct regular budget performance reviews and make recommendations to the Congregation Council for resolving or addressing any issues or concerns;
- g. Set the agenda for meetings of the Congregation Council;
- h. Keep accurate minutes of each meeting to include general summary of matters discussed, decisions reached, and assignment of responsibility for specific action items and their time frame(s) to be addressed; and
- i. Prepare its monthly report, specify matters to be listed on the Consent Agenda, develop motions from the Executive Committee and offer any recommendations on items placed on the Meeting Agenda for the Congregation Council.

**C13.02. A Nominating Committee** shall be appointed at the September meeting of the Congregational Council each year. The purpose of this committee is to submit names of members to run on the church council ballot. The nominating committee shall seek to include those members who are willing to run for the Council and shall submit their names for the written ballot at the Annual Congregation Meeting. The committee shall consist of three (3) members; two of which will be out-going Congregation Council members. Nothing in this section shall negate for nomination processes as set out in **C12.02** above.

**C13.03. An Audit Committee** of three (3) members of the Stewardship Committee shall be appointed by the Congregational Council. Audit Committee members shall not be members of the Congregational Council. Term of office shall be for one year. Members shall be eligible for reappointment.

**C13.04. A Mutual Ministry Committee** (in the absence of a Mutual Ministry committee, their duties shall be fulfilled by the executive Committee) shall be appointed jointly by the president and the rostered ministers. The term of office for members of this committee shall be three (3) years with two (2) going off each year and two (2) new members going on.

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

**C13.06.** The Congregation Council shall appoint the following **Standing Committees**, with the number of members and the presiding officers of each to be determined by the Congregation Council. Duties of Standing and *ad hoc* Committees of the Congregation Council shall be specified in the Bylaws.

- a. Finance Committee
- b. Stewardship Committee
- c. Property Committee
- d. Personnel Committee

#### **(BYLAWS)**

**C13.06.01.** The **Finance Committee** is a standing committee of the Congregation Council, of which the Treasurer shall be an *ex officio* member. The Finance Committee is responsible for:

- a. Approving and monitoring the corporate finances of the congregation;
- b. Creating a financial climate for fulfilling the mission of the congregation;
- c. Authorizing and review of an annual audit, and independent audit of the financial records of the congregation to be completed not less than every three years beginning in 2022. An audit shall be conducted at any time when key financial personnel separate either from church employment or their financial responsibilities for the congregation. At this point, the three-year audit cycle begins anew. All audits will be completed in accordance with the recommendations of the ELCA's Congregational Audit Committee Charter, provided by the Office of the Treasurer of the Evangelical Lutheran Church in America.
- d. Preparing an Annual Budget to be submitted to the Congregation Council a minimum of ten (10) days prior to the Annual Meeting;
- e. Ensuring that the Congregation's annual mission support, benevolence monies, and appropriate financial reports are submitted to the Synod upon request;
- f. Meet as needed but not less than quarterly to:
  - i. Stimulate its own spiritual growth;

- ii. Define its activities and address concerns;
- iii. Plan, oversee implementation of, and evaluate all financial resources, policies, and procedures;
- iv. Keep accurate minutes of each meeting to include general summary of matters discussed, decisions reached, and assignment of responsibility for specific action items and their time frame(s) to be addressed; and
- v. Prepare its monthly report for submission to the Congregation Council.

**C13.06.02.** The **Stewardship Committee** is a standing committee of the Congregation Council, of which the Treasurer shall be an *ex officio* member. The Stewardship Committee is responsible to:

- a. Encourage and promote among the members of the Congregation a fuller awareness of their ministry in daily life and lead all members of the Congregation to strive for higher levels of proportionate giving for the mission of the church.
- b. Design, implement, and evaluate of the annual Stewardship Campaign;
- c. Prepare and provide to the Congregation Council a report of the results of the Annual Stewardship Campaign.
- d. Meet as needed but not less than quarterly to:
  - vi. Stimulate its own spiritual growth;
  - vii. Define its activities and address concerns;
  - viii. Plan, oversee implementation of, and evaluate stewardship resources and programming;
  - ix. Keep accurate minutes of each meeting to include general summary of matters discussed, decisions reached, and assignment of responsibility for specific action items and their time frame(s) to be addressed; and
  - x. Prepare a regular report for submission to the Congregation Council.

**C13.06.03.** The **Property Committee** is a standing committee of the Congregation Council.

- 1) The Property Committee is responsible for overall upkeep and maintenance of:
  - a. Real property buildings and grounds, appliances, fixtures, and mechanical equipment owned or leased by the Congregation;

- b. Business personal property, including but not limited to: electronic and digital equipment, computers and software owned, leased, or licensed to the Congregation;
- c. Cemetery and Columbarium owned by the Congregation

2) For these purposes, the Property Committee shall:

- a. Provide for the proper maintenance and protection of all property of the congregation;
- b. Maintain a list of service vendors approved by Congregation Council which the Committee is authorized to contact for routine maintenance and estimates for emergency repairs and maintenance not exceeding One Thousand Dollars (\$1,000.00). All Scope of Work, Annual Maintenance Agreements, and Work Contracts must follow the processes established in Section 3 below;
- c. Keep all property and grounds in good repair;
- d. Supervise additions and improvements to existing property;
- e. Make recommendations in regard to the purchase or sale of real property;
- f. Oversee the administration, operation, and contractual obligations for the Cemetery and Columbarium;
- g. Oversee compliance with Cemetery and Columbarium guidelines as established and updated by Congregation Council;
- h. Meet monthly to:
  - i. Stimulate its own spiritual growth;
  - ii. Report on conditions of the congregation's property;
  - iii. Define its activities and address concerns;
  - iv. Plan and oversee implementation of, and evaluate, property management;
  - v. Keep accurate minutes of each meeting to include general summary of matters discussed, decisions reached, and assignment of responsibility for specific action items and their time frame(s) to be addressed; and
  - vi. Prepare its monthly report for submission to the Congregation Council.

- 3) For these purposes, the Property Committee has the authority to spend up to what is determined by the Congregation's Approved Financial Policies, One Thousand Dollars (\$1,000) without securing permission from the Congregation Council.
- 4) Contracts for major repairs and/or equipment between Zero (\$0.00) and Five Hundred Dollars (\$500.00) shall require the signature of the Property Committee Chair. The same signature will be required on forms submitted for authorization of payment of all corresponding fees.
- 5) Contracts for major repairs and/or equipment between Five Hundred Dollars and One Cent (\$500.01) and One Thousand Dollars (\$1,000.00) shall require the signatures of the Property Committee Chair and the President of the Congregation Council. These same signatures will be required on forms submitted for authorization of payment of all corresponding fees.
- 6) Contracts for major repairs and/or equipment costing more than One Thousand Dollars and One Cent (\$1,000.01) must be submitted to the Congregation Council for approval and authorization. Once approved by Council, the contracts shall require the signatures of the Property Committee Chair and the President of the Congregation Council. These same signatures will be required on forms submitted for authorization of payment of all corresponding fees.
- 7) The Property Committee shall be responsible for direct oversight or arrange for third-party oversight of all maintenance and repairs. Council approval will be required for all costs associated with third-party oversight. The Property Committee shall proceed with oversight arrangements according to the following cost parameters:
  - a. Any project costing a minimum of Zero (\$0.00) and a maximum Ten Thousand Dollars (\$10,000.00), the Property Committee Members shall be responsible for oversight of the entire project.
  - b. Any project costing over Ten Thousand Dollars (\$10,000.00) shall require recruitment of a third-party, with expertise in a particular area of a project, to oversee the project. Any individual serving in this capacity shall report to the Property Committee, which shall provide all such reports to the Executive Committee of the Congregation Council.
  - c. For projects costing a minimum of Ten Thousand Dollars and One Cent (\$10,000.01) and a maximum of Twenty-five Thousand Dollars (\$25,000) members of Wittenberg Lutheran Church who may be willing to volunteer their expertise should be considered first when filling this oversight position.



- d. For projects costing a minimum of Twenty-five Thousand Dollars and One Cent (\$25,000.01), the Property Committee shall be responsible to recruit a professional project manager with appropriate expertise and licensing in the area of the project.
  - e. Persons who signed the original contract will be required to also sign the final request of payment. If any of these persons are no longer available, the Executive Committee of the Congregation Council may designate a replacement. Final payment will not be processed until after an inspection by the third-party overseer as Agent on behalf of Wittenberg Lutheran Church, indicating all work has been satisfactorily been completed.
- 8) The Property Committee will provide a monthly written report to the Congregation Council on the state of the campus/physical plan, and concerning any needed immediate/short-term repairs and or improvements.
- 9) On an annual basis, the Property Committee will provide Council will a prioritized list of repairs/replacements needed, along with proposals as to measures that can be taken to postpone—without further deterioration— those items that are not urgent.
- 10) At a minimum of every two (2) years, develop a long-range plan for the replacement and upgrading of equipment

**C13.06.04.** The **Personnel Committee** is a standing committee of the Congregation Council and is responsible to:

- a. Provide the structure, procedures, and policies, by which sound human resource programs and relations can be conducted for the benefit of church staff, Congregation Council, and the Congregation;
- b. Act as an advisory resource to the Congregation Council and rostered ministry staff on issues related to human resource matters;
- c. Research, develop, execute, monitor, assess, and advise on the following:
  - 1. Staff recruitment and retention;
  - 2. Job descriptions
  - 3. Salary ranges and benefit programs;
  - 4. Performance reviews;
  - 5. Payroll budgets;
  - 6. Employment contracts

- d. Meet as needed, but not less than quarterly, to:
  - i. Stimulate its own spiritual growth;
  - ii. Define its activities and address concerns;
  - iii. Plan, oversee implementation of, and evaluate all personnel and human resources needs, policies, and procedures;
  - iv. Keep accurate minutes of each meeting to include general summary of matters discussed, decisions reached, and assignment of responsibility for specific action items and their time frame(s) to be addressed; and
  - v. Prepare a regular report for submission to the Congregation Council.

#### **(CONTINUING RESOLUTION)**

**C13.06.A21. Committee Reports to Council:** All standing or *ad hoc* committees of the Congregation Council, ministry teams, and task force groups, shall submit a report to the Congregation Council not later than the pre-council meeting of the Executive Committee.

**C13.07.** Other Congregation committees may be formed as need arises, by decision of the Congregation Council, including formation of Congregational Ministry Teams and Special Task Forces as needs arise. Congregational Ministry Teams and Task Forces, their operational responsibilities shall be established by the Council and codified in the Continuing Resolutions.

#### **(CONTINUING RESOLUTIONS)**

**C13.07.A21.** There shall be a **Worship and Music Ministry Team**, accountable to the Congregation Council, which is responsible to:

- a. Assure the services of God's house are conducted regularly and in accordance with the current *Principles of Worship*, and liturgies of Evangelical Lutheran Church in America, in order to be both responsible and responsive to the world that the church is called to serve.
- b. Give particular attention to the physical appearance of the worship space and environment.
- c. In consultation with the rostered ministers, provide proper materials and elements necessary for the administration of the Sacraments of Baptism and Holy Communion.

- d. Recruit and, in consultation with the rostered ministers, develop and train members as active participants in the corporate worship services of the congregation. These participants shall include (but are not limited to) ushers, lay readers, lay worship leaders, acolytes, members of an altar guild, wedding directors, and other roles as may be deemed appropriate for the nature of the particular worship opportunities available.
- e. Provide print materials (such as hymnals, pew Bibles, devotional materials, and the like) to enhance and empower participation of individuals worshipping with us.
- f. Provide and care for liturgical vessels, furnishings, paraments, altar linens, communion ware, musical instruments, vestments, flower arrangements and décor appropriate to seasonal worship and special worship opportunities.
- g. Develop and maintain print materials which set out liturgical requirements, congregational policies, and agreement forms needed to provide expectations and guidance for worship on occasions such as weddings and funerals.
- h. In consultation with the rostered ministers, organist, and choir director, furnish music supplies appropriate for use in worship.
- i. Meet regularly, but not less than quarterly, to:
  - i. Stimulate its own spiritual growth;
  - ii. Plan and prepare for upcoming worship needs;
  - iii. Explore opportunities and resources to enhance meaningful worship;
  - iv. Keep accurate minutes of each meeting to include general summary of matters discussed, decisions reached, and assignment of responsibility for specific action items and their time frame(s) to be addressed; and
  - v. Prepare a report of activities for submission to the Congregation Council.

**C13.07.B21.** There shall be a **Social Ministries Team**, accountable to the Congregation Council, which is responsible to:

- a. Explore human need in the wider community to identify opportunities for compassionate Christian ministry opportunities for our congregation.

- b. Encourage participation in and develop leadership for specific ministries meeting physical, emotional, and spiritual needs of individuals in need of compassion and mercy.
- c. Develop relationships with local non-profit organizations through which ministry opportunities can be coordinated.
- d. Develop congregational opportunities to increase awareness of specific needs existing in our local community and the wider world.
- e. Integrate into the life of the congregation programmatic and education opportunities available through the Social Ministry Organizations of the Evangelical Lutheran Church in America.
- f. Identify opportunities to extend Christian compassion and aid to: individuals for whom societal expectations create barriers to resources.
- g. Give special consideration to opportunities to individuals who face particular challenges, such as: physical and mental health needs, education support, personal isolation, addiction, and incarceration. In general, to persons of all ages in need of aid in body or soul.
- h. Bring healing and hope to others by serving as the actual hands and feet of Jesus in our community.
- i. Meet regularly, but not less than quarterly, to:
  - i. Stimulate its own spiritual growth;
  - ii. Plan and prepare for upcoming opportunities to serve others;
  - iii. Explore opportunities and resources to provide education regarding human need;
  - iv. Keep accurate minutes of each meeting to include general summary of matters discussed, decisions reached, and assignment of responsibility for specific action items and their time frame(s) to be addressed; and
  - v. Prepare a report of activities for submission to the Congregation Council.

**C13.07.C21.** There shall be a **Youth Ministries Team**, accountable to the Congregation Council, which is responsible to:

- a. Oversee all activities and programs for the youth of the Congregation.

- b. Connect with and participate in the NC Synod's Youth Ministry Network, its leaders and resources.
- c. Establish policies, expectations, and procedures to be implemented for all adult volunteers participating in youth ministries, including background checks, completion of Synod-required *SafeGatherings* training.
- d. Coordinate with other Ministry Teams to assure access and integration of youth into programming established in the Congregation.
- e. Encourage participation in Youth Programs offered by the NC Synod and ELCA Churchwide, such as summer camps, Lutheran Youth Organization, Triennial Youth Gathering.
- f. Meet regularly, but not less than quarterly, to:
  - i. Stimulate its own spiritual growth;
  - ii. Plan and prepare for upcoming opportunities to serve others;
  - iii. Explore opportunities and resources to provide education regarding human need;
  - iv. Keep accurate minutes of each meeting to include general summary of matters discussed, decisions reached, and assignment of responsibility for specific action items and their time frame(s) to be addressed; and
  - v. Prepare a report of activities for submission to the Congregation Council.

**C13.07.D21.** There shall be a **Faith Formation Team**, accountable to the Congregation Council, which is responsible to:

- a. Provide Congregational opportunities for Christian education, and ongoing spiritual development, for all members and friends of the Congregation, including options for all – from the youngest to the oldest.
- b. Develop intergenerational learning opportunities and experiences.
- c. Explore, nurture, and develop respectful relationships with persons who associated with our ecumenical partners, and persons of other faith traditions.
- d. Encourage participation in Synod and Regional Learning opportunities for Congregational members and friends.

- e. Explore and connect our Congregation with Faith Formation Resources of the NC Synod, the Evangelical Lutheran Church in America, and its affiliated resource providers.
- f. In consultation with and rostered ministry staff, develop support programs to deepen understanding of Lutheran theology, including catechism of youth, adults joining our Congregation from other faith traditions, and anyone with no prior affiliation with any particular faith.
- g. Meet regularly, but not less than quarterly, to:
  - i. Stimulate its own spiritual growth;
  - ii. Plan and prepare for upcoming opportunities to serve others;
  - iii. Explore opportunities and resources to provide education regarding human need;
  - iv. Keep accurate minutes of each meeting to include general summary of matters discussed, decisions reached, and assignment of responsibility for specific action items and their time frame(s) to be addressed; and
  - v. Prepare a report of activities and recommendations for submission to the Congregation Council.

**C13.07.E21.** There shall be a **Congregational Life Team**, accountable to the Congregation Council, which is responsible to:

- a. Provide congregation-wide general fellowship opportunities and observances of special occasions in the life of the congregation.
- b. Serve as the umbrella for small group fellowship within the congregation.
- c. Develop programs offering lay person support of pastoral care and visitation by rostered ministers.
- d. Encourage participation in synodical and churchwide ministry groups such as Women of the ELCA (WELCA), Lutheran Men in Mission (LMIM), and specialized synod events and retreats.
- e. In collaboration with the Social Ministries Team, encourage intergenerational mentoring and companionship which also provide places and spaces for relationship-building between members of the congregation and the wider community.
- f. Meet regularly, but not less than quarterly, to:
  - i. Stimulate its own spiritual growth;
  - ii. Plan and prepare for upcoming ministry opportunities;
  - iii. Keep accurate minutes of each meeting to include general summary of matters discussed, decisions reached, and

- assignment of responsibility for specific action items and their time frame(s) to be addressed; and
- iv. Prepare a report of activities and recommendations for submission to the Congregation Council.

## **Chapter 14. Organizations within the Congregation**

**C14.01.** All organizations within this congregation shall exist to aid it in ministering to the members of this congregation and to all persons who can be reached with the Gospel of Christ. As outgrowths and expressions of this congregation's life, the organizations are subject to its oversight and direction. This congregation at its meeting shall determine their policies, guide their activities, and receive reports concerning their membership, work, and finances.

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

## **Chapter 15. Discipline of Members and Adjudication**

**\*C15.01.** Persistent and public denial of the Christian faith, willful or criminal conduct grossly unbecoming a member of the Church of Christ, continual and intentional interference with the ministry of this congregation, or willful and repeated harassment or defamation of member(s) of this congregation is sufficient cause for discipline of a member. Prior to disciplinary action, reconciliation and repentance will be attempted following Matthew 18:15–17, proceeding through these successive steps, as necessary:

- a) private counsel and admonition by the pastor,
- b) censure and admonition by the pastor in the presence of two or three witnesses,
- c) written referral of the matter by the Congregation Council to the vice president of the synod, who will refer it to a consultation panel drawn from the Consultation Committee of the synod, and
- d) written referral of the matter by the consultation panel to the Committee on Discipline of the synod.

If, for any reason, the pastor is unable to administer the admonitions required by paragraphs a. and b. hereof, those steps may be performed by another pastor chosen by the Executive Committee of the Congregation Council.

**\*C15.02.** The process for discipline of a member of this congregation shall be governed as prescribed by the chapter on discipline in the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*. If the counseling, censure, and admonitions pursuant to \*C15.01. do not result in repentance and amendment of life, charges against the accused member(s) that are specific and in writing may be prepared by the Congregation

Council, signed, and submitted to the vice president of the synod. The vice president shall select from the synod's Consultation Committee a panel of five members (three laypersons and two ministers of Word and Sacrament). A copy of the written charges shall be provided to the consultation panel and the accused member(s). The consultation panel, after requesting a written reply to the charges from the accused member(s), shall consider the matter and seek a resolution by means of investigation, consultation, mediation, or whatever other means may seem appropriate. The panel's efforts to reach a mutually agreeable resolution shall continue for no more than 45 days after the matter is submitted to it.

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

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

**\*C15.05.** By the vote of at least two-thirds of the members of the discipline hearing panel who are present and voting, one of the following disciplinary sanctions can be imposed:

- a. suspension from the privileges of congregation membership for a designated period of time;
- b. suspension from the privileges of congregation membership until the pastor and Congregation Council receive evidence, satisfactory to them, of repentance and amendment of life;
- c. termination of membership in this congregation; or
- d. termination of membership in this congregation and exclusion from the church property and from all congregation activities.

**\*C15.06.** The written decision of the discipline hearing panel shall be sent to the vice president of the synod, the accused member(s), and the Congregation Council as required by the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*. The decision of the discipline hearing panel shall be implemented by the Congregation Council and recorded in the minutes of the next council meeting.

**\*C15.07.** No member of this congregation shall be subject to discipline a second time for offenses that a discipline hearing panel has heard previously and decided pursuant to this chapter.



### **\*C15.10. Adjudication**

**\*C15.11.** When there is disagreement between or among factions within this congregation on a substantive issue which cannot be resolved by the parties, members of this congregation may petition the synod bishop for consultation after informing the president of this congregation of their intent to do so. The synod bishop shall seek a timely resolution of the dispute. If the issue relates directly to the pastor, the bishop may begin the process in †S14.18.d. In all other matters, if the bishop's consultation fails to resolve the issue, the bishop shall refer the matter to the Consultation Committee of the synod, which shall undertake efforts to find an appropriate solution. If the Consultation Committee's efforts fail to resolve the dispute, the entire matter shall be referred to the Synod Council for adjudication by whatever process the Council deems necessary. The Synod Council's decision shall be final.

## **Chapter 16. Amendments**

**\*C16.01.** Unless provision \*C16.04. is applicable, those sections of this constitution that are not required, in accord with the *Model Constitution for Congregations of the Evangelical Lutheran Church in America*, may be amended in the following manner. Amendments may be proposed by at least 25% of voting members or by the Congregation Council. Proposals must be filed in writing with the Congregation Council 60 days before formal consideration by this congregation at a regular or special Congregation Meeting called for that purpose. The Congregation Council shall notify this congregation's members of the proposal together with the council's recommendations at least 30 days in advance of the meeting. Notification may take place by mail or electronic means, as permitted by state law.

**\*C16.02.** An amendment to this constitution, proposed under C16.01, shall:

- a. be ratified without change at the next regular meeting of this congregation held pursuant to C10.01 by a two-thirds vote of those voting members present and voting;  
and
- b. be approved at any legally called meeting of this congregation by a majority vote of those voting members present and voting
- c. have the effective date included in the resolution and noted in the constitution.

**\*C16.03.** Any amendments to this constitution that result from the processes provided in \*C16.01. and \*C16.02. shall be sent by the secretary of this congregation to the synod. The synod shall notify this congregation of its decision to approve or disapprove the proposed changes; the changes shall go into effect upon notification that the synod has approved them.

**\*C16.04** This constitution may be amended to bring any section into conformity with a section or sections, either required or not required, of the Model Constitution for Congregations of the Evangelical Lutheran Church in America as most recently amended by the Churchwide Assembly. Such amendments may be approved by a majority vote of those voting members present and voting at any legally called meeting of this congregation without presentation at a prior meeting of this congregation, provided that the Congregation Council has submitted by mail or electronic means, as permitted by state law, notice to this congregation of such an amendment or amendments, together with the council's recommendations, at least 30 days prior to the meeting. Upon the request of at least two (2) voting members of this congregation, the Congregation Council shall submit such notice. Following the adoption of an amendment, the secretary of this congregation shall submit a copy thereof to the synod. Such provisions shall become effective immediately following a vote of approval.

## **Chapter 17. Bylaws**

**\*C17.01.** This congregation shall adopt bylaws. No bylaws may conflict with this constitution.

**\*C17.02.** Bylaws may be adopted or amended at any legally called meeting of this congregation with a quorum present by a two-thirds majority vote of those voting members present and voting.

**\*C17.03.** 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 Congregation Council notify the congregation's members by mail of the proposal with the Council's recommendation at least 30 days in advance of the Congregations Meeting. Notification may take place by mail or electronic means, as permitted by state law.

**\*C17.04.** Adopted or amended bylaws shall be sent by the secretary of this congregation to the synod.

## **Chapter 18. Continuing Resolutions**

**\*C18.01.** This congregation in a legally called meeting or the Congregation Council may enact continuing resolutions. Such continuing resolutions may not conflict with the constitution or bylaws of this congregation.

**\*C18.02.** Continuing resolutions shall be enacted or amended by a majority vote of a meeting of this congregation or a two-thirds vote of all voting members of the Congregation Council.

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

## **Chapter 19. Indemnification**

**\*C19.01.** Consistent with the provisions of the laws under which this congregation is incorporated, this congregation may adopt provisions providing indemnification for each person who, by reason of the fact that such person is or was a Congregation Council member, officer, employee, agent, or other member of any committee of this congregation, was or is threatened to be made a party to any threatened, pending, or completed civil, criminal, administrative, arbitration, or investigative proceeding.

## **Chapter 20. Parish Authorization**

**\*C20.01.** This congregation may unite with one or more other congregations recognized by the synod named in \*C6.01. to form a parish. Except as provided in \*C20.02. and \*C20.03., a written agreement, developed in consultation with the synod and approved by the voting members of each congregation participating in the parish, shall specify the powers and responsibilities that have been delegated to the Parish Council. The Parish Agreement shall identify which congregation of the parish issues calls on behalf of the member congregations or shall establish a process for identifying which congregation issues calls on behalf of the member congregations.

**\*C20.02.** One congregation of a parish shall issue a call on behalf of the member congregations to a minister of Word and Sacrament or a candidate for the roster of Ministers of Word and Sacrament who has been recommended by the synod bishop to serve the congregations of the parish. Such a call shall be approved prior to issuance by a two-thirds vote at a congregational meeting of each congregation forming the parish.

If any congregation of the parish should fail to approve the call, the other congregations of the parish shall have the right to terminate the parish agreement.

**\*C20.03.** One congregation of a parish may issue a call on behalf of the member congregations to a minister of Word and Service or a candidate for the roster of Ministers of Word and Service who has been recommended by the synod bishop to serve the congregations of the parish. Such a call shall be approved prior to issuance by a two-thirds vote at a congregational meeting of each congregation forming the parish.

If any congregation of the parish should fail to approve the call, the other congregations of the parish shall have the right to terminate the parish agreement.

**\*C20.04.** Any one of the congregations of the parish may terminate their relationship with the pastor as provided in †S14.18.d. of the synod constitution of the synod named in \*C6.01. In such case, the other congregation(s) of the same parish shall have the right to terminate the parish agreement.

**\*C20.05.** Any one of the congregations of the parish may terminate their relationship with a minister of Word and Service as provided in †S14.43.d. of the synod constitution of the synod

named in \*C6.01. In such case, the other congregation(s) of the same parish shall have the right to terminate the parish agreement.

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

++++++**END OF DOCUMENT**++++++