

**CONSTITUTION, BYLAWS, AND CONTINUING RESOLUTIONS**  
**for**  
**FIRST EVANGELICAL LUTHERAN CHURCH of Lincoln, Nebraska**

**\*PREAMBLE**

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

**Chapter 1.**

**NAME AND INCORPORATION**

- C1.01. The name of this congregation shall be FIRST EVANGELICAL LUTHERAN CHURCH of LINCOLN, NEBRASKA.
- C1.02. For the purpose of this constitution and the accompanying bylaws and continuing resolutions, the congregation of the First Evangelical Lutheran Church of Lincoln, Nebraska is hereinafter designated as "this congregation."
- C1.03. The seal of this congregation is circular in form and presents a cross growing out of the base of the tree bearing symbolical leaves and fruit. The name "First Evangelical Lutheran Church, Lincoln, Nebraska" encircles the central motif and comprises the outer edge of the seal.
- C1.11. This congregation shall be incorporated under the laws of the State of Nebraska.

**Chapter 2.**

**CONFESSION OF FAITH**

- \*C2.01. This congregation confesses the Triune God, Father, Son, and Holy Spirit.
- \*C2.02. This congregation confesses Jesus Christ as Lord and Savior and the Gospel as the power of God for the salvation of all who believe.
- a. Jesus Christ is the Word of God incarnate, through whom everything was made and through whose life, death, and resurrection God fashions a new creation.
  - b. The proclamation of God's message to us as both Law and Gospel is the Word of God, revealing judgment and mercy through word and deed, beginning with the Word in creation, continuing in the history of Israel, and centering in all its fullness in the person and work of Jesus Christ.

c. The canonical Scriptures of the Old and New Testaments are the written Word of God. Inspired by God's Spirit speaking through their authors, they record and announce God's revelation centering in Jesus Christ. Through them God's Spirit speaks to us to create and sustain Christian faith and fellowship for service in the world.

- \*C2.03. This congregation accepts the canonical Scriptures of the Old and New Testaments as the inspired Word of God and the authoritative source and norm of its proclamation, faith, and life.
- \*C2.04. This congregation accepts the Apostles', Nicene, and Athanasian Creeds as true declarations of the faith of this congregation.
- \*C2.05. This congregation accepts the Unaltered Augsburg Confession as a true witness to the Gospel, acknowledging as one with it in faith and doctrine all churches that likewise accept the teachings of the Unaltered Augsburg Confession.
- \*C2.06. This congregation accepts the other confessional writings in the Book of Concord, namely, the Apology of the Augsburg Confession, the Smalcald Articles and the Treatise, the Small Catechism, the Large Catechism, and the Formula of Concord, as further valid interpretations of the faith of the Church.
- \*C2.07. This congregation confesses the Gospel, recorded in the Holy 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~~[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, ~~and~~ standing with the poor and powerless, and committing itself to their needs.
  - e. Nurture its members in the Word of God so as to grow in faith and hope and love, to see daily life as the primary setting for the exercise of their Christian calling, and to use the gifts of the Spirit for their life together and for their calling in the world.
  - f. Manifest the unity given to the people of God by living together in the love of Christ and by joining with other Christians in prayer and action to express and preserve the unity which the Spirit gives.
- \*C4.03. To fulfill these purposes, this congregation shall:
- a. Provide services of worship at which the Word of God is preached and the sacraments are administered.

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

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

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

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

## **Chapter 5. POWERS OF THE CONGREGATION**

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

\*C5.02. The powers of this congregation are vested in the Congregation Meeting called and

conducted as provided in this constitution and bylaws.

- \*C5.03. Only such authority as is delegated to the Congregation Council or other organizational units in this congregation's governing documents is recognized. All remaining authority is retained by ~~the~~this congregation. ~~The~~This congregation is authorized to:
- a. call a pastor as provided in Chapter 9;
  - b. terminate the call of a pastor as provided in Chapter 9;
  - c. call a minister of Word and Service~~;~~;
  - d. terminate the call of a minister of Word and Service in conformity with the constitution of the Evangelical Lutheran Church in America;
  - e. adopt amendments to the constitution, as provided in Chapter 16, ~~and~~ amendments to the bylaws, as specified in Chapter 17, and continuing resolutions, as provided in Chapter 18;
  - f. approve the annual budget;
  - g. acquire real and personal property by gift, devise, purchase, or other lawful means;
  - h. hold title to and use its property for any and all activities consistent with its purpose;
  - i. sell, mortgage, lease, transfer, or otherwise dispose of its property by any lawful means;
  - j. elect its Congregation Council, and require ~~the~~ the members of the council to carry out ~~its~~their duties in accordance with the constitution, bylaws, and continuing resolutions; and
  - k. terminate its relationship with the Evangelical Lutheran Church in America as provided in Chapter 6.

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

*C5.04.01. Election of voting members of the Synod Assembly shall be by written ballot using a plurality block (also known as "bloc") voting system.- With*

~~block voting~~ *block voting*, all candidates compete with one another and each voter has as many votes as there are positions to be filled (however voters may not vote for the same candidate more than once). The candidates with the highest vote totals (who may or may not obtain a majority of available votes) are elected.

- C5.05. This congregation ~~may~~ *shall* have a mission endowment fund that will operate as specified in this congregation's continuing resolutions. The purpose of the mission endowment fund ~~shall be~~ *is* to provide for mission work beyond the operational budget of this congregation.

## **Chapter 6. CHURCH AFFILIATION**

- \*C6.01. This congregation shall be an interdependent part of the Evangelical Lutheran Church in America or its successor, and of the Nebraska Synod of the Evangelical Lutheran Church in America. This congregation is subject to the discipline of the Evangelical Lutheran Church in America.
- \*C6.02. This congregation accepts the Confession of Faith and agrees to the ~~Purposes~~ *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~~ *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~~ *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~~ *this* congregation according to the procedures of the Evangelical Lutheran Church in America.
  - e. This congregation agrees to file this constitution and any subsequent changes to this constitution with the synod for review to ascertain that all of its provisions are in agreement with the constitution and bylaws of the Evangelical Lutheran

Church in America and with the constitution of the synod.

\*C6.04. Affiliation with the Evangelical Lutheran Church in America ~~may be~~ terminated as follows:

- a. This congregation takes action to dissolve.
- b. This congregation ceases to exist.
- c. This congregation is removed from membership in the Evangelical Lutheran Church in America according to the procedures for discipline of the Evangelical Lutheran Church in America: or in accordance with provision 9.23. of the constitution and bylaws of the Evangelical Lutheran Church in America.
- d. The Nebraska Synod takes charge and control of the property of this congregation to hold, manage, and convey the same on behalf of the synod pursuant to †S13.24. of the synod constitution. This congregation shall have the right to appeal the decision to the next Synod Assembly.

~~d.e.~~ This congregation follows the procedures outlined in \*C6.05.

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

- a. A resolution indicating the intent to terminate its relationship must be adopted at at two legally called and conducted special ~~meeting~~meetings of ~~the~~this congregation by a two-thirds vote of the voting members present. ~~Such at each meeting. The first such~~ meeting may be held no sooner than 30 days after written notice of the meeting is received by the bishop of the synod, during which time ~~the~~this 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.~~Congregation Council. Unless he or she is a voting member of ~~the~~this congregation, the bishop and the bishop's designees, if any, shall have voice but not vote at the first meeting.
- b. ~~The~~Within 10 days after the resolution has been voted upon at the first meeting, ~~the~~ secretary of ~~the~~this congregation shall submit a copy of the resolution to the bishop, attesting that the special meeting was legally called and conducted and certifying the outcome of the vote, and shall ~~mail a copy~~send copies of the resolution and certification to voting members of ~~the~~this congregation. ~~This notice shall be submitted within 10 days after the resolution has been adopted.~~
- c. ~~The~~If the resolution was adopted by a two-thirds vote of the voting members present at the first meeting, the bishop of the synod and ~~the~~this congregation shall continue in consultation, as specified in paragraph a. above, during a period of at least 90 days after receipt by the ~~synod~~bishop of the

notice attestation and certification as specified in paragraph b. above.

- d. If ~~the~~this congregation, after such consultation, ~~is still seeks to terminate~~considering termination of its relationship with this church, such action may be taken at a legally called and conducted special meeting by a two-thirds vote of the voting members present. Notice of the second meeting shall be ~~mailed~~sent to all voting members and to the bishop at least 10 days in advance of the meeting. Unless he or she is a voting member of ~~the~~this congregation, the bishop and the bishop's designees, if any, shall have voice but not vote at the second meeting.
- e. ~~A-Within 10 days after the resolution has been voted upon, the secretary of this congregation shall submit a copy of the resolution to the bishop, attesting that the second special meeting was legally called and conducted and certifying the outcome of the vote, and shall be sent to the bishop within 10 days after send copies of the resolution has been and certification to the voting members of the congregation. If the resolution was adopted by a two-thirds vote of the voting members present at which time the second meeting,~~ the relationship between the congregation and this church shall be terminated subject to Synod Council approval as required by paragraphs f. and g., h., and i. below.
- f. Unless this notification to the bishop also certifies that ~~the~~this congregation has voted ~~by a two-thirds vote~~ to affiliate with another Lutheran denomination, ~~the~~this congregation ~~will~~shall be ~~conclusively presumed to be deemed~~ an independent or non-Lutheran church, ~~in which case \*C7.04. shall apply.~~
  - a. ~~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 \*C6.05-2, 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 \*C6.05-2, to receive ~~synodical~~synod approval before terminating their membership in this church.
  - 3) Congregations established by the Evangelical Lutheran Church in America shall be required, in addition to complying with the foregoing provisions in \*C6.05-2, 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~~this 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 or~~ fails to achieve the required two-thirds vote of voting members present at ~~the~~this congregation's second meeting as specified in paragraph d. above, another attempt to consider termination of relationship with this church must follow all requirements of \*C6.05. and may begin no sooner than six months after ~~that second~~the meeting at which the two-thirds vote was not achieved.

- \*C6.06. If this congregation considers relocation, it shall confer with the bishop of the synod in which it is territorially located and the appropriate unit of the churchwide organization before any steps are taken leading to such action. The approval of the Synod Council shall be received before any such action is ~~effected~~taken.
- \*C6.07. If this congregation considers developing an additional site to be used regularly for worship, it shall confer with the bishop of the synod in which it is territorially located and the appropriate unit of the churchwide organization before any steps are taken leading to such action.

## **Chapter 7. PROPERTY OWNERSHIP**

- \*C7.01. If this congregation ceases to exist, title to undisposed property shall pass to the Nebraska Synod of the Evangelical Lutheran Church in America.
- \*C7.02. If this congregation is removed from membership in the Evangelical Lutheran Church in America according to its procedure for discipline or pursuant to 9.23. of the constitution and bylaws of the Evangelical Lutheran Church in America, title to property shall continue to reside in this congregation.
- \*C7.03. If ~~two-thirds of~~ the voting members of this congregation present at a regularly~~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 Nebraska 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 process established ~~synodical process~~by the synod, may give approval to the request to become independent or to relate to a non-Lutheran church body, in which case title shall remain with the majority of this congregation. If the Synod Council fails to give such approval, title shall remain with those members who desire to continue as a congregation of the Evangelical Lutheran Church in America. In neither case does title to this congregation's property transfer to the synod.

- \*C7.05. Notwithstanding the provisions of \*C7.02. and \*C7.03. above, where this congregation has received property from the synod pursuant to a deed or other instrument containing restrictions under provision 9.71.a. of the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*, this congregation accepts such restrictions and:
- a. Shall not transfer, encumber, mortgage, or in any way burden or impair any right, title, or interest in the property without prior approval of the Synod Council.
  - b. Shall ~~—~~ upon written demand by the Synod Council, pursuant to ~~§~~§13.23. of the constitution of the Nebraska Synod ~~—~~ reconvey and transfer all right, title, and interest in the property to the synod.

## **Chapter 8. MEMBERSHIP**

- \*C8.01. Members of this congregation shall be those baptized persons on the roll of this congregation at the time that this constitution is adopted and those who are admitted thereafter and who have declared and maintain their membership in accordance with the provisions of this constitution and its bylaws.
- \*C8.02. Members shall be classified as follows:
- a. **Baptized** members are those persons who have been received by the Sacrament of Holy Baptism in this congregation, or, having been previously baptized in the name of the Triune God, have been received by certificate of transfer from other Lutheran congregations or by affirmation of faith.
  - b. **Confirmed** members are baptized persons who have been confirmed in this congregation, those who have been received by adult baptism or by transfer as confirmed members from other Lutheran congregations, or baptized persons received by affirmation of faith.
  - c. **Voting** members are confirmed members. Such confirmed members, during the current or preceding calendar year, shall have communed in this congregation and shall have made a contribution of record to this congregation. Members of this congregation who have satisfied these basic standards shall have the privilege of voice and vote at every regular and special meeting of ~~the~~this congregation as well as the other rights and privileges ascribed to voting members by the provisions of this constitution and its bylaws. They shall not have voted as a seasonal member of another congregation of this church in the previous two calendar months.
  - d. **Associate** members are persons holding membership in other [ELCA] [Lutheran] [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 of this church who wish to retain such membership but desire to participate in the life and mission of this congregation, including exercising limited voting rights in this congregation. The Congregation Council may grant seasonal membership to such persons provided that this congregation is a member of a synod where the Synod Council has approved seasonal member voting on its territory. Such seasonal members shall have all the privileges and duties of voting members except that:
- 1) they shall not be eligible for elected office in, or for membership on the Congregation Council or on a call committee of, this congregation;
  - 2) they shall not have the right to vote on any matter concerning or affecting the call or termination of call of any minister of this congregation;
  - 3) they shall not have the right to vote on any matter concerning or affecting the affiliation of this congregation with ~~the ELCA~~ this church;
  - 4) they shall not be eligible to serve as voting members from this congregation of the Synod Assembly or the Churchwide Assembly;
  - 5) they shall not, even if otherwise permitted by this congregation, vote by proxy or by absentee ballot; and
  - 6) they shall not, within any two calendar month period, ~~exercise~~ 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~~ [Chapter 20.41. of the constitution](#) and ~~the accompanying~~ [bylaws of the Evangelical Lutheran Church in America](#); or
- e. removal from the roll due to inactivity in accordance with the provisions of this constitution and its bylaws.

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

*C8.05.e.01 Members who have not partaken of Holy Communion, have not made a financial contribution of record, and have not shown interest in participating in the worship and life of this congregation for a period of two consecutive calendar years, shall be considered to have removed themselves from the membership roll of this congregation. The Congregation Council shall confirm this action only after attempts at contact and counsel have been made. Pastoral discretion in implementation of this bylaw shall be exercised with respect to members who are students, military personnel, institutionalized, or shut-in. Those who remove themselves from membership in this congregation in this manner may be reinstated upon application to and approval by the Congregation Council.*

## **Chapter 9.**

### Rostered Minister

#### 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~~ [Ministers](#) of Word and Sacrament of the Evangelical Lutheran Church in America or a candidate for the roster of ~~ministers~~ [Ministers](#) of Word and Sacrament who has been recommended for ~~the~~ [this](#) congregation by the ~~synodical~~ [synod](#) bishop may be called as a pastor of this congregation.
- \*C9.03. Consistent with the faith and practice of the Evangelical Lutheran Church in America,
  - a. Every ~~minster~~ [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~~ available channels of effective communication;
- 7) witness to the Kingdom of God in the community, in the nation, and abroad; and
- 8) speak publicly to the world in solidarity with the poor and oppressed, calling for justice and proclaiming God's love for the world.

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

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

\*C9.05. The ~~Provisions~~ 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 the pastor's death or, following consultation with the ~~synodical~~ synod bishop, for the following reasons:
- 1) mutual agreement to terminate the call or the completion of a call for a specific term;
  - 2) resignation of the 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 ~~that~~ this 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~~ Ministers of Word and Sacrament of this church;
  - 7) termination of the relationship between this church and ~~the~~ this congregation;
  - 8) dissolution of ~~the~~ this congregation or the termination of a parish arrangement; or

- 9) suspension of ~~the~~ [this](#) congregation through discipline for more than six months.
- b. When allegations of physical disability or mental incapacity of the pastor under paragraph a.4) above, or ineffective conduct of the pastoral office under paragraph a.3) above, have come to the attention of the bishop of ~~the~~ [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~~ [this](#) congregation, the bishop personally shall investigate such conditions together with a committee of two rostered ministers and one layperson.
- c. In case of alleged physical disability or mental incapacity under paragraph a.4) above, the bishop's committee shall obtain and document competent medical opinion concerning the pastor's condition. When a disability or incapacity is evident to the committee, the bishop of this synod may declare the pastorate vacant. When the pastorate is declared vacant, the Synod Council shall list the pastor on the roster of ~~ministers~~ [Ministers](#) of Word and Sacrament ~~as disabled with disability status~~. Upon removal of the disability and ~~the~~ restoration of the pastor to health, the bishop shall take steps to enable the pastor to resume the ministry, either in the congregation last served or in another appropriate call.
- d. In the case of alleged local difficulties that imperil the effective functioning of ~~the~~ [this](#) congregation under paragraph a.3) above, the bishop's committee shall endeavor to hear from all concerned persons, after which the bishop together with the committee shall present their recommendations first to the pastor and then to ~~the~~ [this](#) congregation. The recommendations of the bishop's committee must address whether the pastor's call should come to an end and, if so, may suggest appropriate severance arrangements. The committee may also propose other actions that should be undertaken by ~~the~~ [this](#) congregation and by the pastor, if appropriate. If the pastor and congregation agree to carry out such recommendations, no further action need be taken by the synod.
- e. If either party fails to assent to the recommendations of the bishop's committee concerning the pastor's call, ~~the~~ [this](#) 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~~[this](#) 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~~[this](#) 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~~[this](#) congregation for a review of the call. Such a call may also be terminated before its expiration in accordance with the provisions of \*C9.05.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~~[this](#) 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 ~~pastors~~[pastor\(s\)](#) shall submit a report of ~~the~~[his or her](#) ministry to the bishop of

the synod at least 90 days prior to each regular meeting of the Synod Assembly.  
~~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~~this 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 call or approval of ~~labor or the granting by the synod of retired a~~request for change in roster status ~~to the pastor.~~
- C9.15. Under special circumstances, subject to the approval of the ~~synodical~~synod bishop and the concurrence of this congregation, a minister of Word and Sacrament of a church body with which the Evangelical Lutheran Church in America officially has established a relationship of full communion may serve temporarily as pastor of this congregation under a contract between ~~the~~this congregation and the pastor in a form proposed by the ~~synodical~~synod bishop and approved by ~~the~~this congregation.
- \*C9.21. Authority to call a ~~minister of Word and Service~~deacon shall be in this congregation by at least a two-thirds vote of voting members present and voting at a meeting legally called for that purpose. Before a call is issued, the officers, or a committee elected by ~~{this congregation}~~ ~~{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~~Ministers of Word and Service of the Evangelical Lutheran Church in America or a candidate for the roster of ~~ministers~~Ministers of Word and Service who has been recommended for this congregation by the ~~synodical~~synod bishop may be called as a deacon of this congregation.
- \*C9.23. Consistent with the faith and practice of the Evangelical Lutheran Church in America, every minister of Word and Service shall:
- a. Be rooted in the Word of God, for proclamation and service;
  - b. Advocate a prophetic diakonia that commits itself to risk-taking and innovative service on the frontiers of the Church's outreach, giving particular attention to the suffering places in God's world;
  - b.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's~~people;
  - e.e. Encourage mutual relationships that invite participation and accompaniment of others in God's mission;

d.f. Practice stewardship that respects God's gift of time, talents, and resources;

e.g. Be grounded in a gathered community for ongoing diaconal formation;

f.h. Share knowledge of ~~the ELCA~~this church and its wider ministry of the gospel, and advocate for the work of all expressions of this church; and

g.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 at~~the~~ congregation, when accepted by a deacon, shall constitute a continuing mutual relationship and commitment, which shall be terminated only by the deacon's death or, following consultation with the ~~synodical~~synod bishop, for the following reasons:
  - 1) mutual agreement to terminate the call or the completion of a call for a specific term;
  - 2) resignation of the deacon, which shall become effective, unless otherwise agreed, no later than 30 days after the date on which it was submitted;
  - 3) inability to conduct the ministry of Word and Service effectively in this congregation in view of local conditions;
  - 4) ~~Physical~~physical disability or mental incapacity of the deacon;
  - 5) ~~Suspensions~~suspension of the deacon through discipline for more than three months;
  - 6) ~~Resignation~~resignation or removal of the deacon from the roster of ~~ministers~~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~~for 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 ~~allegation~~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 ~~office~~position vacant ~~and~~. When the position is declared vacant, the Synod Council shall list the deacon shall be listed on the roster of ~~ministers~~Ministers of Word and Service ~~as disabled with disability status~~. Upon removal of the disability and the restoration of the deacon to health, the bishop shall take steps to enable the deacon to resume the ministry, either in the congregation last served or in another appropriate call.
- d. In the case of alleged local difficulties that imperil the effective functioning of this congregation under paragraph a.3) above, the bishop's committee shall endeavor to hear from all concerned persons, after which the bishop together with the committee shall present their recommendations first to the deacon and then to this congregation. The recommendations of the bishop's committee must address whether the deacon's call should come to an end and, if so, may suggest appropriate severance ~~arrangement~~arrangements. The committee may also propose other actions that should be ~~under taken~~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 ~~majority~~ 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 ~~simple~~ 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~~ This congregation shall make satisfactory settlement of all financial obligations to a former ~~congregation~~deacon before: ~~installation~~ calling a successor. A deacon shall make satisfactory settlement of all financial obligations to this congregation before beginning service in a call to another field of labor, congregation or employment in another ministry setting.  
~~it — 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. The Congregation Council shall set the date for the Annual Congregation Meeting of this congregation.*
- C10.02. A special Congregation Meeting may be called by the ~~senior~~ pastor, the Congregation Council, or the president of this congregation, and shall be called by the president of ~~the~~this 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~~synod bishop. The call for each special meeting shall specify the purpose for which it is to be held, and no other business shall be transacted.
- C10.03. Notice of all meetings of this congregation shall be given at the services of worship on the preceding two consecutive Sundays and by mail or electronic means, as permitted by state law, to all [voting] members at least 10 days in advance of the date of the meeting.
- C10.04. 5% percent of the voting members shall constitute a quorum.
- C10.05. Voting by proxy or by absentee ballot shall not be permitted.

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

*C10.06.01. Election of voting members of the Synod Assembly and members of the Congregation Council, Nominating Committee and Endowment Fund Board shall be by written ballot using a plurality block (also known as “bloc”) voting system. With block voting, all candidates compete with one another and each voter has as many votes as there are positions to be filled (however voters may not vote for the same candidate more than once). The candidates with the highest vote totals (who may or may not obtain a majority of available votes) are elected.*

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

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

## **Chapter 11. OFFICERS**

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

- a. Duties of the officers shall be specified in the bylaws.
- b. The officers shall be voting members of ~~the~~this congregation.
- c. Officers of this congregation shall serve similar offices of the Congregation Council and shall be voting members of the Congregation Council.
- d. If 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~~+~~.

*C11.01.01. The duties of the officers shall be as follows:*

- 1) *The president shall preside at all meetings of the congregation, the Congregation Council, and the Executive Committee, and shall coordinate the work of the Council. The president shall sign such documents as require the president's signature, after authorization by the Congregation Council.*
- 2) *The vice-president shall carry out the duties of the president when the*

*president is unable to do so.*

- 3) *The secretary shall see that proceedings of the congregation, the Congregation Council, and the Executive Committee are accurately recorded and safely maintained. He or she shall sign such documents as require the secretary's signature, after authorization by the Congregation Council.*
- 4) *The treasurer shall see that all receipts are properly recorded and shall make disbursements only upon legitimate claim to those entitled to receive them. All such actions are under the authority of the Congregation Council.*

- C11.02. The Congregation Council shall elect its officers and they shall be the officers of ~~the~~this congregation. The officers shall be elected by written ballot and shall serve for one year or until their successors are elected. Their terms shall begin at the close of the annual meeting at which they are elected.
- 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 full-time, regularly called pastors and 15 members of ~~the~~this congregation. Any voting member of ~~the~~this 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~~this 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 pastors, shall be elected by written ballot to serve for 3 years or until their successors are elected. Such members shall be eligible to serve no more than two full terms consecutively. Their terms shall begin at the close of the annual meeting at which they are elected.

*C12.02.01. Election of the members of the Congregation Council, except the pastors, shall be by written ballot using a plurality block (also known as "bloc") voting system. With block voting, all candidates compete with one another and each voter has as many votes as there are positions to be filled (however voters may not vote for the same candidate more than once). The candidates with the highest vote totals (who may or may not obtain a majority of available votes) are elected.*

- 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. It shall accomplish this general oversight as well as carry out the following duties primarily through the administrative and committee structure described in Appendix C. 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 directors of this congregation; and, as such, shall be responsible for maintaining and protecting its property and

~~the management of~~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 Nebraska, except as otherwise provided herein.

- b. The Congregation Council shall not have the authority to buy, sell, or encumber real property unless specifically authorized to do so by a meeting of ~~the~~this congregation.
- c. The Congregation Council may enter into contracts of up to \$50,000 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 5% 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~~collaboration with the synod and churchwide organization.
- e. The Congregation Council shall ascertain that the financial affairs of this congregation are being conducted efficiently, giving particular attention to the prompt payment of all obligations and to the regular forwarding of benevolence ~~monies~~ to the ~~synodical~~synod 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, its bylaws, and the continuing resolutions are carried out.

C12.07. The Congregation Council shall provide for an annual review of the membership roster.

C12.08. The Congregation Council shall be responsible for the employment and supervision of the staff of this congregation. Nothing in this provision shall be deemed to affect ~~the~~this congregation's responsibility for the call, terms of call, or termination of call of any employees who are on a roster of this church.

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

C12.11. The Congregation Council shall normally meet once a month. 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 [senior] pastor or interim pastor, except when the [senior] 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 conducted at that meeting. Chronic or repeated absence of the [senior] 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~~synod bishop.

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

~~C12.14. Associates in Ministry on the staff of this congregation shall have voice but no vote in Congregation Council meetings.~~

C12.15. Meetings of the Congregation Council and its committees shall be open to visit by any member(s) of the congregation who may wish to do so. To assure that members who desire to be heard may be heard, prior arrangements should be made to place them on the agenda.

~~C12.14. Associates in Ministry on the staff of this congregation shall have voice but no vote in Congregational Council meetings.~~

### **Chapter 13. CONGREGATION COMMITTEES**

C13.01. The officers of this congregation and the pastors shall constitute the Executive Committee.

*C13.01.01. The Executive Committee shall prepare agendas for meetings of the Congregation Council, attend to routine matters authorized by the Council, attend to and make recommendations concerning issues which may arise that are outside the purview of other standing committees.*

*C13.01.02. Among the pastors, only the senior/lead pastor shall have voice and vote in Executive Committee meetings. Other full-time regularly called pastors shall have voice but no vote. The senior/lead pastor shall be permitted to grant her/his vote to another called pastor on staff in the event the senior/lead pastor is unable to attend a meeting of the Executive Committee.*

C13.02. There shall be a Nominating Committee of seven members of this congregation. Six members of the committee shall be elected at the Annual Congregational Meeting. They shall be elected for a term of two years with one half being elected annually. They shall not be eligible for consecutive election. The Church Council of the congregation shall appoint one of its members to be on the committee each year.

*C13.02.01. The Nominating Committee shall prepare a slate of ~~at least one~~ candidates, if possible, for each vacancy on the Congregation Council, the Endowment Fund Board, and the next Nominating Committee. The committee shall present the slate to the Annual Congregation Meeting.*

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*C13.02.02. Election of the members of the Nominating Committee, except the representative of the Congregation Council, shall be by written ballot using a plurality block (also known as "bloc") voting system. With block voting, all candidates compete with one another and each voter has as many votes as there are positions to be filled (however voters may not vote for the same candidate more than once). The candidates with the highest vote totals (who may or may not obtain a majority of available votes) are elected.*

- 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 ~~reelection~~ re-election.

*C13.03.01. The Audit Committee shall prepare an annual audit, observing usual accounting procedures, of all of the accounts established and controlled by this congregation. This includes general funds, special funds, building funds, committee and organization accounts, and gift and memorial funds. The audit report shall be submitted to the Congregation Council.*

- 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 president ~~[vice president]~~ and the rostered minister. Term of office shall be two years, with three members to be appointed each successive year.

*C13.04.01. The Mutual Ministry Committee shall provide concern and support for the pastors, program staff, and support staff. This Committee shall provide open communication concerning the attitudes and conditions within the congregation, evaluate the ministry of the program staff, lay leaders, and the congregation, consider the spiritual, emotional, and physical needs of the staff members, and assist in resolving conflicts if necessary. The Committee shall review duties and responsibilities of all staff members, and consult with them on any matters of concern. The Committee shall prepare an annual report for the Congregation Council.*

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

*C13.05.01. When elected, the Call Committee shall consult with the bishop of the synod to*

*establish a procedure for the call consistent with the provisions of Chapter 9 of this constitution. With the help of the bishop, the Committee shall review possible candidates and recommend to the Congregation Council one candidate, qualified to assume the pastoral role in this congregation, for its consideration. The Council will decide whether to endorse the Committee's choice and recommend that the congregation issue a call, or to ask the Committee to seek another candidate. See Appendix D. When calling an Associate Pastor or appointing other program staff, the Senior Pastor shall be a member of the Search/Call Committee and shall nominate the candidate for the position being filled.*

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C13.06. An Endowment Fund Board shall be elected by this congregation at its Annual Congregation Meeting. There shall be five members on the Board. Members shall be elected for a 3-year term and shall be eligible for reelection. The purpose of the Fund is to enhance the mission of First Evangelical Lutheran Church apart from the general operation of the congregation; that no portion of the income generated by the Fund shall be used for the annual operating budget of the congregation; and that all principal amounts will be retained and only the income expended.

*C13.06.01 The Endowment Fund Board shall have oversight of the First Evangelical Lutheran Church Endowment Fund. Governance and operational procedures are defined in Appendix B.*

*C13.06.02. Election of the members of the Endowment Fund Board shall be by written ballot using a plurality block (also known as "bloc") voting system. With block voting, all candidates compete with one another and each voter has as many votes as there are positions to be filled (however voters may not vote for the same candidate more than once). The candidates with the highest vote totals (who may or may not obtain a majority of available votes) are elected.*

C13.07. A Finance Committee shall be appointed by the Congregation Council. The treasurer shall be chair of this Committee. Other members shall be voting members of this congregation.

*C13.07.01. The Finance Committee shall, on behalf of the Congregation Council, oversee the financial affairs of the congregation so that proper accounting practices are followed, that all obligations are promptly paid and that fair share monies are regularly forwarded to the synodical treasurer. Subject to the approval of the Congregation Council, it shall be responsible for the investment and insurance programs of the congregation. The Committee shall regularly provide the Council with such reports as the Council may desire in order to keep informed about the financial status of the congregation and its budget. The Committee shall prepare a proposed annual budget for the Council's consideration.*

C13.08. A Worship and Music Committee shall be appointed by the Congregation Council. Committee members shall be voting members of this congregation.

*C13.08.01. The Worship and Music Committee shall assist the Congregation*

*Council to see that worship services are conducted regularly and in accordance with the liturgy of the Evangelical Lutheran Church in America. In consultation with the pastors and the music ministry staff it will see that ushers, acolytes, communion assistants, lectors, altar guild personnel, and other lay leaders are recruited and trained. It will recruit and support the various choirs. It will furnish and see to the care of paraments, vestments, music and other supplies appropriate for use in the worship services of this congregation. It will prepare an annual report for the Council.*

- C13.09. A Christian Education Committee shall be appointed by the Congregation Council. Committee members shall be voting members of this congregation.

*C13.09.01. The Christian Education Committee shall, in association with the pastors and the Christian Education staff person, oversee the conduct of the educational efforts of this 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. It shall aim to bring the call to the ministry of the Gospel and other full time church vocations to the attention of qualified youth of this congregation. It will prepare an annual report for the Council.*

- ~~C13.10. An Evangelism Committee shall be appointed by the Congregation Council. Committee members shall be voting members of this congregation.~~

~~*C13.10.01. The Evangelism Committee shall stimulate and lead all members of this congregation in continuous and, from time to time, concerted endeavors to reawaken the spiritually indifferent and to reach others, who are as yet unwon, with the Gospel and attach them to Christ's Church. To this end, the Committee shall devote itself to deepening spiritual life and shall periodically study the congregation in the context of its surrounding community. It will prepare an annual report for the Council.*~~

- C13.10+. A Social Ministry Committee shall be appointed by the Congregation Council. Committee members shall be voting members of this congregation.

*C13.10+.01. The Social Ministry Committee shall aim to extend Christian compassion and helpfulness to the ill, the aged, the orphaned, the underprivileged, the imprisoned, and, in general, to persons of all ages in need of aid in body or soul. It shall strive to enlist in these efforts as many as possible of the individual members and organizations of this congregation. This Committee shall further have the duty to study social conditions primarily in the local community, in order to bring the cleansing and healing light of Christian truth to bear upon critical problems through thoughtful Christian discussion of facts and issues. It shall lay before the Congregation Council proposals for action issuing from such study. It will prepare an annual report for the Council.*

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C13.1~~12~~. A Property Committee shall be appointed by the Congregational Council. Committee members shall be voting members of this congregation.

*C13.1~~12~~.01. The Property Committee shall see to the protection and proper maintenance of all property of this congregation, preparing and bringing to the Council proposed actions to this end. It will prepare an annual report for the Council.*

C13.1~~23~~. A Stewardship Committee shall be appointed by the Congregation Council. Committee members shall be voting members of this congregation.

*C13.1~~32~~.01. The Stewardship Committee shall aim to evoke and promote the expression of Christian faith in daily living; to teach the Christian use of money; to diffuse knowledge of this 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 also be responsible for ~~the annual Every Member Visit and other~~ congregational efforts which lead to informed and grateful giving by the members of their talents and possessions. It will prepare an annual report for the Council.*

C13.1~~34~~. A Fellowship Committee shall be appointed by the Congregation Council. Committee members shall be voting members of this congregation.

*C13.1~~34~~.01. The Fellowship Committee shall promote fellowship among the members of the congregation through programs and activities which encourage cooperation, trust, and joy. It will prepare an annual report for the Council.*

~~C13.15. A Youth Ministry Advocacy and Coordinating Committee shall be appointed by the Congregation Council. This Committee will be co-chaired by a youth and an adult. The committee membership shall be comprised of equal numbers of adults and youth. Youth membership shall be made up of both junior and senior high youth.~~

~~*C13.15.01. The Youth Ministry Advocacy and Coordinating Committee shall, in partnership with the staff person related to youth ministry, assist the youth of this congregation to grow in their faith and commitment to their church as well as seeking ways to integrate youth into the entire life of the church. This is a ministry to, by, and with youth. The committee will prepare an annual report for the Council.*~~

C13.1~~46~~. Other committees of ~~the~~this congregation may be formed, as the need arises, by decision of the Congregation Council.

C13.1~~57~~. Duties of committees of this congregation shall be specified in the bylaws.

C13.1~~68~~. Ad hoc committees of this congregation may be formed by the Congregation Council through use of continuing resolutions according to the provisions of Chapter 18. Duties of such ad hoc committees shall be described in the same

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continuing resolution.

- C13.179. A pastor [of this congregation](#) shall have voice and vote in each of the standing committees and boards described or to be described in Chapter 13 and in each of the ad hoc committees described or to be described in Chapter 18.

#### **Chapter 14.**

#### **ORGANIZATIONS WITHIN ~~THE~~[THIS](#) 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 and specified in a continuing resolution.

#### **Chapter 15.**

#### **DISCIPLINE OF MEMBERS AND ADJUDICATION**

- \*C15.01. Persistent and public denial of the Christian faith, willful or criminal conduct grossly unbecoming a member of the Church of Christ, continual and intentional interference with the ministry of ~~the~~[this](#) congregation, or willful and repeated harassment or defamation of member(s) of ~~the~~[this](#) congregation is sufficient cause for discipline of a member. Prior to disciplinary action, reconciliation and repentance will be attempted following Matthew 18:15-17, proceeding through these successive steps, as necessary: a) private counsel and admonition by the pastor, b) censure and admonition by the pastor in the presence of two or three witnesses, c) written referral of the matter by the Congregation Council to the vice president of the synod, who will refer it to a consultation panel drawn from the Consultation Committee of the synod, and d) written referral of the matter by the consultation panel to the Committee on Discipline of the synod. If, for any reason, the pastor is unable to administer the admonitions required by paragraphs a. and b. hereof, those steps may be performed by another pastor chosen by the Executive Committee of the Congregation Council.
- \*C15.02. The process for discipline of a member of ~~the~~[this](#) congregation shall be governed as prescribed by the chapter on discipline in the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*. If the counseling, censure, and admonitions pursuant to \*C15.01. do not result in repentance and amendment of life, charges against the accused member(s) that are specific and in writing may be prepared by the Congregation Council, signed, and submitted to the vice president of the synod. The vice president shall select from the synod's

Consultation Committee a panel of five members (three ~~lay persons~~ [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~~[this](#) congregation; or
  - d. termination of membership in ~~the~~[this](#) congregation and exclusion from the church property and from all congregation activities.
- \*C15.06. The written decision of the discipline hearing panel shall be sent to the vice president of the synod, the accused member(s), and the Congregation Council as required by the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*. The decision of the discipline hearing panel shall be implemented by the Congregation Council and recorded in the minutes of the next

council meeting.

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

\*C15.10. **Adjudication**

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

**Chapter 16.**  
**AMENDMENTS**

\*C16.01. Unless provision \*C16.04. is applicable, those sections of this constitution that are not required, in accord with the *Model Constitution for Congregations of the Evangelical Lutheran Church in America*, may be amended in the following manner. Amendments may be proposed by at least 5% of the 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~~this congregation's members of the proposal together with the council's recommendations at least 30 days in advance of the meeting. Notification may take place by mail or electronic means, as permitted by state law.

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

- a. be approved at any legally called ~~Congregation Meeting according to meeting of this constitution~~congregation by a majority vote of those voting members present and voting;
- b. be ratified without change at the next ~~annual~~regular meeting of this congregation held pursuant to C10.01 by a two-thirds vote of those voting members present and voting; and
- c. have the effective date included in the ~~resolution~~resolution<sup>1</sup> 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~~this congregation of its decision to approve or disapprove the proposed changes; the changes shall go into effect upon notification that the synod has approved them.

\*C16.04. This constitution may be amended to bring any section into conformity with a section or sections, either required or not required, of the Model Constitution for Congregations of the Evangelical Lutheran Church in America as most recently amended by the Churchwide Assembly. Such amendments may be approved by a majority vote of those voting members present and voting at any legally called meeting of ~~the~~this congregation without presentation at a prior meeting of ~~the~~this congregation, provided that the Congregation Council has submitted by mail or electronic means, as permitted by state law, notice to ~~the~~this congregation of such an amendment or amendments, together with the council's recommendations, at least 30 days prior to the meeting. Upon the request of at least two (2) voting members of ~~the~~this congregation, the Congregation Council shall submit such notice ~~and call such a meeting.~~ Following the adoption of an amendment, the secretary of ~~the~~this congregation shall submit a copy thereof to the synod. Such provisions shall become effective immediately following a vote of approval.<sup>1</sup>

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

## Chapter 17. BYLAWS

\*C17.~~0.1~~01. This congregation may adopt bylaws. No bylaw may conflict with this constitution.

\*C17.~~0.2~~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.

\*C17.~~0.3~~03. Changes to the bylaws may be proposed by any voting member, provided that such additions or amendments be submitted in writing to the Congregation Council at least 60 days before a regular or special Congregation Meeting called for that purpose. The Congregation Council shall notify this congregation's members of the proposal with the council's recommendations at least 30 days in advance of the Congregation Meeting. Notification may take place by mail or electronic means, as permitted by state law.

<sup>1</sup> ~~Such an effective date must be stated in relation to the requirements of \*C16.03. to allow time for synod review of the amendment.~~

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

## **Chapter 18. CONTINUING RESOLUTIONS**

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

~~C18.01.A.92. The Women of the Evangelical Lutheran Church in America is hereby recognized as an official organization operating at First Lutheran Church. It will prepare an annual report for the Council.~~

~~C18.01.B.92. The First Lutheran Preschool is authorized to operate in the church according to conditions established annually by the Council.~~

*C18.01.C.13. A Compensation Review Committee is hereby established to prepare staff salary recommendations for the ensuing budget year for Congregation Council consideration. The committee shall be comprised of the Lead Pastor, the Council Designee for Employee-related Matters/Ombudsman, and a member of the Council. The Executive Committee shall prepare for Council consideration a salary recommendation for the Lead Pastor for the ensuing budget year.*

*C18.01.D.13. A Gifts and Memorials Committee is hereby established as an advisory committee to the Congregation Council to review and recommend changes to the Gifts and Memorials Policy; to develop, maintain and publicize a regularly updated list of recommended memorial gifts and their estimated cost; and to recommend the use of gifts and memorials given to the church that are not designated by the donor or donor's family for a specific purpose. The committee shall be comprised of the Lead Pastor and six members of the congregation elected by the Council upon the recommendation of the Executive Committee. The Director of Music Ministry shall serve as a non-voting staff liaison to the committee. Regular appointments shall be for a term of two years and members may serve no more than two consecutive terms. Half of the initial appointments will be for a term of one year.*

~~C18.01.E.13. A Science in the Congregation Committee is hereby established to carry out and develop resources and programs to link science and faith at First Lutheran Church.~~

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

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

## **Chapter 19. INDEMNIFICATION**

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

## **Chapter 20. PARISH AUTHORIZATION**

*[\* Required provisions when congregation is part of a parish]*

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

\*C20.02. One ~~Congregation~~ congregation of a parish shall issue a call on behalf of the member congregations to a minister of Word and Sacrament or a candidate for the roster of ~~ministers~~ Ministers of Word and Sacrament who has been recommended by the ~~synod~~ synod bishop to serve the congregations of the parish. Such a call shall be approved prior to issuance by a two-thirds vote at a congregational meeting of each congregation forming the parish. If any congregation of the parish should fail to approve the call, the other congregations of the parish shall have the right to terminate the parish agreement.

\*C20.03. One ~~Congregation~~ congregation of a parish may issue a call on behalf of the member congregations to a minister of Word and Service or a candidate for the roster of ~~ministers~~ Ministers of Word and Service who has been recommended by the ~~synod~~ synod bishop to serve the congregations of the parish. Such a call shall be approved prior to issuance by a two-thirds vote at a congregational meeting of each congregation forming the parish. If any congregation of the parish should fail to approve the call, the other congregations of the parish shall have the right to terminate the parish agreement.

\*C20.04. Any one of the congregations of the parish may terminate their relationship with the pastor as ~~proved~~ provided in ~~†~~ † S14.18.d. of the ~~synod~~ synod constitution of the synod

named in ~~\*C6.0.101~~. In such-a case, the other congregation(s) of the same parish shall have the right to terminate the parish agreement.

\*C20.05. Any one of the congregations of the parish may terminate their relationship with a minister of Word and Service as provided in ~~†~~S14.43.d. of the [synodicalsynod](#) constitution of the synod named in \*C6.01. In such case, the other congregation(s) of the same parish shall have the right to terminate the parish agreement.

~~\*20~~

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

## APPENDIX A

### MISSION STATEMENT

The mission or purpose of this congregation is to bear witness to Christ and the coming of Christ's Kingdom to others both near and far. The congregation of First Lutheran exists to accomplish this mission. Thus, the mission becomes the responsibility of each and every member.

Lincoln, Nebraska, the home of state government and institutions of higher learning provides First Lutheran the opportunity to be a congregation where members can witness to others in numerous walks of life.

The witness of each member of First Lutheran is crucial to carrying out this mission. This personal and corporate witness takes many forms which include:

- a. assuming responsibilities for daily tasks in a manner which contributes to the well being of society;
- b. participating in the activities and leadership responsibilities of the church; and,
- c. striving for justice for the oppressed and for peace in the world.

Christ's life and teaching, continued to us through Word and Sacraments, shape our own lives. We realize we all fall short of his example and that are all saved from our shortcomings through the death and resurrection of Jesus Christ. We are, therefore, to be compassionate, forgiving, and receptive to the differences in fellow believers while remembering our unity in Christ's sacrifice. The Gospel message is proclaimed through the power of the Holy Spirit in our witness to others be confession of faith, worship, and personal witness; by spreading the Gospel to those who have never heard the message as well as those who have heard but doubt the message; by living as the body of Christ in the world and by nurturing those who are striving to strengthen their faith.

We believe that each baptized member is a minister. Each has received God's gift, the gift of the Holy Spirit, and the promise of life--now and for eternity. Because we are thankful for this great gift, we offer back to God what was first given us--our time, our talents, and our treasures. He joyously molds our lives in keeping with his will.

## APPENDIX B

### RESOLUTION TO IMPLEMENT THE ENDOWMENT FUND:

“WHEREAS, Christian stewardship involves the faithful management of all the gifts God has given to humankind -- time, talents, the created world and money, including accumulated, inherited and appreciated resources; and

WHEREAS, Christians can give to the work of the church through bequests in wills, charitable remainder and other trusts, charitable gift annuities, assignment of life insurance, and transfers of property (cash, stocks, bonds, real estate); and

WHEREAS, it is the desire of the congregation to encourage, receive and administer these gifts in a manner consistent with the loyalty and devotion to their Lord expressed by the grantors and in accord with the policies of this congregation:

THEREFORE BE IT RESOLVED, that this congregation, in annual meeting assembled on December 13, 1987, approve and establish on the records of the church a new and separate fund to be known as THE ENDOWMENT FUND (hereafter called the “FUND”) of the First Evangelical Lutheran Church, 1551 South 70th Street, Lincoln, Nebraska; into which shall be placed bequests in wills, charitable remainder and other trusts, charitable gift annuities, assignment of life insurance, and transfers of property (cash, stocks, bonds, real estate) given to the FUNDS. Any undesignated bequest to FLC shall be distributed 10% to the Endowment Fund with the remainder distributed by a majority vote of the FLC Church Council.

BE IT FURTHER RESOLVED, that the purpose of this FUND is to enhance the mission of First Evangelical Lutheran Church apart from the general operation of the congregation; that no portion of the income generated by the FUND shall be used for the annual operating budget of the congregation; that all principal amounts will be retained and only the income expended,

BE IT FURTHER RESOLVED, that the Endowment Fund Board of directors (hereinafter called the “BOARD”) shall be the custodian of the FUND;

BE IT FURTHER RESOLVED, that the following Plan of Operation sets forth the administration and management of the FUND:”

#### 1. THE BOARD

“The BOARD shall consist of five directors, all of whom shall be voting members of First Evangelical Lutheran Church. Except as herein limited, the term of each director shall be three (3) years. Upon adoption of this resolution by the congregation, it shall elect five (5) directors to the BOARD: 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 years. After a lapse of one (1) year, former BOARD directors may be reelected. Either the president or vice president of the Congregation Council shall be an advisory non-voting member of the BOARD. The Congregation Council shall nominate for the BOARD in the same manner used for nominating Congregational Council members. Nominations may also be made from the floor at the annual meeting. In the event of a

vacancy on the BOARD, the Congregation Council shall appoint a director to fill the vacancy until the next annual meeting of the congregation, at which time the congregation shall elect a director to fulfill the term of the vacancy.

The BOARD shall meet at least quarterly, or more frequently as deemed by it in the best interest of the FUND.

A quorum shall consist of three (3) directors. A majority present and voting shall carry any motion or resolution.

The BOARD shall elect from its membership a chairperson, financial secretary, and recording secretary. The chairperson, or member designated by the chairperson, shall preside at all BOARD meetings. The chairperson shall cosign all disbursement checks.

The recording secretary shall maintain complete and accurate minutes of all meetings of the BOARD and supply a copy thereof to each director of the BOARD. Each director shall keep a complete copy of minutes to be delivered to his or her successor. The secretary shall also supply a copy of the minutes to the Congregation Council.

The financial secretary shall assist the congregation's treasurer by maintaining complete and accurate books of accounts for the FUND and shall sign checks and all other necessary documents on behalf of the congregation in furtherance of the purposes of the FUND. The books shall be audited annually by a certified public accountant or other appropriate person who is not a member of the BOARD.

The BOARD shall report on a quarterly basis to the Congregation Council and, at each annual or special meeting of the, congregation, shall render a full and complete audited account of the administration of the FUND during the preceding year.

The BOARD may request other members of the congregation to serve as advisory members and, at the expense of Endowment Fund income, may provide for such professional counseling on investments or legal matters as it deems to be in the best interest of the FUND.

Directors of the BOARD shall not be liable for any losses which may be incurred upon the investment of the assets of the FUND except to the extent such losses shall have been caused by bad faith or gross negligence. No director shall be personally liable as long as he/she acts in good faith and with ordinary prudence. Each director shall be liable only for his/her own willful misconduct or omissions, and shall not be liable for the acts of omissions of any other director. No director shall engage in any self dealing or transactions with the FUND in which the director has direct or indirect financial interest and shall at all times refrain from any conduct in which his/her personal interests would conflict with the interest of the FUND.

All assets are to be held in the name of the First Evangelical Lutheran Church Endowment Fund.

All recommendations to hold, sell, exchange, rent, lease, transfer, convert, invest, reinvest, and in

all other respects to manage and control the assets of the FUND, including stocks, bonds, debentures, mortgages, notes, or other securities, as in their judgment and discretion they deem wise and prudent, are to be made by the BOARD in accordance with an investment policy approved by the Congregation Council.

## 2. DISTRIBUTION OF INCOME

“The BOARD shall determine what is principal and income according to accepted accounting procedures and the investment policy.

Approximately \$25,000 presently in the endowment account of First Evangelical Lutheran Church shall be transferred to the First Evangelical Lutheran Church Endowment Fund on December 13, 1987, after which the income generated from the investment of the principal shall be expended as provided in this plan or operation.

Income from the FUND shall be distributed by the Board annually and such other times as deemed necessary and/or feasible to accomplish the following purposes:

A minimum of 10% for scholarships or grants to members of First Evangelical Lutheran Church or others approved by the Congregation Council or the congregation for the purpose of attending college, seminary, nursing or medical school; for church-related camping or leadership conferences; or such other training which enables members of this congregation to grow in Christian faith and service to God’s people.

A minimum of 10% for outreach into the community, including, but not limited to, grants to ELCA colleges, seminaries, social service agencies, institutions and agencies to which this congregation relates, and to special programs designed for those persons in our parish area who are in spiritual and/or economic need.

A minimum of 10% for missions of the Evangelical Lutheran Church in America at home and overseas, including, but not limited to, grants to the Evangelical Lutheran Church in America for new mission development in North America, professional leadership, educational ministries, world mission and ecumenism, TV evangelism, and capital financing.

And for causes and programs, which at the discretion of the BOARD, are consistent with the FUND purpose.

## 3. AMENDING THE RESOLUTION

“BE IT FURTHER RESOLVED, that any amendment to this resolution, which will change, alter, or amend the purpose for which the FUND is established shall be adopted by a two-thirds vote of the members present at an annual meeting of the congregation or at a special meeting called specifically for the purpose of amending this resolution.”

#### 4. DISPOSITION OR TRANSFER OF FUND

“BE IT FURTHER RESOLVED, that in the event First Evangelical Lutheran Church ceases to exist either through merger or dissolution, deposition or transfer of the FUND shall be at the discretion of the Congregation Council in conformity with the approved congregational constitution and in consultation with the bishop of the synod to which this congregation belongs at such time. Consultation with the Evangelical Lutheran Church in America may be desirable for continuation of Endowment Fund obligations.”

#### 5. ADOPTION OF RESOLUTION

“This resolution, recommended by the Church Council and accepted by the congregation at a legally called congregational meeting, is hereby adopted.

First Evangelical Lutheran Church By /s/ Andy Kuhn  
and /s/ Carlene Falos

Dated this 13th day of December, 1987.”

#### **ENDOWMENT BOARD INVESTMENT POLICY**

*Amended: July 10, 2018*

*Approved by the congregation at the annual meeting on January 26, 2003, as an amendment to the Congregational Resolution implementing the Endowment Fund which was approved by the congregation on December 13, 1987.*

The First Lutheran Church Congregation Council will review the First Lutheran Church Endowment Board’s Investment Policy as it relates to the First Lutheran Church Endowment Fund at least annually. The purpose of such reviews will be, among other things, to evaluate the performance of the Fund in light of its investment objectives, to consider whether changes in the investment policies or restrictions might help the Fund meet its investment objectives in the future, and to evaluate the impact the Fund is having in meeting its distributive function.

##### A. Investment Objective

The purpose of the Endowment Fund is to grow the portfolio such that the annual distributions do not expend any of the principal of the fund and the portfolio meets a socially responsible investment strategy.

##### B. Income Distribution

It shall be the policy of the Endowment Board to distribute up to 6% of the preceding three year average balance, while never expending the principal of the fund; for the purposes

described in the resolution passed by First Lutheran Church congregation on December 13, 1987. (See Appendix B, Section 2).

C. Gifts

The Fund shall sell upon receipt of all securities and real estate received, except when such investments are compatible with the Board's Investment Policy.

D. Investment Manager

The Endowment Board has determined that the endowment funds investment portfolio has reached a point whereby it is prudent to hire an investment manager (Approved by Congregation Council, Dec. 19, 2017). The Board will use appropriate means to advertise, evaluate and select an investment manager. The investment manager chosen would have to be approved by the Congregation Council. The investment manager would be held accountable by the Endowment Board to adhere to the investment manager policy guideline. (See *Investment Manager Policy Guideline* at <http://www.flclincoln.org/wordpress/wp-content/uploads/2018/07/Invest-Policy-Guideline-FLC-Endow-May-2018.pdf>).

## APPENDIX-C

The Congregation Council, through the corporate role its members fulfill while sitting in Council Meeting and through the individual roles they take in chairing Congregation Committees, carries out a unique function of both policy-making and administration.

The Congregation Council when sitting in official session has the power to act on behalf of the entire congregation in virtually all areas except those enumerated in C5.03. The corporate role as a Council is primarily that of policy-making, of goal and budget setting, of sensing the health and well-being of the spiritual condition of the Congregation, and of supporting and responding to the Congregation and the Staff which serves the Congregation.

The Congregation Council delegates authority and responsibility to the congregation committees through the Council members who serve as liaison members on those committees chair them. This authority and responsibility is conferred to allow committees to study needs and issues within their own area, to develop recommendations for policy and action for Council consideration, and then to carry out related functions and duties as assigned to them by the Council. It is at this level that individual Council members become involved in the administration of Congregation affairs. As a corporate body, the Council becomes involved with the administration of Congregation affairs when it takes final action on committee recommendations and in areas not addressed by committees.

Congregation Committee descriptions and functions are found in Chapter 13 of this Constitution and related bylaws. All committees carry out the work of the Congregation under the direct supervision of the council and they are directly responsible to it.

The Congregation Council officers discharge duties usually associated with those offices as found in the Constitution in Chapter 11.

~~The Congregation Council further delegates authority and responsibility to the Senior Pastor as described in C9.13, which includes the task to attend to certain routine fiscal and business affairs as necessary to facilitate an efficient and effective operation.~~

**Commented [Ss2]:** Modified as discussed at Council meeting 11/9/21

**Commented [Ss3]:** Deleted paragraph as discussed at Council meeting 11/9/21

**APPENDIX-C**

~~When calling an Associate Pastor or appointing other program staff, the Senior Pastor shall be a member of the Search/Call Committee and shall nominate the candidate for the position being filled.~~

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Reference:

- Annual Meeting minutes (January 31, 2010)
- Annual Meeting minutes (January 29, 2012)
- Annual Meeting minutes (January 27, 2013)
- Synod Council approval (notification received March 21, 2013)
- Church Council meeting minutes (April 9, 2013)
- Church Council meeting minutes (October 8, 2013)
- Church Council meeting minutes (November 12, 2013)
- Annual Meeting minutes (January 26, 2014)
- Annual Meeting minutes (January 25, 2015)