

**FIRST LUTHERAN CHURCH, FREMONT, NEBRASKA
CONSTITUTION, BYLAWS, AND CONTINUING RESOLUTIONS**

**BASED ON THE MODEL CONSTITUTION
FOR
CONGREGATIONS
OF THE
EVANGELICAL
LUTHERAN CHURCH
IN AMERICA**

Adopted January 21, 1992

Amendments and Additions

Section B13.02.4. Amended January 25, 1994

Section B10.04. Amended January 26, 1999

Continuing Resolutions 1 and 2 Adopted October 6, 2009

**CONSTITUTION
FIRST LUTHERAN CHURCH
FREMONT, NEBRASKA**

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 and teach 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 First Lutheran Church of Fremont, Nebraska.
- C1.02.** For the purpose of this constitution and the accompanying bylaws, the First Lutheran Church of Fremont, Nebraska congregation is hereinafter designated as "First Lutheran Church" or "this congregation."
- C1.03.** This congregation shall be incorporated under the laws of the State of Nebraska. The amended articles of incorporation are recorded in "Book D" Misc., page 613, Dodge County Clerk's Office, Fremont, Nebraska.

CHAPTER 2.

CONFESSION OF FAITH

- C2.01.** This congregation confesses the Triune God, Father, Son, and Holy Spirit.
- C2.02.** This congregation confesses Jesus Christ as Lord and Savior and the Gospel as the power of God for the salvation of all who believe.
- a.** Jesus Christ is the Word of God incarnate, through whom everything was made and through whose life, death, and resurrection God fashions a new creation.

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

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

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

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

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

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

CHAPTER 3.

NATURE OF THE CHURCH

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

C3.02. The Church exists both as an inclusive fellowship and as local congregations gathered for worship and Christian service. Congregations find their fulfillment in the universal community of the Church, and the universal Church exists in and through congregations. This church, therefore, derives its character and powers both from the sanction and representation of its congregations and from its inherent nature as an expression of the broader fellowship of the faithful. In length, it acknowledges itself to be in the historic continuity of the communion of saints; in breadth, it expresses the fellowship of believers and congregations in our day.

CHAPTER 4.

STATEMENT OF PURPOSE

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

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

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

- f. Manifest the unity given to the people of God by living together in the love of Christ and by joining with other Christians in prayer and action to express and preserve the unity which the Spirit gives.

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

- a. Provide services of worship at which the Word of God is preached and the sacraments are administered.
- b. Provide pastoral care and assist all members to participate in this ministry.
- c. Challenge, equip, and support all members in carrying out their calling in their daily lives and in their congregation.
- d. Teach the Word of God.
- e. Witness to the reconciling Word of God in Christ, reaching out to all people.
- f. Respond to human need, work for justice and peace, care for the sick and the suffering, and participate responsibly in society.
- g. Motivate its members to provide financial support for the congregation's ministry and the ministry of other parts of the Evangelical Lutheran church in America.
- h. Foster and participate in interdependent relationships with other congregations, the synod, and the Evangelical Lutheran Church in America.
- i. Foster and participate in ecumenical relationships consistent with churchwide policy.

C4.04. This congregation shall, from time to time, adopt a mission statement which will provide specific direction for its programs.

CHAPTER 5.

POWERS OF THE CONGREGATION

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

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

C5.03. Only such authority as is delegated to the Congregation Council or other organizational units in the congregation's governing documents is recognized. All remaining authority is retained by the congregation: in all matters left undecided by the Word of God and not subject to civil laws, the congregation itself, and not any individual or group within it, shall have the right of ultimate decision. The congregation is authorized to:

- a.** Call a pastor (as provided in Chapter 9);
- b.** Terminate the call of a pastor (as provided in Chapter 9);
- c.** Appoint or terminate the appointment of associates in ministry in conformity with the applicable policy of the Evangelical Lutheran Church in America;
- d.** Approve the annual budget;
- e.** Acquire real and personal property by gift, devise, purchase, or other lawful means;
- f.** Hold title to and use its property for any and all activities consistent with its purpose;
- g.** Sell, mortgage, lease, transfer, or otherwise dispose of its property by any lawful means;
- h.** Elect its officers, Congregation council, boards, and committees, and require them to carry out their duties in accordance with the constitution and bylaws; and
- i.** Terminate its relationship with the Evangelical Lutheran Church in America as provided in Chapter 6.

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 Nebraska Synod of the Evangelical Lutheran Church in America. This congregation is subject to the discipline of the Evangelical Lutheran Church in America.

- C6.02.** This congregation accepts the Confession of Faith and agrees to the Purposes of the Evangelical Lutheran Church in America and shall act in accordance with them.
- C6.03.** This congregation acknowledges its relationship with the Evangelical Lutheran Church in America in which:
- a.** This congregation agrees to be responsible for its life as a Christian community.
 - b.** This congregation pledges its financial support and participation in the life and mission of the Evangelical Lutheran Church in America.
 - c.** This congregation agrees to call pastoral leadership from the clergy roster of the Evangelical Lutheran Church in America in accordance with its call procedures except in special circumstances and with the approval of the bishop of the synod.
 - d.** This congregation agrees to consider associates in ministry for appointment 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 Nebraska Synod for review to ascertain that all of its provisions are in agreement with the constitution and bylaws of the Evangelical Lutheran Church in America or with the constitution of the synod.
- C6.04.** Affiliation with the Evangelical Lutheran Church in America may be terminated as follows:
- a.** This congregation takes action to dissolve.
 - b.** This congregation ceases to exist.
 - c.** This congregation is removed from membership in the Evangelical Lutheran Church in America according to the procedures for discipline of the Evangelical Lutheran Church in America.
 - d.** This congregation follows the procedures outlined in C6.05.
- C6.05.** This congregation may terminate its relationship with the Evangelical Lutheran Church in America by the following procedure:

- a. A resolution indicating the desire of this congregation to terminate its relationship must be adopted at a legally called and conducted special meeting of this congregation by a two-thirds majority of the voting members present.
- b. The secretary of this congregation shall submit a copy of the resolution to the synodical bishop and shall mail a copy of the resolution to voting members of the congregation. This notice shall be submitted within 10 days after the resolution has been adopted.
- c. The bishop of the synod shall consult with this congregation during a period of at least 90 days.
- d. If this congregation, after consultation, still desires to terminate its relationship, such action may be taken at a legally called and conducted special meeting by a two-thirds majority of the voting members present, at which meeting the bishop of the synod or an authorized representative shall be present. Notice of the meeting shall be mailed to all voting members at least 10 days in advance of the meeting.
- e. A certified copy of the resolution to terminate its relationship shall be sent to the synodical bishop, at which time the relationship between this congregation and ELCA shall be terminated.
- f. Notice of termination shall be forwarded by the synodical bishop to the secretary of this church and published in the periodical of this church.

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

CHAPTER 7.

PROPERTY OWNERSHIP

C7.01. Real property shall not be purchased, disposed of, or encumbered in any manner except by resolution adopted by vote of two-thirds or more of the members present and voting at a legally called meeting of the congregation.

C7.02. If this congregation ceases to exist, title to undisposed property shall pass to the Nebraska Synod of the Evangelical Lutheran Church in America.

- C7.03.** If this congregation is removed from membership in the Evangelical Lutheran Church in America according to its procedure for discipline, title to property shall continue to reside in this congregation.
- C7.04.** If a two-thirds majority of the voting members of this congregation present at a regularly called and conducted special meeting of this congregation vote to transfer to another Lutheran church body, title to property shall continue to reside in this congregation. Before this congregation takes action to transfer to another Lutheran church body, it shall consult with representatives of the Nebraska Synod.
- C7.05.** If a two-thirds majority of the voting members of this congregation present at a regularly called and conducted special meeting of this congregation vote to become independent or relate to a non-Lutheran church body, title to property of this congregation shall continue to reside in this congregation only with the consent of the Synod Council. The Synod Council, after consultation with the congregation by the established synodical process, may give approval to the request to become independent or to relate to a non-Lutheran church body, in which case title shall remain with the majority of the congregation. If the Synod Council fails to give such approval, title shall remain with those members who desire to continue as a congregation of the Evangelical Lutheran Church in America.

CHAPTER 8.

MEMBERSHIP

- C8.01.** Members of this congregation shall be those baptized persons on the roll of the congregation at the time that this constitution is adopted and those who are admitted thereafter and who have declared and maintain their membership in accordance with the provisions of this constitution and its bylaws.
- C8.02.** Members shall be classified as follows:
- a.** Baptized members are those persons who have been received by the Sacrament of Holy Baptism in this congregation, or, having been previously baptized in the name of the Triune God, have been received by certificate of transfer from other Lutheran congregations or by affirmation of faith.
 - b.** Confirmed members are baptized persons who have been confirmed in this congregation, those who have been received by adult baptism or by transfer as confirmed members from other Lutheran congregations, or baptized persons received by affirmation of faith.

- c. Voting members are confirmed members. Such confirmed members shall have communed and made a contribution of record during the current or preceding year.
- 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. They have all the privileges and duties of membership except voting rights and eligibility for elected offices or membership on the Congregation Council of this congregation.

C8.03. 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 and of the Evangelical Lutheran Church in America through contributions of their time, abilities, and financial support as biblical stewards.

C8.04. Membership in this congregation shall be terminated by any of the following:

- a. Death;
- b. Resignation;
- c. Transfer or release;
- d. Disciplinary action by the Congregation Council; or
- e. Removal from the roll due to inactivity as defined in the bylaws.

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

CHAPTER 9.

THE PASTOR

- C9.01.** Authority to call a pastor shall be in this congregation by at least a two-thirds majority ballot vote of members present and voting at a meeting regularly called for that purpose. Before a call is issued, the officers, or a committee elected by the Congregation Council to recommend the call, shall seek the advice and help of the bishop of the synod. Calls issued by this congregation shall comply with policies of the Nebraska Synod and shall take into consideration advice and recommendations of the synodical bishop.
- C9.02.** Only a member of the clergy roster of the Evangelical Lutheran Church in America or a person who has been recommended for it by the synodical bishop may be called as a pastor of this congregation.
- C9.03.** Consistent with the faith and practice of the Evangelical Lutheran Church in America,
- a.** Every ordained minister shall:
 - 1)** Preach the Word;
 - 2)** Administer the sacraments;
 - 3)** Conduct public worship;
 - 4)** Provide pastoral care; and
 - 5)** Speak publicly to the world in solidarity with the poor and oppressed, calling for justice and proclaiming God's, love for the world.
 - b.** Each ordained minister with a congregational call shall, within the congregation:
 - 1)** Offer instruction, confirm, marry, visit the sick and distressed, and bury the dead;
 - 2)** Supervise all schools and organizations of the congregation;
 - 3)** Install regularly elected members of the Congregation Council; and
 - 4)** With the council, administer discipline.

- c.** Every Pastor shall:
 - 1)** Seek out and encourage qualified persons to prepare for the ministry of the Gospel; and strive to extend the Kingdom of God in the community, in the nation, and abroad;
 - 2)** Impart knowledge of this church and its wider ministry through distribution of its periodicals and other publications; and
 - 3)** Endeavor to increase the support given by the congregation to the work of the ELCA church wide organization and of this ELCA synod.

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.

C9.05. A call issued by this congregation to a member of the clergy to be an assistant, co-pastor, or associate pastor or a letter of appointment issued to a certified Associate In Ministry will be issued only with the concurrence of the senior pastor.

C9.06. The senior pastor in consultation with the Congregation Council shall be responsible for the appointment and supervision of the salaried lay workers of this congregation.

C9.07. Termination of a pastoral call shall be effected as follows:

- a.** The call of a congregation, when accepted by a pastor, shall constitute a continuing mutual relationship and commitment which, except in the case of the death of the pastor, shall be terminated only following consultation with the synodical bishop and for the following reasons:
 - 1)** Mutual agreement to terminate the call or the completion of a call for a specific term;
 - 2)** Resignation of the pastor, which shall become effective, unless otherwise agreed, 30 days after the date on which it was submitted;
 - 3)** Inability to conduct the pastoral office effectively in the congregation in view of local conditions, without reflection on the competence or the moral and spiritual character of the pastor;
 - 4)** The physical or mental incapacity of the pastor;

- 5) Disqualification of the pastor through discipline on grounds of doctrine, morality, or continued neglect of duty;
 - 6) The dissolution of the congregation; or
 - 7) Suspension of the congregation as a result of discipline proceedings.
- b.** When allegations of physical or mental incapacity of the pastor or ineffective conduct of the pastoral office have come to the attention of the bishop of the synod, the bishop in his or her sole discretion may, or when such allegations have been brought to the synod's attention by an official recital of allegations by the Congregation Council or by a petition signed by at least one-third of the voting members of the congregation, the bishop shall, investigate such conditions personally in company with a committee of two ordained ministers and one layperson.
- c.** In case of alleged physical or mental incapacity, competent medical testimony shall be obtained. When such disability is evident, the bishop of the synod with the advice of the committee shall declare the pastorate vacant. Upon the restoration of a disabled pastor to health, the bishop of the synod shall take steps to enable the pastor to resume the ministry, either in the congregation last served or in another field of labor.
- d.** In the case of alleged local difficulties that imperil the effective functioning of the congregation, all concerned persons shall be heard, after which the bishop of the synod together with the committee described in C9.07.b. shall decide on the course of action to be recommended to the pastor and the congregation. If they agree to carry out such recommendations, no further action shall be taken by the synod. If either party fails to assent, the congregation may, after consultation with the bishop, dismiss the pastor by a two-thirds majority vote of the voting members present at a regularly called meeting.
- e.** If, in the course of proceedings described in C9.07.d., the committee concludes that there may be grounds for disciplinary action, the committee shall make recommendations concerning disciplinary action to the synodical bishop who may bring charges, in accordance with the provisions of the constitution and bylaws of the Evangelical Lutheran Church in America and the constitution of this synod.

- f. If, following the appointment of the committee described in C9.07.b. or d., it should become apparent that the pastoral office cannot be conducted effectively in the congregation being served by the ordained minister due to local conditions, the bishop of the synod may temporarily suspend the pastor from service in the congregation without prejudice and with pay provided through a joint church wide/synod fund and with housing provided by the congregation.

- C9.08.** 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 Congregation Council.
- C9.09.** During the period of service, an interim pastor shall have the rights and duties of a regularly called pastor and may delegate the same in part to a supply pastor with the consent of the bishop of the synod and, this congregation or Congregation Council. The interim pastor and any ordained pastor providing assistance shall refrain from exerting influence in the selection of a pastor.
- C9.10.** 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.
- C9.11.** 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.
- C9.12.** With the approval of the bishop of the synod, the congregation may depart from C9.07.a. and call a pastor for a specific term of years. 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 C9.07.a.
- C9.13.** The senior pastor shall be responsible for keeping current and accurate parochial records of all baptisms, confirmations, marriages, burials, communicants, members received, members dismissed, or members excluded from the congregation, and shall submit annually a summary of such statistics to the synod.
- C9.14.** The pastor(s) shall submit a report of his, her, or their ministry to the bishop of the synod at least 90 days prior to each regular meeting of the Synod Assembly.

CHAPTER 10.

CONGREGATION MEETING

- C10.01.** The annual meeting of this congregation shall be held at a time specified in the bylaws.
- C10.02.** A special Congregation Meeting may be called by the senior pastor, the Congregation Council, or the president of the congregation; a special Congregation Meeting shall also be called at the written request of at least ten percent of the voting members. The call for each special meeting shall specify the purpose for which it is to be held, and no other business shall be transacted.
- C10.03.** Notice of all meetings of this congregation shall be given at all public services within 10 days prior to such meetings and by mail to all voting members at least 10 days in advance of the date of the meeting. The posting of such notice in the regular mail, with the regular postage affixed or paid and sent to the last known address of such members, shall be sufficient. Meetings to consider the disposition or encumbrance of real property must also be called and held in conformity with such specific provisions of civil law as may be applicable.
- C10.04.** Ten percent of the voting members shall constitute a quorum.
- C10.05.** Voting by proxy or by absentee ballot shall not be permitted.
- C10.06.** All actions by the congregation shall be by majority vote except as otherwise provided in this constitution.
- C10.07.** Robert's Rules of Order or Sturgis Standard Code of Parliamentary Procedure, latest editions, shall govern parliamentary procedure of all meetings of this congregation.

CHAPTER 11.

OFFICERS

- C11. 01** The officers of this congregation shall be a president, vice-president, secretary, and treasurer.
- a.** Duties and election procedures of the officers shall be specified in the bylaws.
 - b.** The officers shall be voting members of the congregation.

- c. Officers of this congregation shall serve similar offices of the Congregation Council and shall be voting members of the Congregation Council.
- d. Other elected representatives of this congregation shall include members of the boards of Deacons, Stewards, and Trustees. These three boards shall function as constituent committees of the Congregation Council.

C11.02. The president, vice-president, and secretary shall be elected by the congregation by written ballot as provided in the bylaws and shall serve until their successors take office. Their terms shall be for one year and shall begin on the day following the annual meeting.

C11.03. The treasurer shall be elected annually by the Congregation Council at the first regularly scheduled Council meeting following the annual congregation meeting.

C11.04. No officer shall hold more than one office at a time. No elected officer other than the treasurer shall be eligible to serve more than three consecutive terms in the same office.

CHAPTER 12.

CONGREGATION COUNCIL

C12.01. The voting membership of the Congregation Council shall consist of the called pastor(s), the officers of the congregation other than the treasurer, and not more than 21 members of the congregation. The treasurer may participate in discussion but may not vote. Any voting member of the congregation may be elected, subject only to the limitation on the length of continuous service permitted in that office. A member's place on the Congregation Council shall be declared vacant if the member

- a. Ceases to be a voting member of this congregation or
- b. Is absent from three successive regular meetings of the Congregation Council without cause acceptable to the Council. Any member having two successive unacceptable absences from regular meetings shall be notified in writing thereof by the secretary within three days following the second absence.

- C12.02.** The members of the Congregation Council other than the pastor(s) and officers (7 deacons, 7 stewards, and 7 trustees; see bylaws for duties and election procedures) shall be elected by written ballot to serve for three years or until their successors are elected. Their terms shall begin on the day following the annual meeting. No incumbent shall to succeed himself or herself.
- C12.03.** Should a member's place on the Congregation Council be declared vacant, the Congregation Council shall elect, by majority vote, a successor until the next annual meeting.
- C12.04** The Congregation Council shall have general oversight of the life and activities of this congregation, and in particular its worship life, to the end that everything be done in accordance with the Word of God and the faith and practice of the Evangelical Lutheran Church in America. The duties of the Congregation Council shall include the following:
- a.** To lead this congregation in stating its mission, to do long-range planning, to set goals and priorities, and to evaluate its activities in light of its mission and goals.
 - b.** To seek to involve all members of this congregation in worship, learning, witness, service, and support.
 - c.** To oversee and provide for the administration of this congregation to enable it to fulfill its functions and perform its mission.
 - d.** To maintain supportive relationships with the pastors 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 church wide 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 Nebraska synod and the Evangelical Lutheran Church in America.

- i.** To recommend and encourage the use of program resources produced or approved by the Evangelical Lutheran Church in America.
- j.** To seek out and encourage qualified persons to prepare for the ministry of the Gospel.

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

- a.** The Congregation Council shall be the board of directors of this congregation, and as such shall be responsible for maintaining and protecting its property and the management of its business and fiscal affairs. It shall have the powers and be subject to the obligations that pertain to such boards under the laws of the State of Nebraska, 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 shall be responsible for developing guidelines for the appropriate use of the property of the congregation.
- 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 more than ten percent in excess of the anticipated receipts only after approval by a Congregation Meeting. The budget shall include this congregation's full indicated share in support of the wider ministry being carried on in partnership with the Nebraska Synod and church wide organization.
- e.** The Congregation Council shall ascertain that the financial affairs of this congregation are being conducted efficiently, giving particular attention to the prompt payment of all obligations and to the regular forwarding of benevolence monies to the synodical treasurer.
- f.** The Congregation Council shall be responsible for this congregation's investments and its total insurance program.

C12.06. The Congregation Council shall see that the provisions of this constitution and its bylaws are carried out.

- C12.07.** The Congregation Council shall provide for an annual review of the membership roster.
- C12.08.** The Congregation council shall consult with the senior pastor in matters pertaining to the appointment and supervision of the salaried lay workers of this congregation.
- C12.09.** The Congregation council shall submit a comprehensive report to this congregation at the annual meeting.
- C12.10.** The Congregation Council shall normally meet once a month. Special meetings may be called by the senior pastor or the president, and shall be called at the request of at least one-half of its members. Written notice of each special meeting shall be delivered at least three days prior to such meeting to all who are entitled to be present.
- C12.11.** A quorum for the transaction of business shall consist of a majority of the members of the Congregation council.

CHAPTER 13.

CONGREGATIONAL COMMITTEES

- C13.01.** The officers of this congregation, the elected chairs of the Deacons, Stewards, and Trustees, and the senior pastor shall constitute the **EXECUTIVE COMMITTEE**.
- C13.02.** A **NOMINATING COMMITTEE** of five voting members of this congregation, two of whom shall be members of the Congregation Council, shall be selected as provided in the bylaws. Members of the Nominating Committee may not serve consecutive terms. The senior pastor shall serve as convener and as an advisory member. Others may be invited by the senior pastor or the Committee to serve in an advisory capacity.
- C13.03.** An **AUDIT COMMITTEE** of three voting members shall be elected by the Congregation Council. Audit Committee members shall not be members of the Congregation Council. Term of office will be three years, with one member elected each year. Members shall be eligible for reelection.
- C13.04.** The executive committee shall establish or serve as a **STAFF SUPPORT COMMITTEE**.
- C13.05.** When a pastoral vacancy occurs, a **CALL COMMITTEE** shall be elected by the Congregation Council. Term of office will terminate upon installation of the newly-called pastor.

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

C13.07. Duties of other congregational committees (see C13.06.) shall be specified by 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 with the Gospel of Christ. As outgrowths and expressions of this congregation's life, the organizations are subject to its oversight and direction and shall submit annual reports concerning their membership, work, and finances.

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

CHAPTER 15.

DISCIPLINE OF MEMBERS AND ADJUDICATION

C15.01. Denial of the Christian faith as described in this constitution, conduct grossly unbecoming a member of the Church of Christ, or persistent trouble-making in this congregation are sufficient cause for discipline of a member. Prior to disciplinary action, reconciliation will be attempted following Matthew 18: 15-17, proceeding through these successive steps:

- a.** Private admonition by the pastor;
- b.** Admonition by the pastor in the presence of two or three witnesses;
- c.** Citation to appear before the Congregation Council.

C15.02. A member charged with an offense meriting a citation shall appear before the Congregation Council after having received a written notice, specifying the exact charges that have been made against the member, at least 10 days prior to the meeting.

C15.03. Should the allegations be sustained by a two-thirds majority vote of the Congregation Council, the council shall impose one of the following disciplinary actions:

- a.** Censure before the council or congregation;
- b.** Suspension from membership for a definite period of time; or
- c.** Exclusion from membership in this congregation. Disciplinary actions b. and c. shall be delivered-to the member in writing.

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

C15.05. Disciplinary actions may be reconsidered and revoked by the congregation council upon receipt of

- a.** Evidence that injustice has been done or
- b.** Evidence of repentance and amendment.

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

CHAPTER 16.

BYLAWS

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

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

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

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

CHAPTER 17.

AMENDMENTS

C17.01. Amendments to this constitution may be proposed by at least ten percent of the voting members or by a three-fourths vote of those present and voting at a duly called meeting of the Congregation Council. Proposals must be filed in writing with the Congregation Council at least 60 days before the ratification vote is taken as specified in C17.02.b. At least 30 days in advance of the vote, the Congregation Council shall give written notice to the voting members of the proposed amendment and of the Council's recommendations.

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

- a.** Be submitted from the Congregation Council to voting members of the congregation by having it announced at a public service and by having copies made available to all interested voting members at least thirty days before the vote on ratification;
- b.** Be ratified without change by a two-thirds majority vote of those present and voting at the next annual meeting or at a special ratification election established by the Congregation Council; and
- c.** Have the effective date of ratification noted in the constitution.

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

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

CHAPTER 18.

CONTINUING RESOLUTIONS

C18.01. The Congregation council may enact continuing resolutions which describe the function of the various committees or organizations of this congregation or for other purposes deemed appropriate by the Congregation Council.

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

Adopted January 21, 1992

BYLAWS

THE SACRAMENT OF HOLY COMMUNION

B4.03.a.

- 1.** Participation in the Sacrament of Holy Communion shall be open to those who express sincere repentance, faith in Jesus Christ as Savior, and an earnest desire to amend their sinful life, together with an acceptance of the Scriptural teaching regarding the Real Presence of Christ with His Body and Blood in the Sacrament. Registration forms or oral announcements shall be so devised as to make prospective participants aware of this understanding.
- 2.** Children shall be invited to participate in the Sacrament of Holy Communion after appropriate instruction in the meaning of this Sacrament. Age levels and appropriate means of instruction shall be determined by the Congregation Council.
- 3.** Record of communion participation shall be entered in the books of this congregation. Notice of participation by members of other congregations shall be sent to the respective pastors of the congregations of which they are members.

MEMBERSHIP

B8.02.a. ADMISSION TO BAPTIZED MEMBERSHIP

- 1.** Baptized children, one or both of whose parents or guardians are members of this congregation, shall be received as baptized members of this congregation.
- 2.** The baptism in this congregation of a child, neither of whose parents or guardians are members of this congregation, shall be recorded in the official records of the Congregation, but the child shall not be listed on the membership rolls of the Congregation. Upon request, a notice of such baptism will be given to another Christian congregation for the purpose of enrolling the child as a baptized member.
- 3.** Children baptized in other congregations shall be received as baptized members of this congregation either upon admission to membership of one or both parents or guardians or by action of the Congregation Council.

4. Upon appropriate instruction in the Christian faith, and upon confession of that faith, those who are baptized as adults shall be received as baptized members of this congregation.

B8.02.b. ADMISSION TO CONFIRMED MEMBERSHIP

1. Children who are baptized members of the Congregation shall be admitted to confirmed membership through preparation for and participation in the Rite of Confirmation.
2. Applicants for confirmed membership presenting letters of transfer or other information pertaining to their membership in good standing in other Lutheran congregations shall be received as confirmed members of this congregation.
3. Newly baptized adults or adults whose previous membership was in a non-Lutheran congregation shall be received as confirmed members of this congregation upon appropriate instruction and acceptance of the teachings of the Word of God as confessed by this congregation.

B8.02.c. ADMISSION TO VOTING MEMBERSHIP

The Congregation Council shall be responsible for determining the voting membership in accordance with the qualifications specified in the Constitution and Bylaws.

B8.04. DISCONTINUANCE OF MEMBERSHIP

Those who transfer or resign membership or who are dismissed or against whom disciplinary action has been taken shall forfeit all rights and privileges of membership in this congregation. The Congregation Council shall determine appropriate measures for reinstatement to the membership rolls of the Congregation.

B8.04.c.

1. Members who move away shall be encouraged to transfer their membership.
2. Any confirmed members in good standing desiring to change their membership to another Lutheran congregation shall upon request be entitled to a letter of transfer.

B8.04.e. If any confirmed member, in the judgment of the Congregation Council and according to the Congregation's records for a period of two years, shows little interest in attending church services, partaking of communion, or contributing to the congregational treasury, that confirmed member shall be presumed to no longer desire membership, shall lose the right to vote, and shall not be counted in the membership statistics of the Congregation.

CONGREGATION AND SPECIAL MEETINGS

B10.01.

The Annual Meeting of the Congregation shall be held on the fourth Tuesday in January at an hour to be determined by the Congregation Council.

B10.02.

Special Congregation Meetings may be called at any time by utilizing one of the several methods specified in the Constitution. The format and order of business of that meeting shall be determined by the Congregation Council.

B10.03.

Announcement of the time and place of Annual and Special Congregation Meetings will be made as specified in the Constitution.

B10.04.

A quorum for the conduct of business at Annual and Special Congregation Meetings shall consist of five percent of the voting members as specified in the Constitution.

Section B10.04. Amended January 26, 1999

B10.06.

1. Except as otherwise provided in the Constitution and Bylaws, all matters shall be determined by a majority vote of those present and voting.
2. No one shall be declared elected unless that person has received a plurality and at least thirty-five percent of the votes cast. If no candidate receives the required thirty-five percent on the initial ballot, then the candidates on the second ballot shall be limited to the two candidates who received the highest number of votes on the initial ballot. (See B13.02.5.)

OFFICERS

B11.01.a. DUTIES OF OFFICERS OF THE CONGREGATION COUNCIL

1. The president shall preside over meetings of the Congregation Council, of the Executive Committee, and of the Congregation.
2. The vice-president shall preside in the absence of the president.

3. The secretary shall keep the minutes of meetings of the Congregation Council, of the Executive Committee, and of the congregation.
4. The treasurer shall be bonded and shall be custodian of all funds of the Congregation, local and synodical; shall disburse all such funds in accordance with the decisions of the Congregation or the Congregation Council; and shall present a duly audited report to the Annual Congregation Meeting and such other reports to the Congregation Council as may be required.

CONGREGATION COUNCIL

B12.02. DUTIES OF COMMITTEES OF THE CONGREGATION COUNCIL

1. The Congregation Council shall be responsible for the congregation's organizational structure.
2. The deacons shall oversee the programs and ministries of the congregation and shall assist the pastoral/program staff in carrying out those ministries.
3. The stewards shall be responsible for seeing that an accurate record is kept of all monies received by the Congregation, shall be in charge of the stewardship program within the Congregation, and shall be responsible for such other duties as are designated to them by the Congregation council.
4. The trustees shall have charge of all the property of the congregation and shall keep same in fit condition.

CONGREGATIONAL COMMITTEES

B13. DUTIES OF CONGREGATIONAL COMMITTEES

B13.01. The EXECUTIVE COMMITTEE shall serve as the budget committee, the personnel committee, and the long-range planning committee and shall be available for consultation on other staff concerns.

B13.02. The NOMINATING COMMITTEE and Elections

1. The two Nominating Committee members from the Congregation Council shall be elected by the council, and the other three shall be elected by the Congregation. A vacancy in the membership of the Nominating committee elected by the Congregation shall be filled by appointment by the Congregation Council.

2. The Nominating Committee shall make at least one nomination for each position to be filled, except that there shall be at least six nominations for the three positions on the next Nominating Committee. Candidates for these three positions may not be members of the Congregation Council at the time the next Nominating Committee is to meet. All persons nominated for any of the positions to be filled shall be notified of their nominations and agree to be candidates before having their names placed on the final ballot. The final slate of nominees is to be approved by the Congregation Council before publication.
3. These nominations shall be published and sent to all voting members at least 60 days in advance of the election. Additional nominations may be made by petitions bearing the signatures of ten percent of the confirmed membership. Such nominations shall be made and submitted to the Congregation Council in time to be announced in publications at least 30 days before the election. At that time, the final ballot shall be determined.
4. Elections shall be held on the Sunday preceding the Annual Congregation Meeting between 7:30 a.m. and 12:30 p.m. and from the time 15 minutes preceding to the time 15 minutes following any other regularly scheduled weekend worship service. This voting is to occur at a readily accessible polling location inside the church facility. All voting members may cast their ballots during that period and when receiving their ballots shall sign their names on a roster provided for that purpose.

Section B13.02.4. Amended January 25, 1994

5. In case of tie votes or insufficient plurality for the leading candidate (less than 35 percent of the votes cast), run-off elections between the two candidates having the most votes will be held at the Annual Meeting. In the event of insufficient plurality in which there is also a tie for second place, the run-off election shall be between those tied and the candidate with more votes than those tied but with insufficient plurality.

B13.03. The AUDIT COMMITTEE shall be responsible for the annual audit of all financial records of the Congregation proper and shall present its written report to the Congregation Council.

B13.05. The duties of the CALL COMMITTEE shall be determined in consultation with the Congregation Council and the office of the synodical bishop.

CONFLICTING LOYALTIES

B14.02.

1. This congregation as a congregation rejects all fellowship with organizations, secret or open, which are avowedly religious or practice forms of religion without confessing faith in the Triune God and in Jesus Christ as the eternal and incarnate Son of God, our only Savior from sin, and who thereby teach salvation by works.
2. Ceremonies or rites of any such organizations, or any other organizations or groups whose doctrine or theology is in conflict with the Evangelical Lutheran Church in America, shall not be recognized by the Congregation or held on the church premises of this congregation.

AMENDMENTS

B17.01.

Amendments to these Bylaws may be proposed by at least ten percent of the voting members or by the Congregation Council. Proposals must be filed in writing with the Congregation Council at least 60 days before the congregational vote is taken on them. At least 30 days in advance of the vote, the Congregation council shall give written notice to the voting members of the proposed amendments) and of the Council's recommendations. The Council shall also determine the time, the place, and the procedure to be followed in voting on the proposed amendments) and shall include that information in the written notice to voting members.

B17.02.

The amendment(s) shall take effect when approved by a two-thirds majority of those voting members present and voting.

CONTINUING RESOLUTIONS

1. 10-06-09: Every Pastor shall lead by personal example in the use of the means of grace, in faithful service and holy living. Every Pastor shall subscribe to *Vision and Expectations* of 1993. Christian marriage is the union of one man and one woman blessed by God and recognized by the state. Married Pastors shall be faithful to their spouse and unmarried pastors shall be abstinent.

2. 10-06-09: Consistent with the faith and practices of First Lutheran Church, ordained ministers shall not publicly bless same-gender relationships.