



**Evangelical Lutheran
Church in America**

God's work. Our hands.

**SARDIS EVANGELICAL
LUTHERAN CHURCH**

2018

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 Sardis Evangelical Lutheran Church, Hickory, North Carolina.
- C1.02.** For the purpose of this constitution and the accompanying bylaws, the congregation of Sardis Evangelical Lutheran Church 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
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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 the 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 the congregation's ministry and the ministry of other parts of the Evangelical Lutheran Church in America.
- h. Foster and participate in interdependent relationships with other congregations, the synod, and the churchwide organization of the Evangelical Lutheran Church in America.
- i. Foster and participate in ecumenical relationships consistent with churchwide policy.

- *C4.04. This congregation shall develop an organizational structure to be described in the bylaws. The Congregation Council shall prepare descriptions of the responsibilities of each committee, task force, or other organizational group and shall review their actions.
- *C4.05. This congregation shall, from time to time, adopt 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 the congregation. The congregation is authorized to:
 - a. call a pastor as provided in Chapter 9;
 - b. terminate the call of a pastor as provided in Chapter 9;
 - c. call 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 boards, and require them the members of the council to carry out their duties in accordance with the constitution, and 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 choose from among its voting members laypersons to serve as voting members of the Synod Assembly as well as persons to represent it at meetings of any conference, cluster, coalition, or other area subdivision of which it is a member. The number of persons to be elected by the congregation and other qualifications shall be as prescribed in guidelines established by the North Carolina Synod of the Evangelical Lutheran Church in America.

C5.05. This congregation shall have an endowment fund that will operate as specified in this congregation's bylaws. The purpose of the endowment fund is to provide for work beyond the operational budget of this congregation.

C5.05.01 There shall an Endowment Committee. The committee shall be dedicated to helping Sardis Evangelical Lutheran Church understand the use and limitations of restricted and non-restricted funds. Empowered by God, and guided by the Holy Spirit, this committee will endeavor to adopt specific guidelines, that when followed, will allow our church to enhance the mission and ministry of the congregation, synod, ELCA and reflect love for family, community and God's work through the Church.

- a. Whereas Sardis Evangelical Lutheran Church has received a bequest from the Estate of Louie D. Baker for the purpose of providing scholarships for persons engaging in a course of study leading to active ministry in the Evangelical Lutheran Church in America; and
- b. Whereas this active ministry is understood to be any and all activities for Christian service, including religious education, music, and administration; and
- c. Whereas the Congregational Council of Sardis Evangelical Lutheran Church deems it necessary to establish a Scholarship Committee to oversee the distribution of earnings of the Louie D. and Alma Hilton Baker Scholarship Endowment Fund;
- d. Therefore be it resolved that the Louie D. and Alma Hilton Baker Scholarship Committee be established by action of the congregation of Sardis Evangelical Lutheran Church in a duly called congregational meeting on February 5th, 2006. Be it further resolved that this committee shall be organized in the following manner:
 - 1. The Committee shall consist of five members, all of whom shall be voting members of Sardis Evangelical Lutheran Church. Except as herein limited, the term of each member shall be three (3) years. Upon adoption of this resolution by the congregation, it shall elect five (5) members to the committee: two (2) for a term of three (3) years; two (2) for a term of two (2) years and one (1) for a term of one (1) year. Thereafter, at each annual

meeting, the congregation shall elect the necessary number for a term of three (3) years. After a lapse of one (1) year, former committee members may be re-elected. The senior pastor and the president/vice-president of the Congregational Council shall be advisory members of the committee. Nominations for committee members and the election of committee members shall be the same as for the election of Congregational Council members. In the event of a vacancy on the committee, the Congregational Council shall appoint a member to fill the vacancy until the next annual meeting of the congregation, at which time the congregation shall elect a member to fulfill the vacancy.

2. The Committee shall meet at least quarterly, or more frequently as deemed by it in the best interest of its work.
3. A quorum shall consist of three (3) voting members. When only three (3) members are present a unanimous vote shall be required to carry any motion or resolution.
4. The Committee shall elect annually from its membership a chairperson, recording-secretary and financial secretary. The chairperson, or member designated by the chairperson, shall preside at all committee meetings.
5. The recording-secretary of the committee shall maintain complete and accurate minutes of all meetings and supply copy thereof to each member of the committee. Each member shall keep a complete copy of minutes to be delivered to his or her successor. The recording secretary shall also supply a copy of the minutes to the Congregational Council.
6. The financial secretary of the committee shall work with the Finance and endowment Fund Committee in maintaining and coordinating complete and accurate accounts for the fund.
7. The Committee shall report on a quarterly basis to the Congregational Council and, at each annual or duly called special meeting of the congregation, shall render a full and complete account of its work during the preceding year.
8. The Committee shall establish an appropriate application process for those requesting

scholarships, including an application form, and whatever other procedures it deems necessary, in cooperation with guidelines established by Congregational Council.

9. The Committee will receive and review all scholarships requests in accordance with established application process and make distribution recommendations to the Congregational Council.

e. Final decision for the distribution of scholarships shall rest with the Congregational Council based on the recommendations of the Scholarship Committee.

C5.05.02 The Endowment Committee has established guidelines for all the endowment funds as follows:

**THE LOUIE D. AND ALMA HILTON BAKER SCHOLARSHIP
ENDOWMENT FUND
10-16-2005**

PURPOSE: The Purpose of the Louie D. and Alma Hilton Baker Scholarship Endowment Fund is to provide scholarships for persons engaging in a course of study leading to active ministry in the ELCA. Active ministry includes all activities for Christian service, including religious education, music and administration. (NOTE): This is an endowment fund and only the interest is to be expended. This is a combined fund of the previous original scholarship fund and the disposition of the Louie D. Baker Estate.

GUIDELINES:

1. A maximum of eighty percent (80%) of the prior year's annual earnings will be available each calendar year. The 20% balance of earnings and any unspent earnings will be reinvested with the principal and become the new principal balance as of January of each year.
2. None of the monies of this fund will be used to support the following:
 - a. Propaganda or other attempts to influence legislation.
 - b. Political campaigns on behalf of any candidate for public office
 - c. The programs of the Church regularly funded by pledges and contributions of the members, except in cases of an extreme emergency determined jointly by the Endowment Fund Committee and Church Council. Such emergencies and their funding will also be reported to the Congregation.

3. The financial need of the applicant for the scholarship may be considered, but shall not be the dominant factor. The course of study should be the main consideration.
4. Members of Sardis Evangelical Lutheran Church may be given priority in being recipients.
5. Once awarded to a recipient, support should continue through the scholar's years as long as he/she remains qualified and funds are available. Amount of scholarship money awarded may vary from year to year.
6. Recipient should provide a year-end transcript showing a 3.0 GPA or better and letter of intent for the following school year to remain qualified for these funds.
7. This money may be used for multiple recipients with distribution amounts to be determined annually by the Scholarship Committee.
8. Should there be no applicants for any given year, a contribution may be made to the Southern Seminary Scholarship Fund, the Scholarship Fund of the ELCA or other qualified Scholarship funds. Every effort should be made to award this scholarship to an individual or individuals.
9. Applicants must obtain and complete a formal application from the Scholarship Committee.
10. The Endowment Fund Committee will maintain a record of all distributions.

THE PARSONAGE ENDOWMENT FUND
09-19-2005

PURPOSE: The purpose of The Parsonage Endowment Fund is to support the Pastor's budgeted housing allowance if needed. (NOTE): This is an endowment fund and only the interest is to be expended.

GUIDELINES:

1. A maximum of eighty percent (80%) of the prior year's annual earnings will be available each calendar year. The 20% balance of earnings and any unspent earnings will be reinvested with the principal and become the new principal balance as of January of each year.
2. None of the monies of this fund will be used to support the following:
 - a. Propaganda or other attempts to influence legislation.
 - b. Political campaigns on behalf of any candidate for public office
 - c. The programs of the Church regularly funded by pledges and contributions of the members, except in cases of an extreme

emergency determined jointly by the Endowment Fund Committee, Finance Committee and Church Council. Such emergencies and their funding will also be reported to the Congregation.

3. These funds may be requested or the principal borrowed by the Congregation or Church Council in an unforeseen emergency situation, to help the Congregation rectify an economically devastating situation. If the funds are borrowed, the Finance Committee and the Church Council will determine an interest rate. Both interest and principal will be repaid on a fixed schedule set in writing by the Finance Committee.
4. In the event of a future need for pastoral housing, the purpose of this fund may be changed by congregational vote.
5. A request form needs to be submitted to the Endowment Fund Committee to request special funds.
6. Should the requested funds be above the approval limit of the Church Council (5% of annual budget), the request will be brought before the congregation for approval.

**THE LOUIE D. BAKER CEMETERY ENDOWMENT FUND
09-18-2005**

PURPOSE: The Purpose of the Louie D. Baker Cemetery Endowment Fund is for the upkeep and maintenance of the church cemetery and suitable flowers on the graves of Louie D. and Alma Hilton Baker and parents twice a year. (NOTE): This is an endowment fund and only the interest is to be expended.

GUIDELINES:

1. A maximum of eighty percent (80%) of the prior year's annual earnings will be available each calendar year. The 20% balance of earnings and any unspent earnings will be reinvested with the principal and become the new principal balance as of January of each year.
2. None of the monies of this fund will be used to support the following:
 - a. Propaganda or other attempts to influence legislation.
 - b. Political campaigns on behalf of any candidate for public office
 - c. The programs of the Church regularly funded by pledges and contributions of the members, except in cases of an extreme emergency determined jointly by the Endowment Fund Committee and Church Council. Such emergencies and their funding will also be reported to the Congregation.
3. Annual reimbursement for flowers noted above will be made to the general Cemetery Fund.

4. Repairs, replacement and cleaning of headstones will be maintained by this fund.
5. A formal request by the Cemetery Committee to the Endowment Fund Committee for a suitable marker may be made in the event of unmarked graves or economic hardship of congregational members.
6. Any special projects that enhances or adds to the beautification or functionality of the cemetery may be paid for from this fund.
7. These funds may be requested or the principal borrowed by the Congregation or Council in an unforeseen emergency situation, to help the Congregation rectify an economically devastating situation. If the funds are borrowed, the Finance Committee and the Church Council will determine an interest rate. Both interest and principal will be repaid on a fixed schedule set in writing by the Finance Committee.
8. A request form needs to be submitted to the Cemetery Committee who will bring it before the Endowment Fund Committee when requesting funds.
9. Should the requested funds be above the approval limit of the Church Council (5% of annual budget), the request will be brought before the congregation for approval.

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.
- 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 intent to terminate its relationship must be adopted at a legally called and conducted special meeting of the congregation by a two-thirds vote of the voting members present. 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 meeting.
- b. The secretary of the 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 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 and the congregation shall continue in consultation, as specified in paragraph a. above, during a period of at least 90 days after receipt by the synod of the notice as specified in paragraph b. above.

- d. If the congregation, after such consultation, still seeks to terminate its relationship, 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 meeting shall be mailed 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 the congregation, the bishop and the bishop's designees, if any, shall have voice but not vote at the meeting.
- e. A copy of the resolution, attesting that the special meeting was legally called and conducted and certifying the outcome of the vote, shall be sent to the bishop within 10 days after the resolution has been adopted, at which time the relationship between the congregation and this church shall be terminated subject to paragraph g. below. Unless this notification to the bishop also certifies that the congregation has voted by a two-thirds vote to affiliate with another Lutheran denomination, the congregation will be conclusively presumed to be an independent or non-Lutheran church.
- f. Notice of termination shall be forwarded by the bishop to the secretary of the ELCA, who shall report the termination to the Churchwide Assembly.
- 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 synodical 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 the congregation's first meeting as specified in paragraph a. above, another special meeting to consider termination of relationship with this church may be called no sooner than six months after that first meeting. If this congregation fails to achieve the required two-thirds vote of voting members present at the 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 that second meeting.

- *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 effected.
- *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, title to property shall continue to reside in this congregation.
- *C7.03. If two-thirds of 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 representatives of the North Carolina Synod.
- *C7.04. If two-thirds of the voting members of this congregation present at a legally called and conducted special meeting of this congregation vote to become independent or relate to a non-Lutheran church body 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 established synodical process, may give approval to the request to become independent or to relate to a non-Lutheran church body, in which case title shall remain with the majority of this congregation. If the Synod Council fails to give such approval, title shall remain with those members who desire to continue as a congregation of the Evangelical Lutheran Church in America.

Chapter 8. MEMBERSHIP

- *C8.01. Members of this congregation shall be those baptized persons on the roll of this congregation at the time that this constitution is adopted and those who are admitted thereafter and who have declared and maintain their membership in accordance with the provisions of this constitution and its bylaws.
- *C8.02. Members shall be classified as follows:
- a. *Baptized* members are those persons who have been received by the Sacrament of Holy Baptism in this congregation, or, having been previously baptized in the name of the Triune God, have been received by certificate of transfer from other Lutheran congregations or by affirmation of faith.
 - b. *Confirmed* members are baptized persons who have been confirmed in this congregation, those who have been received by adult baptism or by transfer as confirmed members from other Lutheran congregations, or baptized persons received by affirmation of faith.
 - c. *Voting* members are confirmed members. Such confirmed members, during the current or preceding calendar year, shall have communed in this congregation and shall have made a contribution of record to this congregation. 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 the congregation as well as the other rights and privileges ascribed to voting members by the provisions of this constitution and its bylaws.
 - 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 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 ELCA congregations 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 the ELCA;
- 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. disciplinary action in accordance with ELCA constitutional provision 20.41. and the accompanying bylaws; 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.

C8.05.01 Any confirmed member who, despite pastoral care and counseling, has failed for a period of three (3) years to receive Holy Communion and to make any contribution of record to the congregation shall be classified by the church council as not in good standing and shall be removed from the roll of confirmed members. He/she shall be restored by the church council to the roll of confirmed members in

good standing when he/she again receives the Lord's Supper and enters once more upon the other rights and obligations of a member of this congregation.

Chapter 9. ROSTERED MINISTER

- *C9.01.** Authority to call a pastor 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.
- *C9.02.** 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 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 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 distribution of its communications and publications;
 - 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; and
 - 5) endeavor to increase the support given by the congregation to the work of the ELCA churchwide organization and of the North Carolina Synod of the ELCA.

- *C9.04. The specific duties of the pastor, compensation, and other matters pertaining to the service of the pastor shall be included in a letter of call, which shall be attested by the bishop of the synod.
- *C9.05. 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 this congregation, when accepted by a pastor, shall constitute a continuing mutual relationship and commitment, which shall be terminated only by death or, following consultation with the synodical 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 pastor, 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 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 the congregation;
 - 8) dissolution of the congregation or the termination of a parish arrangement; or
 - 9) suspension of the 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 the 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 as disabled. 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 the 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 the 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 the 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.
- e. If either party fails to assent to the recommendations of the bishop's committee concerning the pastor's call, the congregation may dismiss the pastor 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.

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

***C9.07.** During the period of service, an interim pastor shall have the rights and duties in the congregation of a regularly called pastor and may delegate the same in part to a supply pastor with the consent of the bishop of the synod and this congregation or Congregation Council. The interim pastor and any 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 related to the Evangelical Lutheran Church in America.
- *C9.09. When a pastor is called to serve in company with another pastor or pastors, the privileges and responsibilities of each pastor shall be specified in documents to accompany the call and to be drafted in consultation involving the pastors, the Congregation Council, and the bishop of the synod. As occasion requires, the documents may be revised through a similar consultation.
- *C9.11. With the approval of the bishop of the synod, the congregation may depart from C9.05.a. and call a pastor for a specific term. Details of such calls shall be in writing setting forth the purpose and conditions involved. Prior to the completion of a term, the bishop or a designated representative of the bishop shall meet with the pastor and representatives of the congregation for a review of the call. Such a call may also be terminated before its expiration in accordance with the provisions of C9.05.a.
- *C9.12. The pastor of this congregation:
- a. shall keep accurate parochial records of all baptisms, confirmations, marriages, burials, communicants, members received, members dismissed, or members excluded from the congregation;
 - b. shall submit a summary of such statistics annually to the synod; and
 - c. shall become a member of this congregation upon receipt and acceptance of the letter of call. In a parish of multiple congregations, the pastor shall hold membership in one of the congregations.
- *C9.13. The pastor(s) shall submit a report of his or her ministry to the bishop of the synod at least 90 days prior to each regular meeting of the Synod Assembly.
- *C9.14. The parochial records of this congregation shall be maintained by the pastor and shall remain the property of the congregation. The secretary of this congregation shall attest in writing to the bishop of this synod that such records have been placed in his or her hands in good order by a departing pastor before the installation of that pastor in another field of labor or the granting by the synod of retired status to the pastor.
- C9.15. Under special circumstances, subject to the approval of the synodical 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 the congregation and the pastor in a form proposed by the synodical bishop and approved by the congregation.

- *C9.21. Authority to call a minister of Word and Service 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 synodical 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 the ELCA 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 a 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 death or, following consultation with the synodical 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 as disabled. 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.** The deacon shall make satisfactory settlement of all financial obligations to a former congregation before:

- a. installation in another field of labor, or
- b. the issuance of a certificate of dismissal or transfer.

***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. The annual meeting of this congregation shall be held at a time specified in the bylaws.

C10.01.01 This congregation shall hold an annual meeting of the congregation at the worship service on the first Sunday morning in November. At this meeting the members of the Congregation Council to be elected for the coming year shall be elected. Any other business which is necessary may be transacted.

C10.01.02 This congregation shall hold a fellowship supper meeting on the first Sunday in February. This shall be a continuation of the Annual Meeting with reports from the Congregation Council, the committees, and the auxiliaries.

- 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 the congregation upon the written request of 10 percent of the voting members. The president of the Congregation Council shall call a special meeting upon request of the synodical 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 or 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. Those voting members shall constitute a quorum.

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

- C10.06. All actions approved 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. *Robert's Rules of Order*, latest edition, shall govern parliamentary procedure of all meetings of this congregation.

Chapter 11. OFFICERS

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

- a. Duties of the officers shall be specified in the 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. The Congregation Council elects its officers, 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.
- C11.02.** The pastor shall be *ex officio* president of the congregation and the Congregation Council. The Congregation Council shall elect by written ballot the other officers of the congregation who shall serve for one year or until their successors are elected. Their terms shall begin on January 1 and end on December 31.
- C11.03.** No officer shall hold more than one office at a time. No elected officer 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 Congregation Council shall consist of the pastor(s) not more than twelve (12) the congregation. Any voting member of the congregation may be elected, subject only to the limitation on the length of continuous service permitted in that office. A member's place on the Congregation Council shall be declared vacant if the member a) ceases to be a voting member of this congregation or 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, the congregation may adopt procedures for the removal of a member of the Congregation Council in other circumstances.
- C12.02.** The members of the Congregation Council except the pastor(s) shall be elected at a legally called meeting of the congregation during the month of November. Their term of office shall be for three (3) years, with the term of office beginning on January 1st and ending on December 31st. Newly elected Congregation Council members shall be installed at worship on a Sunday prior to the date they assume office.
- 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 rostered minister(s) and staff and help them annually to evaluate the fulfillment of their calling or employment.
- e. To be examples individually and corporately of the style of life and ministry expected of all baptized persons.
- f. To promote a congregational climate of peace and goodwill and, as differences and conflicts arise, to endeavor to foster mutual understanding.
- g. To arrange for pastoral service during the sickness or absence of the pastor.
- h. To emphasize partnership with the synod and churchwide organization 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 trustees 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 1/20th of the approved budget for items not included in the budget.
- d. The Congregation Council shall prepare an annual budget for adoption by this congregation, shall supervise the expenditure of

funds in accordance therewith following its adoption, and may incur obligations of more than 1/20th of the approved budget 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 synod and churchwide organization.

e. The Congregation Council shall ascertain that the financial affairs of this congregation are being conducted efficiently, giving particular attention to the prompt payment of all obligations and to the regular forwarding of benevolence monies to the synodical treasurer.

f. The Congregation Council shall be responsible for this congregation's investments and its total insurance program.

C12.06. The Congregation Council shall see that the provisions of this constitution, 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 be responsible for the employment and supervision of the staff of this congregation. Nothing in this provision shall be deemed to affect the 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. Special meetings may be called by the pastor or the president, and shall be called by the president at the request of at least one-half of its members. Notice of each special meeting shall be given to all who are entitled to be present.

C12.12. A quorum for the transaction of business shall consist of a 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 synodical 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.

C12.13.01 The Congregation Council shall have the following duties of office:

- a. The President of the Congregation Council has oversight of the activity and deliberations of the Congregation Council. The pastor or the pastor's designated appointee shall be present for all meetings of the Congregation Council.
- b. The Vice-President of the Congregation Council may preside at meetings of the Congregation Council and the Congregation. He/she should confer with the president of the Congregation Council and/or other officers concerning the agenda for the meetings of the Congregation Council. In cases where he/she does not regularly preside at the regular meetings, he/she shall preside in the absence of the president.
- c. The Secretary of the Congregation Council shall keep accurate minutes of all meetings of the Congregation Council and of the Congregational meetings.
- d. The Treasurer of the Congregation Council shall be the treasurer of the congregation. He/she should keep accurate records of the congregation's finances and report to the Congregation Council monthly. An annual report should be given as soon as possible after the closing of each calendar year.
- e. The Congregation Council may activate a Financial Secretary as desired. This person should work closely with the church treasurer and the Congregation Council to ensure that members receive a timely and accurate account of their giving each year.

Chapter 13. CONGREGATION COMMITTEES

- C13.01. The officers of this congregation and the pastor shall constitute the *Executive Committee*.
- C13.02. A *Nominating Committee* of six voting members of this congregation, two of whom, if possible, shall be outgoing members of the Congregation Council, shall be elected at the annual meeting for a term of one year. Members of the Nominating Committee are not eligible for consecutive re-election.
- 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 shall be three years, with one member elected each year. Members shall be eligible for re-election.
- C13.04. *Mutual Ministry Committee(s)* (in the absence of a mutual ministry committee, the duties shall be fulfilled by the executive committee) shall be appointed jointly by the vice president, and the rostered

minister. Term of office shall be two years, with three members to be appointed each successive year.

C13.05. When a pastoral vacancy occurs, a *Call Committee* of six voting members shall be elected by the Congregation Council. Term of office will terminate upon installation of the newly called pastor.

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

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

C13.08. The pastor of this congregation shall be *ex officio* a member of all committees and boards of the congregation.

C13.08.01 The powers of this congregation and Congregation Council is authorized to organize and establish the following committees:

a. THE CEMETERY COMMITTEE

Cemetery Property

The Cemetery is the property of Sardis Evangelical Lutheran Church and shall be governed and maintained by the congregation according to the by-laws herein adopted by this congregation.

Cemetery Committee

(1) There shall be a Cemetery Committee of three (3) active members of this congregation. Each year the Congregation Council shall appoint one (1) member for a three (3) year term.

(2) The Cemetery committee shall be empowered to act on behalf of the congregation in all matters pertaining to the cemetery and maintenance thereof, according to the by-laws herein adopted by the congregation and are subject to the laws of the State of North Carolina.

Burial Privileges

(1) Members of this congregation shall have the permission of and shall be under the supervision of the Cemetery Committee before opening any grave site, setting of any stone or inurnment in the columbarium within the congregation cemetery.

(2) Non-members shall have the permission of and shall be under the supervision of the Cemetery Committee before opening any grave site, setting of any stone or inurnment in the columbarium within the congregation cemetery.

(3) Burial privileges in the congregation cemetery do not constitute ownership of the grave site even though a maintenance fee may or may not have been charged for upkeep and maintenance, but rather all cemetery property

shall remain the property of the congregation.

(4) Members who have made a contribution and communed in the preceding year from the time of death shall be entitled to free burial privileges in the congregation cemetery, and must observe Cemetery Rules and Regulations stated in Burial Privileges (1), and Cemetery Restrictions in its entirety.

(5) Members who have not made a contribution and communed in the preceding year from the time of death shall be required to submit a minimum maintenance fee of \$1,000.00 for burial privileges in the congregation cemetery, and must observe Cemetery Rules and Regulations stated in Cemetery Rules and Regulations stated in Burial Privileges (1), and Cemetery Restrictions in its entirety.

(6) Non-members shall be required to submit a minimum maintenance fee of \$1,000.00 for burial privileges in the congregation cemetery, and must observe Cemetery Rules and Regulations stated in Cemetery Rules and Regulations stated in Burial Privileges (1), and Cemetery Restrictions in its entirety.

(7) Collection of maintenance fee should be accomplished before opening grave site or by legal agreement signed by a representative of the Cemetery Committee and a representative of the deceased, payable to the Church Treasurer within thirty (30) days of burial.

(8) The Cemetery Committee may take grave site reservations from members as defined in Cemetery Rules and Regulations stated in Burial Privileges (4).

- a. Existing documented grave site reservations shall be honored subject to (3), (4), and (5) of Burial Privileges
- b. Deceased have the privilege of being buried beside spouse, subject to (3), (4), and (5) of Burial Privileges

Cemetery Restrictions

(1) There shall be no construction around any grave or grave site.

(2) There shall be no corner stones or foot stones constructed above ground level.

(3) There shall be no shrubs, trees, flowers, etc. planted anywhere in the cemetery at any time except as an act of the congregation.

(4) There shall be no flower display boxes in the cemetery.

(5) All wreaths, flowers, cans, glass containers, etc. that are removed from the cemetery shall be disposed of away from the church and adjoining properties.

b. CHURCH PROPERTY COMMITTEE

There shall be a committee on Church Property. This committee shall see to the proper maintenance and protection of all property of this congregation, and shall take care that the same is kept in good repair.

c. THE FINANCE COMMITTEE

There shall be a committee on Finance. The Finance Committee is responsible for the management of the finances of Sardis Evangelical Lutheran Church. In doing so, it forecasts and plans the distribution of financial resources so that the work, mission and ministry of this congregation will be effectually advanced. Concerned for this congregation's total stewardship of the Gospel, the Finance Committee shall plan, with the membership of this congregation, the disbursements of its finances.

Duties

- (1) Oversee all financial affairs of this congregation to insure the efficient handling of funds.
- (2) Receive reports of budget need to support the various congregational ministries from appropriate parish committees and groups.
- (3) Prepare a draft budget for the coming year including the congregation's full benevolence share in support of the wider ministries being carried out by the synodical and church wide agencies of the Evangelical Lutheran Church in America.
- (4) Submit this draft budget to the Congregation Council for its action and later approval at the annual congregational meeting in November.
- (5) Oversee prompt payments of obligations of this congregation and that this congregation's benevolence share to the North Carolina Synod on a monthly basis, through the appropriate channels, be remitted.
- (6) Exercise responsibility by advising the Congregation Council concerning the congregation's investments and banking business.
- (7) Provide an annual audit of the income and disbursements of the congregation treasurer(s), financial secretary, as well as all accounts of the organizations within this congregation.
- (8) Make recommendations to the Congregation Council concerning salaries and benefits together with the basic financial policies for clergy and employees.
- (9) The Finance Committee has established guidelines for other disbursements that have been approved by Congregation Council:

THE FUTURE BUILDING FUND
09-18-2005

PURPOSE: The purpose of the The Future Building Fund is for new construction or additions to Sardis Evangelical Lutheran Church. It is not for repairs or maintenance items. (NOTE): This fund is not an endowment and therefore can be spent in its entirety with proper approval as stipulated per the Endowment Fund Resolution paragraph VI: *"The Endowment Fund Committee in consultation with the Finance Committee shall recommend the project /purposes for which funds are distributed, and the Church Council shall ratify these recommendations."*

GUIDELINES:

1. None of the monies of this fund will be used to support the following
 - a. Propaganda or other attempts to influence legislation.
 - b. Political campaigns on behalf of any candidate for public office
 - c. The programs of the Church regularly funded by pledges and contributions of the members, except in cases of an extreme emergency determined jointly by the Endowment Fund Committee and Church Council. Such emergencies and their funding will also be reported to the Congregation.
2. These funds may be requested or borrowed by the Congregation or Council in an unforeseen emergency situation, to help the Congregation rectify an economically devastating situation. If the funds are borrowed, the Finance Committee and the Church Council will determine an interest rate. Both interest and principal will be repaid on a fixed schedule set in writing by the Finance Committee.
3. A request form needs to be submitted to the Endowment Fund Committee for any new construction funds.
4. The Endowment Fund Committee will maintain a record of gifts to this fund.
5. Should the requested funds be above the approval limit of the church council (5% of annual budget), the request will be brought before the congregation for approval.

Sardis Lutheran Church Discretionary Fund

Purpose: Sardis Lutheran Church owns and operates a Discretionary Fund. The fund was established as a restricted fund through the authority of the Congregation Council and is controlled and maintained by the Executive committee of the Church. The fund is an asset of the Church and remains in control of the Executive Committee until dissolved by the authority of the Congregation Council.

Responsibility: The fund is made available to the Executive Committee for use in responding to crisis or personal needs that may arise concerning individual or households in the church or community. It may also be used to provide financial support to bona fide organizations whose purposes are consistent with the missions of the church. The Executive Committee has sole authority to determine the appropriateness of the distributions of the discretionary funds subject to the policy noted below.

Policy:

1. Funds for this account may come from designated funds, donations either by check or cash made payable to the fund.
2. Donations made to the fund for the direct benefit of a named individual, household or organizations (pass through funds) will not be accepted and will be returned to the donor.
3. Confidentiality of those receiving assistance should be maintained to the extent possible. Knowledge of the transactions should be limited to the Executive Committee.
4. No funds shall be used to benefit the Pastor or any of the Pastor's family.
5. No checks will be made to cash. Every effort should be made to write checks directly to a merchant, vendor or agency for goods or services. Only on special circumstances and for minimal amounts should cash be used.
6. No more than \$500 shall be given to any individual, single households or organizations within a 6 month period and no more than \$1,000 total in a given year. Only under special circumstances should these amounts be exceeded.
7. Properly made contributions to the fund are deductible by the donors as charitable contributions
8. The Executive Committee shall maintain a confidential record indicating when, to whom and the reasons for the disbursements.
9. A summary report on the discretionary fund indicating the need being met while maintaining confidentiality shall be included in the annual report.

The Finance Committee works cooperatively with other organizations and persons in this congregation such as the Congregation Council, the pastor, the Congregational Life Committee, etc.

d. WORSHIP AND MUSIC COMMITTEE

There shall be a committee on Worship and Music. This committee shall assist the church council in providing regularly conducted worship services in accordance with the practices of the Evangelical Lutheran Church in America, that competent ushers

are recruited and instructed, and that hymnals and other devotional materials are properly acquired and protected. This committee shall supervise and strive to advance the welfare and effectiveness of the choirs of this congregation. It shall arrange for the care of musical instruments of this church, and in consultation with the pastor and director of music, it shall furnish music supplies appropriate for use in the worship of this congregation of the Evangelical Lutheran Church in America.

e. ALTAR GUILD COMMITTEE

There shall be an Altar Guild Committee. The Altar Guild members are servants of God, God's people, the Liturgy of Worship, and the Sardis Evangelical Lutheran Church sanctuary. The overall goal of the Altar Guild is to see that the Church Sanctuary is kept in such a state as to glorify God and provide a setting that encourages the congregation to worship in a meaningful way. They are responsible for preparing the Altar, the communion vessels, polishing the brass, cleaning the linens, arranging the flowers, changing the paraments, and replacing the sanctuary candles.

(1) Altar flowers are given by the parishioners and are distributed to the sick and shut-in at the conclusion of Sunday worship. Artificial flowers are not permitted, as they are not part of God's created order in nature, therefore should never be used on the altar. Potted plants are not in a sacrificial nature, and also not permitted.

(2) Holy Communion is prepared by the Altar Guild members and all communion vessels are cleaned after each Eucharistic celebration.

(3) Altar Guild members meet on a regular basis to clean the altar brass and the processional cross. The fair linens are washed regularly and kept pressed for use in worship. The congregation is asked to refrain from handling the brass, due to its easy wear from fingerprint perspiration. Gloves are used in cleaning and handling all church sanctuary brass.

(4) Paraments adorn the altar and are changed to represent the appointed liturgical day or season. They are often inspected for damage and wear. The paraments are stored in the sacristy over wooden rods in the parament "closet" for protection. The Altar Guild also assists in the celebration of baptisms, weddings, funerals, and any other special services throughout the church year.

f. SOCIAL MINISTRY COMMITTEE

There shall be a committee on Social Ministry. The purpose of this

committee shall be to extend Christian compassion and helpfulness to the ill, the aged, the orphaned, the underprivileged, the imprisoned, and to all persons in need of aid in body or soul. It shall strive to enlist the members and organizations of this congregation in these efforts. This committee shall study social conditions in this community and abroad, to bring the cleansing and healing witness of Christian truth to those conditions wherever and whenever applicable.

g. EVANGELISM COMMITTEE

There shall be a committee on Evangelism and Outreach. This committee shall stimulate and lead all members of the congregation in continuous, and from time to time, concentrated endeavors to reawaken the spiritually indifferent and to reach others who are yet unwon with the Gospel and invite them into Christ's Church. The committee shall devote itself to deepening spiritual life and shall periodically study the congregation in the context of its surrounding community.

h. CHRISTIAN EDUCATION COMMITTEE

There shall be a committee on Christian Education. This committee, in association with the pastor, shall oversee the conduct and promotion of the schools and the activities of all organizations within the congregation. It shall encourage the use of teaching and worship materials published or approved by the Evangelical Lutheran Church in America, and seek to introduce the church's periodicals and books of family devotion into the homes of the congregation. One of the primary aims of this committee on Christian Education shall be to bring the call of the ministry of the Gospel and other full time church vocations to the attention of qualified persons in the congregation.

Adult Christian Education

There shall be an Adult Christian Education Committee. This committee will promote the education and enrichment of the adult members of the congregation.

Children Christian Education

There shall be a Children's Christian Education Committee. This committee will promote the education and enrichment of the youth members of the congregation.

i. STEWARDSHIP COMMITTEE

There shall be a committee on Stewardship, of which the treasurer(s) shall be (an) ex officio member(s). It shall be the function of the committee to evoke and promote the expression of Christian faith in daily living; to teach the Christian use of money; to diffuse knowledge of the congregation's local, national, and world-wide ministries, and to lead all its members to higher levels of proportionate giving for the Lord's work. This committee shall be responsible for efforts which

lead to informed and grateful giving.

j. HISTORICAL COMMITTEE

There shall be a Historical Committee. It shall be the function of this committee to preserve and record the history of Sardis Evangelical Lutheran Church.

k. ENERGY SAVING/SECURITY COMMITTEE

There shall be a committee on Energy Savings. The purpose of this committee is to develop ways to conserve energy on the church's property. This committee shall also be responsible for the security of the church property.

l. YOUTH COMMITTEE

There shall be a committee on Youth. The purpose of this committee is to promote, encourage and stimulate the youth of this congregation. The Youth Committee in association with the Pastor shall be selected from the Adults and Youth of the Congregation. They will serve as a foundation and support system for the leaders and youth of the Sardis Evangelical Lutheran Church youth groups. This committee will address any needs or concerns on behalf of our Youth Program to the congregation as necessary which allows the leaders of the Youth Groups to focus on leadership, fellowship and personal growth of our youth. This committee shall be responsible for planning, coordinating and carrying out ministries for the youth of this congregation, particularly as these ministries take the shape of youth groups.

- a. There shall be a Junior Youth, composed of youth of 5th grade through 8th grade levels. The purpose of this group shall be to provide fellowship and opportunities for learning and serving in this congregation.
- b. There shall be a Senior Youth Group composed of youth from grades 9 through 12. The purpose of this group is to provide fellowship and opportunities for learning and serving in this congregation and throughout the North Carolina Synod. The Senior Youth Group may affiliate itself with the official youth organization of the North Carolina Synod, Lutheran Youth in North Carolina.

m. TECHNOLOGY COMMITTEE

There shall be a committee on Technology. The purpose of this committee is to enhance the ability to communicate to members through technology. This committee shall also enable the congregation to maintain, record and store records of the church.

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 organizations of the Evangelical Lutheran Church in America, may be organized only after authorization has been given by the Congregation Council.
- C14.02.01** The following organizations can exist within the church:
- a. WOMEN OF THE ELCA** The purpose for Sardis Women of the ELCA is: As a community of women, created in the image of God, called to discipleship in Jesus Christ and empowered by the Holy Spirit, we commit ourselves to grow in faith, affirm our gifts, support one another in our callings, engage in ministry and action, and promote healing and wholeness in the church, the society, and the world. Participation in this unit shall be open to all women in the congregation and other women who subscribe to the purpose. Women of this unit come together regularly each month for study, support, and action. There shall be a business meeting held as needed for purposes such as receiving reports, projecting plans, electing leadership, and adopting an annual budget.
 - b. LUTHERAN MEN IN MISSION** Sardis Lutheran Church Lutheran Men in Mission Unit strives to identify and take advantage of opportunities to be of service to the local congregation and to the wider church. This group shall meet regularly at a time to be decided by the group and participate in the life of the church as fully as it is able. All men of the congregation are members of Sardis Lutheran Men and are urged to be active in the organization. The goals of fellowship and service are always to be held up as worthy goals to strive for.

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 the congregation, or willful and repeated harassment or defamation of member(s) of the 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 the congregation shall be governed as prescribed by the chapter on discipline in the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*. If 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 nonvoting 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 the congregation; or
 - d. termination of membership in the 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 the 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 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. 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 twenty-five (25) 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 the 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 approved at a legally called Congregation Meeting according to this constitution by a majority vote of those voting members present and voting;
 - b. be ratified without change at the next annual meeting by a two-thirds vote of those voting members present and voting; and
 - c. have the effective date included in the resolution² 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 the 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 the congregation without presentation at a prior meeting of the congregation, provided that the Congregation Council has submitted by mail or electronic means, as permitted by state law, notice to the 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 the congregation, the Congregation Council shall submit such notice. Following the adoption of an amendment, the secretary of the 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 may adopt bylaws. No bylaw 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 vote of those voting members present and voting.

² Such an effective date must be stated in relation to the requirements of *C16.03. to allow time for synodical review of the amendment.