

November 1, 2022

To: St. Mark's Congregation
From: St. Mark's Council
Subject: Recommendation to approve changes to St. Mark's Constitution

St. Mark's Council has reviewed and considered recommendations for changes to St. Mark's Constitution provided by an ad-hoc Constitution Review Committee¹, and hereby recommends these changes be adopted by the congregation at a special congregation meeting following services on Sunday, December 11, 2022.

Amendments to the constitution must be approved by a congregation vote. A special meeting is being called to hold this vote before the annual meeting of our congregation in January, because amendments to the constitution must be ratified at the next annual meeting. This timeframe ensures we do not need to wait one year to ratify the amendments, which include, among others, changes to our quorum for congregational meetings and the ability to conduct said meetings virtually if necessary.

We wish to thank the ad-hoc Constitution Review Committee for their work which included reviewing both the ELCA model constitution for congregations and considering additional questions that have come up over time. The draft constitution also went through an unofficial review by the Synod, which gave a green light to move forward with a required congregation vote. The Synod will do a final review and approval following the congregation vote.

Please review the balance of this memo along with the constitution as a whole before the special meeting. If you have questions before the meeting, please contact Alan Wyman, Committee Chair (manofwy@mac.com) or Josh Hirman, Council Secretary (joshhirman@gmail.com).

We look forward to your active participation in the special meeting to approve these changes. Thank you.

See attached pages for formatting notes and notes from the Constitutional Review Committee regarding changes.

¹ Alan Wyman, Chair; Art Arseneault; Pastor David Bjorklund; Josh Hirman; Kelly Kleppe

FORMATTING NOTES

Attached is both a marked-up and a clean version of the constitution. The marked-up copy uses strike throughs (e.g., ~~this is a strikethrough~~) for deletions and underlining for additions (e.g., this signifies added text).

Each Chapter starts with a C followed by a number (e.g., C13 is Chapter 13), and the two-digit numbers within Chapters (e.g., the 07 in C13.07) are called provisions.

ELCA required provisions in the constitution are signified by asterisks (*). These provisions must be accepted by St. Mark's without exception.

The constitution also contains both bylaws and continuing resolutions. They are formatted as such:

- Bylaws (e.g., 13.01.01), where the final ".01" is the first bylaw in this chapter/provision.
- Continuing Resolutions (e.g., C13.07A15), where the "A15" indicates the first continuing resolution in this chapter/provision originally adopted in the year 2015

CONSTITUTION REVIEW COMMITTEE NOTES

2016, 2019 and 2022 ELCA Updates

The first task of the committee was to review any ELCA model constitution changes. The ELCA considers updates to the Congregation model constitution every three years. The last time we updated our St. Mark's constitution was January 2016.

We updated for all required provision changes and considered all other changes to non-required provisions. Non-required provisions can be adjusted for local realities, although model language is provided as a starting point, and we often use it. Each model constitution had changes to required provisions, including the following themes:

2016

- Adjusted language previously used for Deacons to "Minister of Word and Service"
- Adjusted language such as Ordained Minister/Clergy/Pastor to "Minister of Word and Sacrament"
- Added the concept of Seasonal Membership
- Switched the numbering of Amendments and Bylaws (Chapters 16 and 17)

2019

- Adjusted language from "synodical" to "synod" and "the congregation" to "this congregation" (when referring to St. Mark's in certain instances)
- Updated the process for termination of ELCA membership, including clarifying disposition of property
- Added remote communication option for meetings (congregation, council, and committee)
- Updated the adjudication clause to address the process to handle issues between factions of the congregation

2022

- Updated to allow the Bishop to assign a designee to assist our congregation in certain instances
- Updated pastoral disability sections so as to not distinguish physical or mental disability
- Adjusted language to remove pronouns “his or her” when not needed

Additional Updates Specific to St. Mark’s

The review committee also shepherded review of non-required provision model language in comparison to what is carried in our constitution and considered changes that have been suggested over time. For example:

- Council considered and recommends updating the number of members required for a quorum for congregational meetings (75, down from 100). See C10.04.
- Council considered and recommends updating the number of members on council (from a range of 12-15 down to 10-13). See C12.01.
- Finance reviewed budget variances that require either Council or Congregation action to ensure they make sense given inflation, and chose to leave them as is, while clarifying language surrounding when and how often a line of credit can be used and reconsidered. See C12.05 c & d.
- The committee suggests adding the possibility of Council using an external resource for audit versus a committee. See C13.03.
- The committee suggests adding language about audit timing in the continuing resolution for the Audit Committee for clarity. See C13.03A15.
- The committee suggests updating terminology to match our current reality, as follows:
 - Reference to Standing Ministry Teams was changed simply to Committees. See C13.07.
 - Pastor was changed to “Lead Pastor” when it made sense to do so.
 - Reference to the position of Youth Director was removed, but definition of duties for the Youth Committee was left as is. See C13.07D15, par. 3.
- The committee suggests adding a Mutual Ministry Committee, as this support team is important to pastor success. See C13.09.