

**Constitution and By-Laws
of
Bethlehem Evangelical Lutheran Church
Pemberville, Ohio**

Revised 2006 (Bylaws), 2007 (Constitution)

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**CONSTITUTION FOR
BETHLEHEM EVANGELICAL LUTHERAN CHURCH
Pemberville, Ohio**

Approved at annual meeting, February 5, 2006; ratified at annual meeting, February 4, 2007

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 Bethlehem Evangelical Lutheran Congregation of Pemberville, Ohio.
- C1.02 For the purpose of this constitution and the accompanying bylaws, the Bethlehem Evangelical Lutheran Congregation is hereinafter designated as "this congregation".
- C1.03 This congregation shall be incorporated under the laws of the State of Ohio.

CHAPTER 2 - CONFESSION OF FAITH

- *C2.01 This congregation confesses the Triune God, Father, Son and Holy Spirit.
- *C2.02 This congregation confesses Jesus Christ as Lord and Savior and the Gospel as the power of God for the salvation of all who believe.
 - a. Jesus Christ is the Word of God incarnate, through whom everything was made and through whose life, death, and resurrection God fashions a new creation.
 - b. The proclamation of God's message to us as both Law and Gospel is the Word of God, revealing judgment and mercy through word and deed, beginning with the Word in creation, continuing in the history of Israel, and centering in all its fullness in the person and work of Jesus Christ.
 - c. The canonical Scriptures of the Old and New Testaments are the written Word of God. Inspired by God's Spirit speaking through their authors, they record and announce God's revelation centering in Jesus Christ. Through them God's Spirit speaks to us to create and sustain Christian faith and fellowship for service in the world.
- *C2.03 This congregation accepts the canonical Scriptures of the Old and New Testaments as the inspired Word of God and the authoritative source and norm of its proclamation, faith, and life.
- *C2.04 This congregation accepts the Apostles', Nicene, and Athanasian Creeds as true declarations of the faith of this congregation.
- *C2.05 This congregation accepts the Unaltered Augsburg Confession as a true witness to the Gospel, acknowledging as one with it in faith and doctrine all churches that likewise accept the teachings of the Unaltered Augsburg Confession.
- *C2.06 This congregation accepts the other confessional writings in the Book of Concord, namely, the Apology of the Augsburg Confession, the Smalcald Articles and the Treatise, the Small Catechism, the Large Catechism; and the Formula of Concord, as further valid interpretations of the faith of the Church.
- *C2.07 This congregation confesses the Gospel, recorded in the Holy Scriptures and confessed in the ecumenical creeds and the Lutheran confessional writings, as the power of God to create and sustain the Church for God's mission in the world.

CHAPTER 3 - NATURE OF THE CHURCH

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

C3.02 The Church exists both as an inclusive fellowship and as local congregations gathered for worship and Christian service. Congregations find their fulfillment in the universal community of the Church, and the universal Church exists in and through congregations. 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.

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 the daily lives and in the congregation.
- d. Teach the Word of God.
- e. Witness to the reconciling Word of God in Christ, reaching out to all people.
- f. Respond to human need, work for justice and peace, care for the sick and the suffering, and participate responsibly in society.

- g. Motivate its members to provide financial support for the congregation's ministry and the ministry of other parts of the Evangelical Lutheran Church in America.
 - h. Foster and participate in interdependent relationships with other congregations, the synod, and the churchwide organization of the Evangelical Lutheran Church in America.
 - i. Foster and participate in ecumenical relationships consistent with church wide 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 groups and shall review their actions. (Such descriptions shall be contained in continuing resolutions in the section of the Congregation Council.)
- C4.05 This congregation shall, from time to time, adopt a mission statement which will provide specific direction for its programs.

CHAPTER 5 - POWERS OF THE CONGREGATION

- *C5.01 The powers of this congregation are those necessary to fulfill its purpose.
- *C5.02 The powers of this congregation are vested in the Congregation Meeting called and conducted as provided in this constitution and bylaws.
- *C5.03 Only such authority as is delegated to the Congregation Council or other organizational units in the congregation's governing documents is recognized. All remaining authority is retained by the congregation. The congregation is authorized to:
- a. call a pastor, as provided in Chapter 9.
 - b. terminate the call of a pastor, as provided in Chapter 9.
 - c. call or terminate the call of associates in ministry, in conformity with the applicable policy of the Evangelical Lutheran Church in America;
 - d. adopt amendments to the constitution, as provided in Chapter 17, and amendments to the bylaws, as specified in Chapter 16.
 - e. approve the annual budget;
 - f. acquire real and personal property by gift, devise, purchase, or other lawful means;
 - g. hold title to and use its property for any and all activities consistent with its purpose;
 - h. sell, mortgage, lease, transfer, or otherwise dispose of its property by any lawful means;
 - i. select its officers, Congregation Council, and require them to carry out their duties in accordance with the constitution, bylaws, and continuing resolutions; and
 - j. terminate its relationship with the Evangelical Lutheran Church in America as provided in Chapter 6.
- *C5.04 This congregation shall choose from among its voting members laypersons to serve as voting members of the Synod Assembly as well as persons to represent it at meetings of any conference, cluster, coalition, or other area subdivision of which it is a member. The number of persons to be elected by the congregation and other qualifications shall be as prescribed in guidelines established by the Northwestern Ohio Synod of the Evangelical Lutheran Church in America.

CHAPTER 6 - CHURCH AFFILIATION

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

- *C6.02 This congregation accepts the Confession of Faith and agrees to the Purposes of the Evangelical Lutheran Church in America and shall act in accordance with them.
- *C6.03 This congregation acknowledges its relationship with the Evangelical Lutheran Church in America in which:
- a. This congregation agrees to be responsible for its life as a Christian community.
 - b. This congregation pledges its financial support and participation in the life and mission of the Evangelical Lutheran Church of America.
 - c. This congregation agrees to call pastoral leadership from the clergy roster of the Evangelical Lutheran Church in America in accordance with its procedures except in special circumstances and with the approval of the bishop of the synod.
 - d. This congregation agrees to consider associates in ministry, deaconesses, and diaconal ministers for call to other staff positions in the congregation according to the procedures of the Evangelical Lutheran Church in America.
 - e. This congregation agrees to file this constitution and any subsequent changes to this constitution with the synod for review to ascertain that all of its provisions are in agreement with the constitution and bylaws of the Evangelical Lutheran Church in America and with the constitution of the synod.
- *C6.04 Affiliation with the Evangelical Lutheran Church in America may be terminated as follows:
- a. This congregation takes action to dissolve.
 - b. This congregation ceases to exist.
 - c. This congregation is removed from membership in the Evangelical Lutheran Church in America according to the procedures for discipline of the Evangelical Lutheran Church in America.
 - d. This congregation follows the procedures outlined in *C6.05.
- *C6.05 This congregation may terminate its relationship with the Evangelical Lutheran Church in America by the following procedure:
- a. A resolution indicating the desire of this congregation to terminate its relationship must be adopted at a legally called and conducted special meeting of this congregation by a two-thirds majority of the voting members present.
 - b. The secretary of this congregation shall submit a copy of the resolution to the synodical bishop and shall mail a copy to the voting members of the congregation. This notice shall be submitted within 10 days after the resolution has been adopted.
 - c. The bishop of the synod shall consult with this congregation during a period of at least 90 days.
 - d. If this congregation, after consultation, still desires to terminate its relationship, such action may be taken at a legally called and conducted special meeting by a two-thirds majority of the voting members present, at which meeting the bishop of the synod or an authorized representative shall be present. Notice of the meeting shall be mailed to all voting members at least 10 days in advance of the meeting.
 - e. A certified copy of the resolution to terminate its relationship shall be sent to the synodical bishop, at which time the relationship between this congregation and the Evangelical Lutheran Church in America shall be terminated.
 - f. Notice of termination shall be forwarded by the synodical bishop to the secretary of this church and published in the periodical of this church.

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

CHAPTER 7 - PROPERTY OWNERSHIP

*C7.01 If this congregation ceases to exist, title to indisposed property shall pass to the Northwestern Ohio 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 the procedure for discipline, title to property shall continue to reside in this congregation.

*C7.03 If a two-thirds majority of the voting members of this congregation present at a regularly called and conducted special meeting of this congregation vote to transfer to another Lutheran church body, title to property shall continue to reside in this congregation. Before this congregation takes action to transfer to another Lutheran church body, it shall consult with representatives of the Northwestern Ohio Synod.

*C7.04 If a two-thirds majority 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, title to property of this congregation shall continue to reside in this congregation only with the consent of the Synod Council. The Synod Council after consultation with this congregation by the established synodical process may give approval to the request to become independent or relate to a non-Lutheran church body, in which case title shall remain with the majority of the congregation. If the Synod Council fails to give approval, title shall remain with those members who desire to continue as a congregation of the Evangelical Lutheran Church in America.

CHAPTER 8 - MEMBERSHIP

*C8.01 Members of this congregation shall be those baptized persons on the roll of the congregation at the time that this constitution is adopted and those who are admitted thereafter and who have declared and maintain their membership in accordance with the provision 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 as confirmed members 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.
- d. Associate members are persons holding membership in other Lutheran congregations who wish to retain such membership but desire to participate in the life and mission of this congregation, or persons who wish to retain a relationship with this congregation while being members of other congregations. They have all the privileges and duties of membership, except voting rights and eligibility for elected offices or membership on the Congregation Council of this congregation.

*C8.03 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 the 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 by the Congregation Council; or
 - e. removal from the roll due to inactivity as defined in the bylaws. Such persons who have been removed from the roll of members shall remain persons for whom the Church has a continuing pastoral concern.

CHAPTER 9 - THE PASTOR

C9.01 Authority to call a pastor shall be in this congregation by at least a two-thirds majority ballot vote of the members present and voting at a meeting legally called for that purpose. Before the 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 clergy roster of the Evangelical Lutheran Church in America or a candidate for the roster of ordained ministers who has been recommended for the congregation by the synodical bishop may be called as a pastor of this congregation.

- *C9.03 Consistent with the faith and practice of the Evangelical Lutheran Church in America,
- a. Every ordained minister shall:
 - 1) preach the Word,
 - 2) administer the sacraments,
 - 3) conduct public worship;
 - 4) provide pastoral care, and
 - 5) speak publicly to the world in solidarity with the poor and oppressed, calling for justice and proclaiming God's love for the world.
 - b. Each ordained minister with a congregational call shall, within the congregation:
 - 1) offer instruction, confirm, marry, visit the sick and distressed, and bury the dead;
 - 2) supervise all schools and organizations of the congregation;
 - 3) install regularly elected members of the Congregation Council, and
 - 4) with the council, administer discipline.
 - c. Every pastor shall:
 - 1) strive to extend the Kingdom of God in the community, in the nation, and abroad;
 - 2) seek out and encourage qualified persons to prepare for the ministry of the Gospel;
 - 3) impart knowledge of this church and its wider ministry through distribution of its periodicals and other publications; and

- 4) endeavor to increase the support given by the congregation to the work of the church wide organization of the Evangelical Lutheran Church in America and of the Northwestern Ohio Synod of the ELCA.
- *C9.04 The specific duties of the pastor, compensation, and other matters pertaining to the service of the pastor shall be included in the letter of call, which shall be attested by the bishop of the synod.
- *C9.05 a. The call of the congregation, when accepted by the pastor, shall constitute a continuing mutual relationship and commitment, which, except in case of death of the pastor, shall be terminated only following consultation with the synodical bishop and for the following reasons:
- 1) mutual agreement to terminate the call or the completion of a call for a specific term;
 - 2) resignation of the pastor, which shall become effective, unless otherwise agreed, 30 days after the date on which it was submitted;
 - 3) inability to conduct the pastoral office effectively in the congregation in view of local conditions, without reflection on the competence or the moral and spiritual character of the pastor.
 - 4) the physical or mental incapacity of the pastor;
 - 5) disqualification of the pastor through discipline on grounds of doctrine, morality, continued neglect of duty;
 - 6) the dissolution of the congregation, or
 - 7) suspension of the congregation as a result of discipline proceedings.
- b. When allegations of physical or mental incapacity of the pastor, or ineffective conduct of the pastoral office have come to the attention of the bishop of the synod, the bishop in his or her sole discretion may, or when such allegations are personally known or have been brought to the synod's attention by an official recital of allegations by the Congregation Council, or by a petition signed by at least one-third of the voting members of the congregation, the bishop shall, investigate such conditions personally in company with a committee of two ordained ministers and one layperson.
- c. In case of alleged physical or mental incapacity, competent medical testimony shall be obtained. When such disability is evident, the bishop of the synod with the advice of the committee shall declare the pastorate vacant. Upon the restoration of a disabled pastor to health, the bishop of the synod shall take steps to enable the pastor to resume the ministry, either in the congregation last served or in another field of labor.
- d. In the case of alleged local difficulties which imperil the effective functioning of the congregation, all concerned persons shall be heard, after which the bishop of the synod together with the committee described in *C9.5b shall decide on the course of action to be recommended to the pastor and the congregation. If they agree to carry out such recommendations, no further action shall be taken by the synod. If either party fails to assent, the congregation may dismiss the pastor 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]
- e. If, in the course of proceedings described in *C9.05d, the committee concludes that there may be grounds for disciplinary action, the committee shall make recommendations concerning disciplinary action to the synodical bishop, who may bring charges in accordance with the provisions of the constitution and bylaws of the Evangelical Lutheran Church in America and the constitution of this synod.
- f. If, following the appointment of the committee described in *C9.05.b or d, it should become apparent that the pastoral office cannot be conducted effectively in the congregation being served by the ordained minister due to local conditions, the bishop of the synod may temporarily

- suspend the pastor from service in the congregation without prejudice and with pay provided through joint synodical and church wide fund and with housing provided by the congregation.
- *C9.06 At the time of pastoral vacancy, an interim pastor may be appointed by the bishop of the synod with the consent of this congregation or the Congregation Council.
 - *C9.07 During the period of service, an interim pastor shall have the rights and duties in the congregation of a regularly called pastor and may delegate the same in part to a supply pastor with the consent of the bishop of the synod and this congregation or Congregation Council. The interim pastor and any ordained pastor providing assistance shall refrain from exerting influence in the selection of a pastor.
 - *C9.08 This congregation shall make satisfactory settlement of all financial obligations to a former pastor before calling a successor. A pastor shall make satisfactory settlement of all financial obligations to this congregation before beginning service in a call to another congregation or employment in another ministry setting related to the Evangelical Lutheran Church in America.
 - *C9.09 When a pastor is called to serve in company with another pastor or pastors, the privileges and responsibilities of each pastor shall be specified in documents to accompany the call and to be drafted in consultation involving the pastors, the Congregation Council, and the bishop of the synod. As occasion requires, the documents may be revised through a similar consultation.
 - *C9.11 With the approval of the bishop of the synod, the congregation may depart from *C9.05a and call a pastor for a specific term. Details of such calls shall be in writing, setting forth the purpose and conditions involved. Prior to the completion of a term, the bishop or a designated representative of the bishop shall meet with the pastor and representatives of the congregation for a review of the call. Such call may also be terminated before its expiration in accordance with the provisions of C9.05a.
 - *C9.12 The pastor shall:
 - a. keep accurate parochial records of all baptisms, confirmations, marriages, burials, communicants, members received, members dismissed, or members excluded from the congregation;
 - b. shall submit a summary of such statistics annually to the synod;
 - c. shall become a member of this congregation upon receipt and acceptance of the letter of call.
 - *C9.13 The pastor(s) shall submit a report of his or her ministry to the bishop of the synod at least 90 days prior to each regular meeting of the Synod Assembly.

CHAPTER 10 - CONGREGATION MEETING

- C10.01 The annual meeting of this congregation shall be held at a time specified in the bylaws.
- C10.02 A special Congregation Meeting may be called by the pastor, the Congregation Council, or the president of the congregation, and must be called by the president of the congregation upon the written request of two-thirds of the Congregation Council or fifty voting members of the congregation. The call for each special meeting shall specify the purpose for which it is to be held and no other business shall be transacted.
- C10.03 Notice of all meetings of this congregation shall be given at the services of worship on the preceding two consecutive Sundays or by mail to all voting members at least 10 days in advance of the date of the meeting. The posting of such notice in the regular mail with the proper postage affixed or paid, sent to the last known address shall be sufficient.
- C10.04 Thirty voting members shall constitute a quorum.
- C10.05 Voting by proxy or by absentee ballot shall not be permitted.

- C10.06 All actions approved by the congregation shall be by majority vote of those voting members present and voting, except as otherwise provided in this constitution or by state law.
- C10.07 Robert's Rules of Order, latest edition, shall govern parliamentary procedure of all meetings of this congregation.

CHAPTER 11 - OFFICERS

- C11.01 The officers of this congregation shall be a president, vice president, recording secretary, and treasurer.
- a. Duties of the officers shall be specified in the bylaws.
 - b. The officers shall be voting members of the congregation.
 - c. Officers of this congregation shall serve similar offices of the Congregation Council and shall be voting members of the Congregation Council.
- C11.02 The officers shall be elected by written ballot at a legally called meeting of the congregation at a time specified in the bylaws. The term of office shall be two years, except the person elected to be vice president shall serve for one year as vice president and shall serve the following year as president. Terms shall begin on January 1 following the meeting where the officers are elected and expire on December 31 two years later. Officers shall be installed at worship on a Sunday near the date when they assume office.
- C11.03 No officer shall hold more than one office at a time. No elected officer shall be eligible to serve more than two consecutive terms in the same office.

CHAPTER 12 - CONGREGATION COUNCIL

- C12.01 The voting membership of the Congregation Council shall consist of the pastor(s), the officers of the congregation, eight deacons, one youth deacon, two elders, and four trustees. Any voting member of the congregation may be elected, subject only to the limitation on the length of continuous service permitted in that office. A member's place on the Congregation Council shall be declared vacant if the member a) ceases to be a voting member of this congregation or b) is absent from four successive regular meetings of the Congregation Council without cause.
- a. Duties of the Congregation Council shall be specified in the bylaws.
 - b. Duties of the deacons, youth deacon, elders, and trustees shall be specified in the bylaws.
- C12.02 The members of the Congregation Council except the pastor(s) shall be elected by written ballot at a legally called meeting of the congregation at a time and in a manner specified in the bylaws. The term of office shall be two years except the youth deacon shall serve one year. Member terms shall begin on January 1 following the meeting where members are elected and shall expire on December 31 two years later. Congregation Council members shall be installed during worship on a Sunday near to the date they assume office.
- C12.03 Should a member's place on the Congregation Council be declared vacant, the Congregation Council shall elect, by majority vote, a successor who shall serve the remainder of the term.
- C12.04 No council member shall hold more than one position on the council at a time. No elected council member shall be eligible to serve more than two consecutive terms or more than five consecutive years.
- C12.05 The Congregation Council shall have general oversight of the life and activities of this congregation, and in particular its worship life, to the end that everything be done in accordance

with the Word of God and the faith and practice of the Evangelical Lutheran Church in America. The duties of the Congregation Council shall include the following:

- a. To lead this congregation in stating its mission, to do long-range planning, to set goals and priorities, and to evaluate its activities in light of its mission and goals.
- b. To seek to involve all members of this congregation in worship, learning, witness, service, and support.
- c. To oversee and provide for the administration of this congregation to enable it to fulfill its functions and perform its mission.
- d. To maintain supportive relationships with the pastor(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.
- k. To employ or dismiss from employment non-clergy employees of the congregation.

C12.06 The Congregation Council shall be responsible for the financial and property matters of this congregation.

- a. The Congregation Council shall be the board of directors of this congregation, and as such shall be responsible for maintaining and protecting its property and the management of its business and fiscal affairs. It shall have the powers and be subject to the obligations that pertain to such boards under the laws of the State of Ohio, except as otherwise provided herein.
- b. The Congregation Council shall not have the authority to buy, sell, or encumber real property unless specifically authorized to do so by a meeting of the congregation.
- c. The Congregation Council may enter into contracts of up to \$5000 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. The budget shall include this congregation's full indicated share in support of the wider ministry being carried on in partnership with the synod and church wide organization.
- e. The Congregation Council shall ascertain that the financial affairs of this congregation are being conducted efficiently, giving particular attention to the prompt payment of all obligations and to the regular forwarding of benevolence monies to the synodical treasurer.
- f. The Congregation Council shall be responsible for this congregation's investments and its total insurance program.

CHAPTER 13 - CONGREGATIONAL COMMITTEES

- C13.01 A Nominating Committee shall consist of the two newest trustees, the four newest deacons, and two voting members of the congregation elected by the Congregation Council. Committee members elected by the Congregation Council shall be elected by June 30 prior to elections for officers and council members in November.
- C13.02 An Audit Committee consisting of two voting members of the congregation shall be elected by the Congregation Council by December 1 of each year and shall complete their audit by March 1 of the following year. Audit Committee members shall not be current members of the Congregation Council.
- C13.03 When a pastoral vacancy occurs, a Call Committee of 6-10 voting members of the congregation shall serve until a new pastor is installed. The congregation president, the senior elder, and the senior pastor (if not the pastor who is leaving) shall be members of the committee if they agree to serve. The remaining committee members, including a chairperson, shall be elected by the Congregation Council
- C13.04 Other congregational committees may be formed, as the need arises, by the decision of the Congregation Council. Such committees and their duties shall be specified in the continuing resolutions.

CHAPTER 14 - ORGANIZATIONS WITHIN THE CONGREGATION

- C14.01 All organizations within this congregation shall exist to aid it in ministering to the members of this congregation and to all persons who can be reached with the Gospel of Christ. As outgrowths and expressions of this congregation's life, the organizations are subject to its oversight and direction. This congregation at its meeting shall determine their policies, guide their activities, and receive reports concerning their membership, work, and finances.
- C14.02 Special interest groups, other than those of the official organizations of the Evangelical Lutheran Church in America, may be organized only after authorization has been given by the Congregation Council (and specified in a continuing resolution).

CHAPTER 15 - DISCIPLINE OF MEMBERS

- *C15.01 Denial of the Christian faith as described in this constitution, conduct grossly unbecoming a member of the Church of Christ, or persistent trouble-making in this congregation are sufficient cause for discipline of a member. Prior to disciplinary action, reconciliation will be attempted following Matthew 18: 15-18, proceeding through these successive steps: a) private admonition by the pastor, b) admonition by the pastor in the presence of two or three witnesses, and c) citation to appear before the Congregation Council. If for any reason, the pastor is unable to administer the admonitions required by a. and b. hereof, the president (in not the pastor) or vice president shall administer such admonitions.
- *C15.02 The process for discipline of a member of the congregation shall be governed as prescribed by the chapter on discipline in the Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America. If discipline against a member proceeds beyond counseling and admonition by the pastor, charges against the accused member(s) that are specific and in writing shall be prepared by member(s) of the congregation who shall sign the charges as the accuser(s). The written charges shall be filed with the pastor, who shall advise the Congregation Council of the need to issue a written citation to the accused and the accusers that specifies the time and place of the hearing before the Congregation Council. The written charges shall accompany the written citation to the accused. A member charged with the offense shall appear before the Congregation Council after having received a written citation, at least ten days prior to the meeting. If the member charged with the offense fails to appear at the scheduled

hearing, the Congregation Council may proceed with the hearing and may pass judgment in the member's absence.

- *C15.03 Members of the Congregation Council who participate in the preparation of the written charges or who present evidence or testimony in the hearing before the Congregation Council are disqualified from voting upon the question of the guilt of the accused member. Should allegations be sustained by a two-thirds majority vote of the Congregation Council who are not disqualified but who are present and voting, and renewed admonition prove ineffectual, the council shall impose one of the following disciplinary actions:
 - a. censure before the council or congregation;
 - b. suspension from membership for a definite period of time; or
 - c. exclusion from membership in this congregation including loss of all rights and privileges of a member except that of hearing the Word of God. Disciplinary actions b. and c. shall be delivered to the member in writing.
- *C15.04 The member against whom disciplinary action has been taken by the Congregation Council shall have the right to appeal the decision to the Synod Council. Such right may not be abridged and the decision of the Synod Council shall be final.
- *C15.05 Disciplinary actions may be reconsidered and revoked by the Congregation Council upon receipt of a) evidence that injustice has been done or b) evidence of repentance and amendment.
- *C15.06 For disciplinary actions in the congregation, "due process" shall be observed as specified in the Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America.
- *C15.07 No member of a congregation shall be subject to discipline for offenses that the Congregation Council has previously heard and decided, unless so ordered by the Synod Council after an appeal.
- *C15.08 Adjudication
- *C15.09 When there is disagreement among factions within this congregation on a substantive issue that cannot be resolved by the parties, members of this congregation shall have access to the synodical bishop for consultation after informing the chair of the Congregation Council of their intent. If the consultation fails to resolve the issue(s), the Consultation Committee of the synod shall consider the matter. If the Consultation Committee shall fail to resolve the issue(s), the matter shall be referred to the Synod Council, whose decision shall be final.

CHAPTER 16 - BYLAWS

- *C16.01 This congregation may adopt bylaws. No bylaw may conflict with this constitution.
- *C16.02 Bylaws may be adopted or amended at any legally called meeting of the congregation with a quorum present by a majority vote of those voting member present and voting.
- *C16.03 Changes to the bylaws may be proposed by any voting member provided, however, that such additions or amendments be submitted in writing to the Congregation Council at least 60 days before a regular or special Congregation Meeting called for that purpose and that the Congregation Council notify the members of the proposal with its recommendations at least 30 days in advance of the Congregation Meeting.
- *C16.04 Approved changes to the bylaws shall be sent by the secretary of this congregation to the synod.

CHAPTER 17 - AMENDMENTS

- *C17.01 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 50 voting members or by the Congregation Council. Proposals must be filed in writing with the Congregation Council 60 days before formal consideration by this congregation at a regular or special Congregation Meeting called for that purpose. The Congregation Council shall notify the congregation's members by mail of the proposal together with the council's recommendations at least 30 days in advance of the meeting.

*C17.02 An amendment to this constitution, proposed under *C17.01, shall:

- a. be approved at a legally called Congregation Meeting according to this constitution by a majority vote of those present and voting;
- b. be ratified without change at the next annual meeting by a two-thirds majority vote of those present and voting; and
- c. have the effective date included in the resolution and noted in the constitution. Such an effective date must be stated in relation to the requirements of *C17.03 to allow time for synodical review of the amendment.

C17.03 Any amendments to this constitution that result from the processes provided in *C17.01 and *C17.02 shall be sent by the elected secretary of this congregation to the synod. The amendment shall become effective within 120 days from the date of receipt of the notice by the synod unless the synod informs this congregation that the amendment is in conflict with the constitution and bylaws of the Evangelical Lutheran Church in America, or the constitution of the Northwest Ohio Synod.

*C17.04 Whenever the Model Constitution for Congregations is amended by the Churchwide Assembly, this constitution may be amended to incorporate any such amendment by a simple majority vote of those voting members present and voting at any subsequent meeting of the congregation without presentation at a prior meeting of the congregation, provided that the Congregation Council has submitted by mail notice to the congregation of such an amendment or amendments, together with the council's recommendations, at least 30 days prior to the meeting. Following the adoption of an amendment, the secretary of the congregation shall submit a copy thereof to the synod. Such provisions shall become effective immediately following a vote of approval.

CHAPTER 18 - CONTINUING RESOLUTIONS

*C18.01 The Congregation Council may enact continuing resolutions. Such continuing resolutions may not conflict with the constitution or bylaws of this congregation.

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

CHAPTER 19 - INDEMNIFICATION

*C19.01 Consistent with the provisions of the law 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.

*Constitutional sections required by the Evangelical Lutheran Church in America

**BYLAWS FOR
BETHLEHEM EVANGELICAL LUTHERAN CHURCH
Pemberville, Ohio**

Approved at annual meeting, February 5, 2006.

RELATING TO CHAPTER 1 – NAME AND INCORPORATION

(There are no current bylaws relating to Chapter 1.)

RELATING TO CHAPTER 2 – CONFESSION OF FAITH

(There are no current bylaws relating to Chapter 2.)

RELATING TO CHAPTER 3 – NATURE OF THE CHURCH

(There are no current bylaws relating to Chapter 3.)

RELATING TO CHAPTER 4 – STATEMENT OF PURPOSE

B4.05 The Mission Statement of this congregation shall be: “Welcoming, Worshipping, Working, as a faithful people, to make Christ known.”

This Vision Statement of this congregation shall be: “We are led by God and centered on Christ as we discover and share his word, the sacraments and loving-kindness. Nurtured by earnest prayer and God’s spirit within us, we are empowered with a dynamic sense of purpose and a real dedication to fulfill God’s will as his faithful people. Our welcoming arms are open wide inviting everyone to study, service, witness, and fellowship. God blesses each of us with unique gifts. We are called to use these gifts to create newness and vitality in our faith, life, and community. This is all done to make Christ known.

RELATING TO CHAPTER 5 – POWERS OF THE CONGREGATION

(There are no current bylaws relating to Chapter 5.)

RELATING TO CHAPTER 6 – CHURCH AFFILIATION

(There are no current bylaws relating to Chapter 6.)

RELATING TO CHAPTER 7 – PROPERTY OWNERSHIP

(There are no current bylaws relating to Chapter 7.)

RELATING TO CHAPTER 8 – MEMBERSHIP

B8.01 Persons who wish to be received into the congregation by transfer of membership from another Lutheran congregation, or by reaffirmation of faith shall make their desire known to the pastor of this congregation, who shall bring the matter to the attention of the Congregation Council. The Congregation Council shall convince itself, so far as it can, that there is nothing to prevent the applicant from becoming a member. The names of new members shall be announced to the congregation.

B8.02 A person who wishes to be released from this congregation by transfer of membership to another Christian congregation shall make his desire known to the pastor, who shall bring the matter to

the attention of the Congregation Council. The Congregation Council shall convince itself, so far as it can, of the standing in the congregation of the person desiring such transfer, and, on the basis of its findings, take appropriate action on the request.

- B8.03 Any member who for a period of time neglects the privilege of Holy Communion, to take part in the worship of the church, and to support the church according to his ability does by such negligence subject himself or herself to discipline. The elders along with the pastor shall annually review the status of the members of this congregation and seek to devise ways to minister effectively to those who have become inactive.

RELATING TO CHAPTER 9 – THE PASTOR

- B9.01 If the pastor receives a call to another ministry, he shall consult the Congregation Council or, if he desires, the congregation, before reaching a decision. He shall announce his decision as quickly as possible, normally within three weeks. When a call has been accepted the pastor shall terminate his ministry as soon as feasible, normally within a month.

RELATING TO CHAPTER 10 – CONGREGATION MEETING

- B10.01 The annual meeting of the congregation shall be the first Sunday in February or as soon thereafter as deemed advisable by the Congregation Council.
- a. A summary of the work and programs of the local congregation and its organizations shall be presented at the annual meeting and printed copies made available for review by interested parties two weeks prior to the annual meeting.
 - b. There shall also be a report given of the work of the Evangelical Lutheran Church in America.
 - c. The financial report of each organization of the congregation shall be presented in printed form.

RELATING TO CHAPTER 11 – OFFICERS

B11.01a Duties of the officers:

- a. The officers of the congregation shall prepare an annual budget proposal to be presented to the Congregation Council for discussion, revision, and eventual presentation to the congregation at the annual meeting.
- b. The president shall:
 - i. preside at the meetings of the congregation, the Congregation Council, and the Long Range Planning Committee;
 - ii. be a member of the call committee;
 - iii. seek to devise ways and means for the promotion of the general welfare of the congregation;
 - iv. sign all legal documents on behalf of the congregation as authorized by the Congregation Meeting or Congregation Council.
- c. The vice-president shall:
 - i. preside at the meetings of the congregation and Congregation Council in the absence of the president,
 - ii. shall assist the president as requested;
 - iii. shall be a member of the Long Range Planning Committee;
 - iv. assume the office of president should that office become vacant..

- d. The secretary shall:
 - i. record the minutes of all congregation and Congregation Council meetings, one copy to be kept by the secretary and one copy to be kept on file in the church office;
 - ii. record all continuing resolutions or official actions passed by the Congregation Council, one copy to be kept by the secretary and one copy to be kept on file in the church office;
 - iii. handle all correspondence as directed by the president or Congregation Council.
- e. The treasurer shall:
 - i. hold in safekeeping all moneys belonging to the congregation and entrusted to him/her;
 - ii. shall disburse funds only as approved by the congregation or the Congregation Council and only with checks co-signed by someone approved by the Congregation Council to cosign;
 - iii. shall present a written financial report to each meeting of the Congregation Council;
 - iv. shall present a written annual financial report to the annual meeting of the congregation;
 - v. shall serve as an advisor to any committee or group entrusted with investment of the congregation's funds;
 - vi. shall work in cooperation with all who receive money on behalf of the congregation, count offerings, or record offerings, including office personnel, deacons, bookkeepers, or financial secretaries.

B11.02 The officers shall be elected at a congregational meeting held on or about the second Sunday in November following worship services, such election to be by ballot. Those receiving the highest number of votes shall be elected. In case of a tie vote, a second ballot shall be taken the following Sunday.

- a. A vice-president shall be elected each year. The person elected shall serve one year as the congregation's vice-president and the following year as the congregation's president.
- b. A secretary shall be elected at the November meeting in odd-numbered years.
- c. A treasurer shall be elected at the November meeting in even-numbered years.

RELATING TO CHAPTER 12 – CONGREGATION COUNCIL

B12.01 Duties of the Congregation Council

- a. The Congregation Council shall meet monthly. Meetings shall be publicized and open to members of the congregation. A majority of Congregation Council members shall form a quorum and be required to conduct any business that is other than ordinary or routine.
- b. Special meetings of the Congregation Council may be called by the president and/or pastor or by request of three members of the council. A majority of the council shall be required to form a quorum.
- c. The Congregation Council shall provide for an annual evaluation for all non-clergy employees of the congregation.

The president and pastors shall be included among those who evaluate the work of the office secretary. Others may be included as well.

The president, vice president, one deacon, and treasurer shall be included among those who evaluate the work of the financial secretary. Others may be included as well.

The trustees shall be included among those who evaluate the work of the custodian. Others may be included as well.

The president, vice president, and pastors shall be included among those who evaluate the work of the Christian Life Coordinator. Others may be included as well.

The elders, and pastors shall be included among those who evaluate the work of the congregation's musicians. Others may be included as well.

- d. Other congregation council members:
 - i. The youth deacon shall:
 - assist the deacons as able and as directed by the president
 - be a liaison between youth and the Congregation Council.
 - ii. The elders shall:
 - be responsible along with the pastor(s) for the worship of the congregation,
 - assist the pastor(s) with worship as needed,
 - serve on the Worship and Music Committee.
 - iii. The trustees shall:
 - Be responsible for the use and maintenance of all church property,
 - Shall make regular reports of their work to the Congregation Council,
 - Shall prepare a written report for the annual meeting of the congregation.
 - Shall review the congregation's insurance policies annually and make their recommendations to the congregation or Congregation Council.
 - iv. The deacons shall:
 - be responsible for collection and counting of moneys at worship services,
 - provide leadership, assistance and ushering at worship services, assist the congregation in worship, education, stewardship, evangelism, family life, youth ministry, social ministry, and with other concerns that may arise in the church and community.
 - serve, as directed by the president, on one of the committees established in B13.04 of these bylaws.

B12.02 The election of congregation council members shall be held on or about the second Sunday in November following worship services, such election to be by ballot. Those receiving the highest number of votes shall be elected. In case of a tie vote, a second ballot shall be taken the following Sunday.

- a. A slate of candidates shall be selected by the Nominating Committee. The Committee shall secure their consent to serve if elected. Additional candidates may be nominated by the congregation at the time of the election. The names of the candidates shall be published in the church bulletin at least one week before the election and may be published sooner if available.
- b. All active communicant members who are at least 21 years of age shall be eligible for office except the Youth Deacon who shall be confirmed and less than 21 years of age. However, it shall not be permissible for the following family relationships to serve as members of the Congregation Council at the same time: husband-wife, father-son, father-daughter, mother-daughter, mother-son, brother-brother, brother-sister, and sister-sister.

RELATING TO CHAPTER 13 – CONGREGATION COMMITTEES

B13.04 In addition to the committees specified in C13.01, C13.02, and C13.03 of the constitution, the congregation shall have the following committees:

- a. Parish Education Committee

- b. Worship and Music Committee
- c. Stewardship Committee
- d. Evangelism Committee
- e. Long Range Planning Committee
- f. Community Action Committee

The membership, purpose and duties of these committees shall be established in continuing resolutions passed by the Congregation Council in accordance with *C18.01 and *C18.02 of the constitution.

RELATING TO CHAPTER 14 – ORGANIZATIONS WITHIN THE CONGREGATION

(There are no bylaws relating to Chapter 14.)

RELATING TO CHAPTER 15 – DISCIPLINE OF MEMBERS

(There are no bylaws relating to Chapter 15.)

RELATING TO CHAPTER 16 – BYLAWS

(There are no bylaws relating to Chapter 16.)

RELATING TO CHAPTER 17 – AMENDMENTS

(There are no bylaws relating to Chapter 17.)

RELATING TO CHAPTER 18 – CONTINUING RESOLUTIONS

(There are no bylaws relating to Chapter 18.)

RELATING TO CHAPTER 19 – INDEMNIFICATION

(There are no bylaws relating to Chapter 19.)



COVENANT OF CONDUCT

In order for the congregation and the church council to deal effectively with issues of the congregation, the following guidelines are suggested.

1. All members affirm their right to express their opinions about the life and ministry of the congregation.
2. The congregation operates with a direct democracy form of government that allows members to share their opinions directly with the pastors, church council, commissions, and at congregational meetings.
3. When members of the congregation express an opinion to a member of the council, the council person shall ask, "What would you like me to do with this information?"
4. If the member desires to have the information transmitted to the council, the member shall be invited to bring the information/opinion to the next council meeting. The time and dates shall be given.
5. If the member does not wish to appear in person, the council member shall ask the member for permission to use their name in reporting. If permission is not given, the council member shall say, "I'm sorry, but I will not be able to report this to the council since we do not deal with anonymous letters or comments." *
6. If permission is given, the council member shall report the information/opinion to the council and use the member's name.
7. At his/her discretion, a council member may ask that the member refer the issue to another council member for presentation.
8. Each issue shall be placed on the agenda and written in the minutes along with the action taken by the council. Action may include: "Received as information," "Pastor and/or President to visit member and report at next meeting," etc.
9. Opinions may be shared in writing with the council and shall be handled in the above mentioned manner if the letter or statement is signed.

**Anonymous complaints create undercurrents that threaten to divide the gathered congregation and disturb its health. Further, anonymous comments can become breeding grounds for gossip and speculation that leads to further division. Conversely, bringing requests, concerns and information to the leadership in a spirit of openness builds trust and creates an atmosphere of accountability and faithfulness.*