

ZOAR LUTHERAN CHURCH
PERRYSBURG, OHIO

CONSTITUTION and BYLAWS

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Updated versions will be noted by date in the page footer.

TABLE of CONTENTS

Introduction to Purpose and Guidelines.....	i - ii
Preamble	1
Chapter 1: NAME AND INCORPORATION	1
Chapter 2: CONFESSION OF FAITH.....	1
Chapter 3: NATURE OF THE CHURCH	2
Chapter 4: STATEMENT OF PURPOSE	2
Chapter 5: POWERS OF THIS CONGREGATION.....	3
Chapter 6: CHURCH AFFILIATION	3
Chapter 7: PROPERTY OWNERSHIP	5
Chapter 8: CONGREGATION MEMBERSHIP	5
Chapter 9: ROSTERED MINISTER.....	7
Chapter 10: CONGREGATION MEETING	11
Chapter 11: CONGREGATION OFFICERS	13
Chapter 12: CONGREGATION COUNCIL.....	15
Chapter 13: COMMITTEES	22
Chapter 14: CONNECTIONS TO OTHER CONGREGATIONS	29
Chapter 15: DISCIPLINE OF MEMBERS AND ADJUDICATION.....	29
Chapter 16: AMENDMENTS	30
Chapter 17: BYLAWS	31
Chapter 18: CONTINUING RESOLUTIONS	31
Chapter 19: INDEMNIFICATION	32
Chapter 20: PARISH AUTHORIZATION	32
Appendix: CONTINUING RESOLUTION LISTING	33

Zoar Lutheran Church Constitution, By-laws & Continuing Resolutions

Introduction to Purpose and Guidelines

This Zoar Lutheran Church Constitution is combined with the 2016 Model Constitution for Congregations of the Evangelical Lutheran Church in America (ELCA), like the other governing documents of this church, reflects the theology and polity of this church as it organizes itself to preach the gospel of Jesus Christ, share the sacraments, reach out to the neighbor with good news and share the love of God in the world. Each expression of this church — churchwide, synod, and congregation — is held together in a relationship of interdependence that encourages each to respond to its context. These documents also demonstrate our commitment to seeing ourselves with others as part of the one, holy, catholic, and apostolic Church. As such, this Constitution is deeply rooted in Scripture, the Lutheran Confessions, and the history of this church and its predecessors.

The Model Constitution for Congregations was adopted by the Constituting Convention of the ELCA, as required by the Constitutions, Bylaws, and Continuing Resolutions of the ELCA. This current edition of the Model Constitution for Congregations of the ELCA contains changes adopted by all churchwide assemblies, including the Church-wide Assembly in 2016. It is consistent with the requirements of the governing documents of the ELCA's churchwide organization and synods, and it provides organizational flexibility to recognize the context of local congregations.

References to church: In the governing documents, "Church" with a capital letter refers to the one, holy, catholic, and apostolic Church. The words "church" or "this church" in lowercase letters refer to the ELCA. The specific congregation may be identified, as provided in C1.02., as "this congregation."

Required provisions: Sections of this constitution marked by an asterisk [*] are required by the ELCA in their 2016 Model Constitution and when a congregation amends its governing documents these sections must be used without alteration or amendment of the text in any manner (i.e., neither additions nor deletions are permissible). This requirement is based on provision 9.52. in the Constitution, Bylaws, and Continuing Resolutions of the ELCA. This provision requires that when a congregation of "this church" (ELCA) wishes to amend any provision of its governing documents, the governing documents of that congregation shall be so amended to conform to 9.25.b." in the churchwide constitution. Provisions in the Model Constitution for Congregations identified by an asterisk [*] are those required under ELCA constitutional provision 9.25.b.

Review by synod: Each congregation of the ELCA is to provide a copy of its governing documents, and any amendments thereto, to its synod. In accordance with ELCA bylaw 9.53.03., amendments to a congregation constitution become effective only when approved by the synod.

This bylaw provides that:

- a. all proposed changes in the constitution or incorporation documents of a congregation shall be referred to the synod with which the congregation is affiliated.
- b. the synod shall notify the congregation of its decision to approve or disapprove proposed changes.
- c. changes shall go into effect upon notification that the synod has approved them.
- d. the synod shall recognize congregations may organize themselves in a manner which they deem most appropriate.
- e. no governing document amendment will be approved by synod if it conflicts with the Constitution, Bylaws, and Continuing Resolutions of the ELCA.
- f. in order to meet constitutional requirements and to avoid potential problems, all proposed amendments to a congregation's constitutional provisions, bylaws, and continuing resolutions are to be submitted to the synod for review prior to Congregation and/or Council approval.

Amendment consistent with the Model Constitution for Congregations: A congregation that amends its constitution to be in conformity with future versions of the ELCA Model Constitution for Congregations will report these changes to its synod. The amendments become effective upon adoption by the congregation, *C16.04. While synod approval is not required, it is wise to work with the synod in preparing to present these amendments to the congregational meeting.

Codification explanation: The Zoar Lutheran Church Constitution is organized into chapters by general subject matter and codified as (a) constitutional provisions, (b) bylaws, and (c) continuing resolutions. If a constitutional provision is mandatory, it will be preceded by an asterisk, “*C.”

- a. **Constitutional Provisions** are codified in bold type with two sets of numbers, preceded by a “C”: the chapter number, followed by a period, and a two-digit number. A period follows the two-digit number. Thus a required constitutional provision related to “Membership” in Chapter 8 is codified as “*C8.02.” A provision in Chapter 12 would be codified as “C12.09.” This Congregation has authority to author: C1, C5.05, and C10 - C14 in a manner most effective for its governing and growth. Constitutional provisions are adopted and amended in accordance with Chapter 16 titled “Amendments.”
- b. **Bylaw Provisions** follow constitutional provisions to which they apply, but are not in bold type. They are not intended to be organized in a separate document at the end of the constitutional provisions. Bylaws are codified with three sets of numbers: the chapter number (preceded by a “B”), the related constitutional provision number, and a two-digit number. There are periods after the chapter number, after the reference to the constitutional provision, and after the bylaw number. Thus, a bylaw provision is codified as “B8.02.01.” Because bylaws and continuing resolutions relate to the specific practices and details of this Congregation’s organization, operation, and life, there are no required bylaws or continuing resolutions. This Congregation has discretion to develop its own bylaws and continuing resolutions, including bylaws and continuing resolutions under required constitutional provisions; but no such bylaw or continuing resolution may conflict with constitutional provisions in the Model Constitution for Congregations, the Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America, or the constitution of the synod, as indicated in *C6.03.e. Bylaws are adopted and amended in accordance with Chapters 16 and 17.
- c. **Continuing Resolutions** are intended to provide descriptions of operational patterns and practices or of the ongoing responsibilities of committees or other units within the organizational structure of the congregation. They follow the relevant constitutional provision or bylaw to which they refer. Continuing resolutions also are codified with three sets of numbers, except that the third set is preceded by a capital letter. There are periods after the chapter number, after the reference to the constitutional provision, and after the continuing resolution letter and number. Thus, a continuing resolution is to be codified as “R13.07.A13.” The initial numbers “R13.07.” indicate the continuing resolution as it relates to the designated constitutional provision. The final letter and two numbers “A13” designate continuing resolution “A” and the year in which it was adopted “2013.” Continuing resolutions are adopted and amended in accordance with Chapter 18. Unlike constitutional provisions and bylaws which are adopted by the congregation at a legally called and conducted meeting, continuing resolutions may be adopted either by a congregational meeting or by the Congregation Council.

Missing numbers: Notice certain numbers are missing from the numbering sequence in some chapters. These omissions are intentional and reserved for possible use in future editions.

Guidelines: A list of guidelines for a congregation engaging in review and amendment of its constitution is available through each synod office and at ELCA.org.

Comments: The Northwest Ohio Synod has a process to review proposed amendments to congregational constitutions. The work of both congregations in amending their governing documents and this synod in reviewing proposed amendments is facilitated by consultation and cooperation before proposed amendments are acted upon by the congregation.

In addition, each congregation should establish a process for periodic review of its governing documents. You are encouraged to contact your synod office to assist your congregation in its periodic review of governing document provisions and to assess whether problems may exist with respect to proposed amendments. The important task of amending a constitution is challenging. It is, however, an essential endeavor that merits thoughtful work.

ZOAR LUTHERAN CHURCH CONGREGATION

CONSTITUTION PROVISIONS

BY-LAWS

CONTINUING RESOLUTIONS

NOVEMBER 20, 2018

***PREAMBLE**

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

Chapter 1.

NAME AND INCORPORATION

- C1.01.** The name of this Congregation shall be Zoar Lutheran Church of Perrysburg, Ohio.
- B1.01.01.** Zoar Lutheran Church of Perrysburg, Ohio was founded in Perrysburg, Ohio in 1850, is located at 314 East Indiana Avenue, and has the web address of: www.zoarlutheran.com.
- C1.02.** For the purpose of this constitution, the accompanying bylaws and continuing resolutions, the congregation of Zoar Lutheran Church, Inc. is hereinafter designated as "this Congregation."
- C1.03.** This Congregation shall be incorporated in its own name, as a corporation not for profit, 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 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 (ELCA), therefore, derives its character and powers both from the sanction and representation of its congregations and from its inherent nature as an expression of the broader fellowship of the faithful. In length, it acknowledges itself to be in the historic continuity of the communion of saints; in breadth, it expresses the fellowship of believers and congregations in our day.
- *C3.04.** This church, inspired and led by the Holy Spirit, participates in The Lutheran World Federation as a global communion of churches, engaging in faithful witness to the gospel of Jesus Christ and in service for the sake of God's mission in the world.
- *C3.05.** The name Evangelical Lutheran Church in America (ELCA or "this church") as used herein refers in general references to this whole church, including its three expressions: congregations, synods, and the churchwide organization. The name Evangelical Lutheran Church in America (ELCA) 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 as part of the Church, this Congregation shall:
 - a. Worship God in proclamation of the Word and administration of the sacraments and through lives of prayer, praise, thanksgiving, witness, and service.
 - b. Proclaim God's saving Gospel of justification by grace for Christ's sake through faith alone, according to the apostolic witness in the Holy Scripture, preserving and transmitting the Gospel faithfully to future generations.
 - c. Carry out Christ's Great Commission by reaching out to all people to bring them to faith in Christ and by doing all ministry with a global awareness consistent with the understanding of God as Creator, Redeemer, and Sanctifier of all.
 - d. Serve in response to God's love to meet human needs, caring for the sick and the aged, advocating dignity and justice for all people, working for peace and reconciliation among the nations, standing with the poor and powerless, and committing itself to their needs.
 - e. Nurture its members in the Word of God so as to grow in faith and hope and love, to see daily life as the primary setting for the exercise of their Christian calling, and to use the gifts of the Spirit for their life together and for their calling in the world.
 - f. Manifest the unity given to the people of God by living together in the love of Christ and by joining with other Christians in prayer and action to express and preserve the unity which the Spirit gives.
- *C4.03.** To fulfill these purposes, this Congregation shall:
 - a. Provide services of worship at which the Word of God is preached and the sacraments are administered.
 - b. Provide pastoral care and assist all members to participate in this ministry.
 - c. Challenge, equip, and support all members in carrying out their calling in their daily lives and in their congregation.
 - d. Teach the Word of God.
 - e. Witness to the reconciling Word of God in Christ, reaching out to all people.
 - f. Respond to human need, work for justice and peace, care for the sick and the suffering, and participate responsibly in society.
 - g. Motivate its members to provide financial support for the congregation's ministry and the ministry of other parts of the ELCA.

- h. Foster and participate in interdependent relationships with other congregations, the synod, and the churchwide organization of the ELCA.
- i. Foster and participate in ecumenical relationships consistent with churchwide policy.
- *C4.04.** This Congregation shall develop an organizational structure to be described elsewhere in this constitution and 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 the by-laws and continuing resolutions under Congregation Committees in section C13.
- *C4.05.** This Congregation shall adopt a mission statement that provides specific direction for its programs, that may be altered from time to time, and will be stated in the by-laws of C4.05.
- B4.05.01.** The mission statement of this Congregation shall be: "AmaZed by God, Energized by Jesus, A Grateful Zoar Gathers, Grows and Gives."
- *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 THIS 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 this Congregation. 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 ELCA;
 - e. adopt amendments to the constitution, as provided in Chapter 16, amendments to the bylaws, as specified in Chapter 17, and continuing resolutions, as provided in Chapter 18;
 - f. approve the annual budget;
 - g. acquire real and personal property by gift, devise, purchase, or other lawful means;
 - h. hold title to and use its property for any and all activities consistent with its purpose;
 - i. sell, mortgage, lease, transfer, or otherwise dispose of its property by any lawful means;
 - j. elect its officers, Congregation Council, and committees, and require them to carry out their duties in accordance with the constitution, bylaws, and continuing resolutions; and
 - k. terminate its relationship with the ELCA 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 this Congregation and other qualifications shall be as prescribed in guidelines established by the Northwest Ohio Synod of the ELCA.
- C5.05.** This Congregation shall be endowed by a separate 501c3 nonprofit foundation known as The Zoar Lutheran Foundation, Inc. The foundation will have a Board of Directors elected from voting members of this Congregation and will function as a separate entity. This foundation will seek funds from various individuals and groups to create and manage a long-term endowment from which yearly grants will be awarded.

Chapter 6.

CHURCH AFFILIATION

- *C6.01.** This congregation shall be an interdependent part of the ELCA or its successor, and of the Northwest Ohio Synod of the ELCA. This congregation is subject to the discipline of the ELCA.
- *C6.02.** This congregation accepts the Confession of Faith and agrees to the purposes of the ELCA and shall act in accordance with them.

- *C6.03.** This congregation acknowledges its relationship with the ELCA in which:
- This congregation agrees to be responsible for its life as a Christian community.
 - This congregation pledges its financial support and participation in the life and mission of the ELCA.
 - This congregation agrees to call pastoral leadership from the roster of Ministers of Word and Sacrament of the ELCA in accordance with its call procedures except in special circumstances and with the approval of the bishop of the synod. These special circumstances are limited either to calling a candidate approved for the roster of Ministers of Word and Sacrament of the ELCA or to contracting for pastoral services with a minister of Word and Sacrament of a church body with which the ELCA officially has established a relationship of full communion.
 - This congregation agrees to consider ministers of Word and Service for call to other staff positions in the congregation according to the procedures of the ELCA.
 - 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 constitutions and bylaws of the ELCA and synod.
- *C6.04.** Affiliation with the ELCA may be terminated as follows:
- This congregation takes action to dissolve.
 - This congregation ceases to exist.
 - This congregation is removed from membership in the ELCA according to the procedures or discipline of the ELCA.
 - This congregation follows the procedures outlined in *C6.05.
- *C6.05.** This congregation may terminate its relationship with the ELCA by the following procedure:
- A resolution indicating the intent to terminate its relationship must be adopted at a legally called and conducted special meeting of the congregation by a two-thirds vote of the voting members present. Such meeting may be held no sooner than 30 days after written notice of the meeting is received by the bishop of the synod, during which time the congregation shall consult with the bishop and the bishop's designees, if any. The times and manner of the consultation shall be determined by the bishop in consultation with the Congregation Council. Unless he or she is a voting member of the congregation, the bishop and the bishop's designees, if any, shall have voice but not vote at the meeting.
 - The secretary of the congregation shall submit a copy of the resolution to the bishop, attesting that the special meeting was legally called and conducted and certifying the outcome of the vote, and shall mail a copy of the resolution to voting members of the congregation. This notice shall be submitted within 10 days after the resolution has been adopted.
 - The bishop of the synod and the congregation shall continue in consultation, as specified in paragraph a. above, during a period of at least 90 days after receipt by the synod of the notice as specified in paragraph b. above.
 - If the congregation, after such consultation, still seeks to terminate its relationship, such action may be taken at a legally called and conducted special meeting by a two-thirds vote of the voting members present. Notice of the meeting shall be mailed to all voting members and to the bishop at least 10 days in advance of the meeting. Unless he or she is a voting member of the congregation, the bishop and the bishop's designees, if any, shall have voice but not vote at the meeting.
 - A copy of the resolution, attesting that the special meeting was legally called and conducted and certifying the outcome of the vote, shall be sent to the bishop within 10 days after the resolution has been adopted, at which time the relationship between the congregation and this church shall be terminated subject to paragraph g. below. Unless this notification to the bishop also certifies that the congregation has voted by a two-thirds vote to affiliate with another Lutheran denomination, the congregation will be conclusively presumed to be an independent or non-Lutheran church.
 - Notice of termination shall be forwarded by the bishop to the secretary of the ELCA, who shall report the termination to the Churchwide Assembly.
 - This congregation shall abide by these covenants by and among the three expressions of this church:

- 1) Congregations seeking to terminate their relationship with this church which fail or refuse to comply with each of the foregoing provisions in *C6.05. shall be required to receive Synod Council approval before terminating their membership in this church.
 - 2) Congregations which had been members of the Lutheran Church in America shall be required, in addition to complying with the foregoing provisions in *C6.05., to receive synodical approval before terminating their membership in this church.
 - 3) Congregations established by the ELCA shall be required, in addition to complying with the foregoing provisions in *C6.05., to satisfy all financial obligations to this church and receive Synod Council approval before terminating their membership in this church.
- h. If this Congregation fails to achieve the required two-thirds vote of voting members present at the congregation's first meeting as specified in paragraph a. above, another special meeting to consider termination of relationship with this church may be called no sooner than six months after that first meeting. If this Congregation fails to achieve the required two-thirds vote of voting members present at the congregation's second meeting as specified in paragraph d. above, another attempt to consider termination of relationship with this church must follow all requirements of *C6.05. and may begin no sooner than six months after that second meeting.
- *C6.06.** If this Congregation considers relocation, it shall confer with the bishop of the synod in which it is territorially located and the appropriate unit of the churchwide organization before any steps are taken leading to such action. The approval of the Synod Council shall be received before any such action is effected.
- *C6.07.** If this Congregation considers developing an additional site to be used regularly for worship, it shall confer with the bishop of the synod in which it is territorially located and the appropriate unit of the churchwide organization before any steps are taken leading to such action.

Chapter 7. PROPERTY OWNERSHIP

- *C7.01.** If this Congregation ceases to exist, title to undisposed property shall pass to the Northwest Ohio Synod of the ELCA.
- *C7.02.** If this Congregation is removed from membership in the ELCA according to its procedure for discipline, title to property shall continue to reside in this Congregation.
- *C7.03.** If two-thirds of the voting members of this Congregation present at a legally called and conducted special meeting of this Congregation vote to transfer to another Lutheran church body, title to property shall continue to reside in this Congregation, provided the process for termination of relationship in *C6.05. has been followed. Before this Congregation takes action to transfer to another Lutheran church body, it shall consult with representatives of the Northwest Ohio Synod.
- *C7.04.** If two-thirds of the voting members of this Congregation present at a legally called and conducted special meeting of this Congregation vote to become independent or relate to a non-Lutheran church body and have followed the process for termination of relationship in *C6.05., title to property of this Congregation shall continue to reside in this Congregation only with the consent of the Synod Council. The Synod Council, after consultation with this Congregation by the established synodical process, may give approval to the request to become independent or to relate to a non-Lutheran church body, in which case title shall remain with the majority of this Congregation. If the Synod Council fails to give such approval, title shall remain with those members who desire to continue as a congregation of the ELCA.

Chapter 8. CONGREGATION 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 and those of the ELCA.
- *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 this Congregation, as well as, the other rights and privileges ascribed to voting members by the provisions of this constitution and its bylaws.
 - d. **Associate** members are persons holding membership in other ELCA congregations who wish to retain such membership, but desire to participate in the life and mission of this Congregation. These individuals have all the privileges and duties of membership except voting rights or other rights and privileges ascribed to voting members by the provisions of this constitution and its bylaws.
 - e. **Seasonal** members are voting members of other ELCA congregations who wish to retain such membership, but desire to participate in the life and mission of this Congregation, including exercising limited voting rights in this Congregation. The Congregation Council may grant seasonal membership to such persons provided that this Congregation is a member of a synod where the Synod Council has approved seasonal member voting on its territory. Such seasonal members shall have all the privileges and duties of voting members except that:
 - 1) they shall not be eligible for elected office in, or for membership on the Congregation Council or on a call committee of, this Congregation;
 - 2) they shall not have the right to vote on any matter concerning or affecting the call or termination of call of any minister of this Congregation;
 - 3) they shall not have the right to vote on any matter concerning or affecting the affiliation of this Congregation with the ELCA;
 - 4) they shall not be eligible to serve as voting members from this Congregation of the Synod Assembly or the Churchwide Assembly;
 - 5) they shall not, even if otherwise permitted by this Congregation, vote by proxy or by absentee ballot; and
 - 6) they shall not, within any two calendar month period, exercise voting rights in this Congregation and in the congregation where they remain voting members.
- B8.02.01 Confirmation is a pastoral and educational ministry of this church which:
- a. helps the baptized member through Word and Sacrament to identify more deeply with the Christian community and participate more fully in its mission.
 - b. will be made available to baptized members after satisfactory completion of sources of study and acknowledgment by the Council.
- *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 ELCA through contributions of their time, abilities, and financial support as biblical stewards.
- *C8.05.** Membership in this Congregation shall be terminated by any of the following:
- a. death;
 - b. resignation;
 - c. transfer or release;

- d. disciplinary action in accordance with ELCA constitutional provision 20.41. and the accompanying bylaws; or
- e. removal from the roll due to inactivity in accordance with the provisions of this constitution and its bylaws.

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

- B8.05.01. This Congregation authorizes the pastor(s), the Council, and/or a representative appointed by the president or Council to contact congregation members who have elected not to fulfill the provisions of membership during the prior three months or more, in an attempt to restore their membership, as described in C8.02.
- B8.05.02. This Congregation's pastor(s) shall issue or oversee the issuing of a letter or certificate of transfer to another Lutheran Congregation upon a congregation member's request for such action, either before or after they have moved away from this Congregation.
- B8.05.03. Should a member of this Congregation, who has moved to a distant community on a permanent basis, fail to request a transfer, a Lutheran congregation in or near that community shall be notified of the member's relocation after a two year waiting period.
- B8.05.04. This Congregation gives the Council and pastor(s) the authority to remove any congregation member from the voting member roster of this Congregation, who has not made any attempt to restore their active membership by the end of two years.
- B8.05.05. Continuing pastoral concern shall be known in this Congregation as the Responsibility List.
- B8.05.06. Congregation conduct and disciplinary procedures are detailed in C15.

Chapter 9.

ROSTERED MINISTER

- *C9.01. Authority to Call a pastor shall be in this Congregation by at least a two-thirds vote of voting members present and voting at a meeting legally called for that purpose. Before a Call is issued the officers, or a committee elected by this Congregation to recommend the Call, shall seek the advice and help of the bishop of the synod.
- B9.01.01. The Call Committee, comprised of voting members of this Congregation, shall be responsible for conducting the entire Call process of and working with the synod bishop in selecting each Called pastor, as described in C13.03.
- *C9.02. Only a member of the roster of Ministers of Word and Sacrament of the ELCA or a candidate for the roster of Ministers of Word and Sacrament who has been recommended for the congregation by the synodical bishop may be called as a pastor of this Congregation.
- *C9.03. Consistent with the faith and practice of the ELCA,
 - a. Every minister of Word and Sacrament shall:
 - 1) preach the Word;
 - 2) administer the sacraments;
 - 3) conduct public worship;
 - 4) provide pastoral care;
 - 5) seek out and encourage qualified persons to prepare for the ministry of the Gospel;
 - 6) impart knowledge of this church and its wider ministry through distribution of its communications and publications;
 - 7) witness to the Kingdom of God in the community, in the nation, and abroad; and
 - 8) speak publicly to the world in solidarity with the poor and oppressed, calling for justice and proclaiming God's love for the world.
 - b. Each pastor with a congregational call shall, within this 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 this Congregation's Council;
 - 4) with the Council, administer discipline; and
 - 5) endeavor to increase the support given by the congregation to the work of the ELCA church-wide organization and of the Northwest 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 a Letter of Call, which shall be attested by the bishop of the synod.
- *C9.05. The provisions for termination of the mutual relationship between a minister of Word and Sacrament and this Congregation shall be as follows:

- a. The Call of this Congregation, when accepted by a pastor, shall constitute a continuing mutual relationship and commitment, which shall be terminated only by death or, following consultation with the synodical bishop, for the following reasons:
 - 1) mutual agreement to terminate the Call or the completion of 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 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 of Word and Sacrament of this church;
 - 7) termination of the relationship between the ELCA and this Congregation;
 - 8) dissolution of this Congregation or the termination of a parish arrangement; or
 - 9) suspension of this Congregation through discipline for more than six months.
 - b. When allegations of physical disability or mental incapacity of the pastor under paragraph a.4) above, or ineffective conduct of the pastoral office under paragraph a.3) above, have come to the attention of the bishop of this synod,
 - 1) the bishop in his or her sole discretion may investigate such conditions personally together with a committee of two rostered ministers and one layperson, or
 - 2) when such allegations have been brought to the synod's attention by an official recital of allegations by this 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 pastor's condition. When a disability or incapacity is evident to the committee, the bishop of this synod may declare the pastorate vacant. When the pastorate is declared vacant, the Synod Council shall list the pastor on the roster of Ministers of Word and Sacrament as disabled. Upon removal of the disability and the restoration of the pastor to health, the bishop shall take steps to enable the pastor to resume the ministry, either in the congregation last served or in another appropriate call.
 - d. In the case of alleged local difficulties that imperil the effective functioning of 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 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 this Congregation and by the pastor, if appropriate. If the pastor and this 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, 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 the ELCA'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.
- B9.06.01** When the office of the pastor responsible for supervision and coordination of pastoral and congregational ministry (Senior Pastor) becomes vacant for any reason, each staff pastor shall offer a written resignation within 30 days. Such resignation shall be accepted by Council

at the request of the new Senior Pastor after the call process has been completed, or may be accepted by Council on its own motion. Upon acceptance of each staff pastor's resignation, Council shall give written notification thereof to such staff pastor and such resignation shall become effective on the first to occur of:

- a. the expiration of six months following such notification or
- b. acceptance of a new call by such staff pastor.

If notification of such acceptance has not been given by Council within 6 months following the installation of the new Senior Pastor, such resignation shall thereafter be ineffective.

This provision does not bar any staff pastor from being considered for the Senior Pastor position.

- *C9.07.** During the period of service, an interim pastor shall have the rights and duties in 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 this 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 ELCA.
- *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.
- B9.09.01** A call to any additional pastors will be issued with the concurrence of the Senior Pastor.
- *C9.11.** With the approval of the bishop of the synod, 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 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 congregation;
 - b. shall submit a summary of such statistics annually to the synod; and
 - c. shall become a member of this Congregation upon receipt and acceptance of the Letter of Call. In a parish of multiple congregations, the pastor shall hold membership in one of the congregations.
- *C9.13.** The pastor(s) shall submit a report of his or her ministry to the bishop of the synod at least 90 days prior to each regular meeting of the Synod Assembly.
- *C9.14.** The parochial records of this Congregation shall be maintained by the pastor and shall remain the property of 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 of labor or the granting by the synod of retired status to the pastor.
- C9.15.** Under special circumstances, subject to the approval of the synodical bishop and the concurrence of this congregation, a minister of Word and Sacrament of a church body with which the ELCA officially has established a relationship of full communion may serve temporarily as pastor of this Congregation under a contract between this Congregation and the pastor in a form proposed by the synodical bishop and approved by this Congregation.
- *C9.21.** Authority to Call a minister of Word and Service shall be in this Congregation by at least a two-thirds vote of voting members present and voting at a meeting legally called for that purpose. Before a Call is issued, the officers, or a committee elected by this Congregation to recommend the Call, shall seek the advice and help of the bishop of the synod.

- *C9.22.** Only a member of the roster of Ministers of Word and Service of the ELCA or a candidate for the roster of Ministers of Word and Service who has been recommended for this Congregation by the synodical bishop may be Called as a deacon of this congregation.
- *C9.23.** Consistent with the faith and practice of the ELCA, every minister of Word and Service shall:
- a. Be rooted in the Word of God, for proclamation and service;
 - b. Advocate a prophetic diakonia that commits itself to risk-taking and innovative service on the frontiers of the Church's outreach, giving particular attention to the suffering places in God's world;
 - c. Speak publicly to the world in solidarity with the poor and oppressed, calling for justice and proclaiming God's love for the world, witnessing to the realm of God in the community, the nation, and abroad;
 - d. Equip the baptized for ministry in God's world that affirms the gifts of all people;
 - e. Encourage mutual relationships that invite participation and accompaniment of others in God's mission;
 - f. Practice stewardship that respects God's gift of time, talents, and resources;
 - g. Be grounded in a gathered community for ongoing diaconal formation;
 - h. Share knowledge of the ELCA and its wider ministry of the gospel and advocate for the work of all expressions of this church; and
 - i. Identify and encourage qualified persons to prepare for ministry of the gospel.
- *C9.24.** The specific duties of the deacon, compensation, and other matters pertaining to the service of the deacon shall be included in a Letter of Call, which shall be attested by the bishop of the synod.
- *C9.25.** The provisions for termination of the mutual relationship between a minister of Word and Service and this Congregation shall be as follows:
- a. The Call of this Congregation, when accepted by a deacon, shall constitute a continuing mutual relationship and commitment, which shall be terminated only by death or, following consultation with the synodical bishop, for the following reasons:
 - 1) mutual agreement to terminate the Call or the completion of Call for a specific term;
 - 2) resignation of the deacon, which shall become effective, unless otherwise agreed, no later than 30 days after the date on which it was submitted;
 - 3) inability to conduct the ministry of Word and Service effectively in this Congregation in view of local conditions;
 - 4) physical disability or mental incapacity of the deacon;
 - 5) suspension of the deacon through discipline for more than three months;
 - 6) resignation or removal of the deacon from the roster of Ministers of Word and Service of this church;
 - 7) termination of the relationship between the ELCA and this Congregation;
 - 8) dissolution of this Congregation or the termination of a parish arrangement; or
 - 9) suspension of this Congregation through discipline for more than six months.
 - b. When allegations of physical disability or mental incapacity of the deacon under paragraph a.4) above, or ineffective conduct of the office of minister of Word and Service under paragraph a.3) above, have come to the attention of the bishop of this synod,
 - 1) the bishop in his or her sole discretion may investigate such conditions personally together with a committee of two rostered ministers and one layperson, or
 - 2) when such allegations have been brought to the synod's attention by an official recital of allegations by the Congregation Council or by a petition signed by at least one-third of the voting members of this Congregation, the bishop personally shall investigate such conditions together with a committee of two rostered ministers and one layperson.
 - c. In case of alleged physical disability or mental incapacity under paragraph a.4) above, the bishop's committee shall obtain and document competent medical opinion concerning the deacon's condition. When a disability or incapacity is evident to the committee, the bishop of this synod may declare the position vacant. When the position is declared vacant, the Synod Council shall list the deacon on the roster of Ministers of Word and Service as disabled. Upon removal of the disability and the restoration of the deacon to health, the bishop shall take steps to enable the deacon to resume the ministry, either in the congregation last served or in another appropriate call.

- d. In the case of alleged local difficulties that imperil the effective functioning of this Congregation under paragraph a.3) above, the bishop's committee shall endeavor to hear from all concerned persons, after which the bishop together with the committee shall present their recommendations first to the deacon and then to this Congregation. The recommendations of the bishop's committee must address whether the deacon's Call should come to an end and, if so, may suggest appropriate severance arrangements. The committee may also propose other actions that should be undertaken by this Congregation and by the deacon, if appropriate. If the deacon and this Congregation agree to carry out such recommendations, no further action need be taken by the synod.
 - e. If either party fails to assent to the recommendations of the bishop's committee concerning the deacon's call, this Congregation may dismiss the deacon only at a legally called meeting after consultation with the bishop, either (a) by a two-thirds vote of the voting members present and voting where the bishop and the committee did not recommend termination of the Call, or (b) by a majority vote of the voting members present and voting where the bishop and the committee recommended termination of the Call.
 - f. If, in the course of proceedings described in paragraph c. or paragraph d. above, the bishop's committee concludes that there may be grounds for discipline, the committee shall make recommendations concerning disciplinary action in accordance with the provisions of the ELCA's constitution, bylaws, and continuing resolutions.
- *C9.26.** The deacon shall make satisfactory settlement of all financial obligations to a former congregation before:
- a. installation in another field of labor, or
 - b. the issuance of a certificate of dismissal or transfer.
- *C9.27.** When a deacon is Called to serve in company with another rostered minister or other rostered ministers, the privileges and responsibilities of each rostered minister shall be specified in documents to accompany the Call and to be drafted in consultation involving the rostered ministers, the Congregation Council, and the bishop of the synod. As occasion requires, the documents may be revised through a similar consultation.
- *C9.28.** With the approval of the bishop of the synod, this Congregation may depart from *C9.25.a. and Call a deacon for a specific term. Details of such Calls shall be in writing setting forth the purpose and conditions involved. Prior to the completion of a term, the bishop or a designated representative of the bishop shall meet with the deacon and representatives of this Congregation for a review of the Call. Such a Call may also be terminated before its expiration in accordance with the provisions of *C9.25.a.
- *C9.29.** The deacon shall become a member of this Congregation upon receipt and acceptance of the Letter of Call. In a parish of multiple congregations, the deacon shall hold membership in one of the congregations.
- *C9.31.** The deacon(s) shall submit a report of his or her ministry to the bishop of the synod at least 90 days prior to each regular meeting of the Synod Assembly.

Chapter 10.

CONGREGATION MEETING

- C10.01.** The annual meeting of this Congregation shall be held at a time specified in the bylaws.
- B10.01.01.** The annual Congregational meeting shall be set by the Council on a date within the first six weeks of each new calendar year, though typically on the last Sunday of January.
- C10.02.** A Special Congregation Meeting shall be held on any date, at any time during the year, when called by one of the following: the Council, the president of this congregation, the senior pastor, or by the president of the congregation upon the written request of 12 of the voting members of this Congregation. The written notification for a Special Congregation Meeting shall specify the purpose(s) for which that meeting is to be held and no other business shall be transacted at that meeting.
- B10.02.01.** An announcement of the time and place for the annual or special congregation meeting shall be both a verbal announcement, and a written notice in the bulletin, at all public services for the two consecutive weekends immediately preceding the meeting. Also, the written notice shall be posted for the same time period on the main page of the Zoar website.
- B10.02.02.** A copy of the written notice may be sent to all members with a current email address in the Zoar member data base within three days of the initial public announcement, to increase the

- general notification of the called meetings. The written notice may also be posted on all appropriate Zoar social media platforms to increase the congregation's awareness.
- B10.02.03. Special Meetings called for the purpose of amending any part of this constitution, taking any action regarding this congregation's pastor(s), or taking any action regarding the status of this Congregation as an ELCA member church shall follow procedures set forth in C16, C17, C9, and C6, respectively, of this constitution.
- C10.03.** This Congregation shall elect the Zoar Foundation's nominated slate for election to its Board of Directors at this Congregation's Annual Meeting, per Article III of Zoar Lutheran Church Foundation, Inc's Amended and Restated Regulations.
- B10.03.01. Nominations for the Foundation's election shall be submitted by the Foundation's Board and Zoar's Nominating Committee by January 5 each year so the names may be published.
- B10.03.02. The election of the Foundation's slate may be on the same ballot, or a separate ballot, of that used as this Congregation's ballot. The Nominating Committee will serve as election officials per by-law B13.02.

QUORUM AND VOTING

- C10.04.** Voting members present shall constitute a quorum.
- B10.04.01. The official roster of voting members shall be available at each meeting of the Congregation.
- C10.05.** Voting by proxy or by absentee ballot shall not be permitted under any circumstances.
- C10.06.** At any Congregation meeting, a vote on a properly presented motion shall be adopted when:
- a. two-thirds (2/3) of those members present and voting approve to:
 - 1) buy or sell real property;
 - 2) borrow funds from a financial institution in excess of \$50,000.00;
 - 3) borrow from Zoar's restricted funds to provide cash flow for general expenses;
 - 4) amend the Chapters and/or By-laws of this Constitution.
 - b. a simple majority of those members present and voting approve to:
 - 1) elect officers, Council members, and other elected positions in the church;
 - 2) adopt or amend an operating budget;
 - 3) adopt new or amend Resolutions or Mission statements;
 - 4) borrow funds from a financial institution for less than \$50,000;
 - 5) all other properly presented motions not listed in this constitution.

AGENDAS AND REPORTS

- C10.07.** All committees of this Congregation shall submit an annual report to the Council Secretary as detailed in the by-laws.
- B10.07.01. Committees of this Congregation shall furnish a report each year to the Council Secretary no later than January 5. The report shall summarize the general purpose, activities, finances, meeting time, number of members, how well last year's goals were met, and goals for the coming year. Reports are to be typed and typically need to be only one page or less.
- C10.08.** Written Annual Reports shall be available for all voting members as detailed in the by-laws.
- B10.08.01. Copies of the Annual Report shall be available to all voting members at least two weeks prior to the annual meeting. Copies are to be available at each service, in the church office, and on the main page of the Zoar website as a link to the Annual Report. A limited number of copies shall be available at the annual meeting and/or displayed electronically on screens during the meeting.
- B10.08.02. The Annual Report will typically include the following:
- a. secretary minutes for the prior annual meeting and all special meetings during the last twelve months.
 - b. constitution / by-law changes and/or amendments, if any
 - c. president report (accomplishments/concerns and suggestions for future activities/needs).
 - d. treasurer's report (only proposed annual budget for coming year).
 - e. pastor(s) report(s).
 - f. staff reports for all the programs they personally oversee.
 - g. committee reports which may be a condensed summary of each full report.
 - h. Congregation Task Force reports (may include Council Task Force reports).
 - i. Nominating Committee report, so it becomes part of the official minutes.
 - j. Zoar Lutheran Foundation, Inc. report.
 - k. Abundant Life of Perrysburg, Inc. I & II report.
- C10.09.** The Agenda for the Annual Congregation Meeting shall be posted as detailed in the by-laws.

- B10.09.01. The proposed agenda for the annual meeting shall be prepared by Council to be posted in the bulletin and as an announcement on the main page of the Zoar website (can be done as a link from the main page) no later than January 5 each year. An addition(s) to the proposed agenda shall be added when ten voting members submit a written petition to the President detailing a new agenda item. The Congregation Annual Meeting Agenda becomes final ten days prior to the date of the called annual meeting for that year.
- B10.09.02. A change in the order of, or additions to, the Final Agenda shall only take place if a motion for said change/addition(s) is presented after the meeting is called to order, but before the first item of on the agenda is begun, and a majority present approve said change/addition(s).
- B10.09.03. The Agenda for the Annual Meeting will typically include the following:
- opening prayer.
 - secretary report (minutes and membership statistics).
 - constitution / by-law changes and/or amendments, if any.
 - nominating Committee Chair (Elections of Officers and others, if elections were not held at a Special Meeting prior to this meeting).
 - treasurer report (balance sheet and financial condition of church and adoption).
 - pastor(s) report(s).
 - Zoar Foundation report (balance sheet, grant expenditures, grant dead-line dates).
 - Abundant Life I & II report (balance sheet and general condition report).
 - president's report (State of the Church during prior year).
 - action on Continuing Resolutions, if any had been submitted per Constitution procedures.
 - financial Secretary (presentation of coming year budget and adoption).
 - Nominating Committee Chair (official announcement of election results).
 - new Officers and Council are officially sworn-in by the Senior Pastor or Pastor(s).
 - vice-president assumes presidency (remarks and goals for the coming year).
 - Benediction.
- C10.10.** Robert's Rules of Order, latest edition, shall govern parliamentary procedure of, and at, all meetings of this congregation.

Chapter 11

CONGREGATION OFFICERS

- C11.01.** The officers of this Congregation shall be a president, vice-president (president-elect), secretary, treasurer, and financial secretary (treasurer-elect).
- C11.02.** This Congregation shall elect officers from voting members of the congregation:
- all of whom shall be at least 18 years of age
 - officers shall serve in their respective office for one full year, or less if early succession is required, or until their successors are elected.
 - officers shall hold only one office at a time.
 - officer whose term has concluded may be nominated for a new office or a Council member position following one year off from service.
 - only the secretary shall be eligible to serve two consecutive terms in the same office before a one year break in service is required.
 - the election process for officers shall be specified in the by-laws.
- B11.02.01. Officers shall be elected by written ballot at the annual meeting or at a special meeting called for that purpose.
- B11.02.02. No absentee or proxy ballots shall be allowed for any elections.
- B11.02.03. Officers shall begin their term at the close of the annual meeting following their election and end their term at the close of the next annual meeting, or as otherwise directed by the Constitution.
- C11.03.** The succession of officers shall be:
- the vice-president shall succeed to the office of president upon expiration of the term of such office, or upon a vacancy in such office.
 - the financial secretary shall succeed to the office of treasurer upon expiration of the term of such office, or upon a vacancy in such office.
 - if the office of vice-president or financial secretary becomes vacant during the first eight months of a term, a special congregation meeting will be held, within 60 days of the vacancy, to elect a congregation member to serve the remaining term and then succeed

to the respective office for one full term. The Nominating Committee shall present a candidate, or slate, within thirty-five days of the vacancy and the elected person shall assume the office at the conclusion of that special meeting. If the vacancy occurs within the last four months of a term, the vacancy shall not be filled until the next regular elections are held.

- d. if the office of secretary becomes vacant the remaining term shall be filled by the Council electing one of its present Council members, who is not an officer or a pastor, at its next regularly scheduled meeting.
- e. duties of the officers shall be specified in the by-laws.

OFFICER RESPONSIBILITIES

B11.03.01. Duties of the president shall be to:

- a. preside at all meetings of this Congregation, the Council, and the Executive Committee.
- b. establish the agenda for Annual Meeting, all Special Meetings, Council, and otherwise as needed,
- c. call special Congregation meetings as directed by the constitution
- d. deliver an annual report to this Congregation at the annual meeting.
- e. carry out the will of this Congregation as ordered by the Constitution, Bylaws, and continuing resolutions of this Congregation.
- f. with the secretary, execute letters of Call as directed by this Congregation.
- g. countersign checks on behalf of this Congregation when needed.
- h. understand the work of all committees and ministries, and be an ex-officio member on all committees and ministries, except Nominating and Call Committees, with voting rights.
- i. subject to Council approval, appoint persons on behalf of this Congregation to fill vacancies on the Council, committees, and for ministries when appropriate.
- j. name delegates to conference, synod, and other conventions as required, unless persons are otherwise elected by this Congregation.

B11.03.02. Duties of the vice-president (president-elect) shall be to:

- a. perform the duties of the president in the president's absence, incapacity, or at the president's request.
- b. sit on the Personnel Committee as an ex officio member with voting rights and as liaison for Council.
- c. sit on the Zoar Lutheran Foundation, Inc. Board as an ex officio member with voting rights and as liaison for Council.
- d. act as parliamentarian at congregational and Council meetings.

B11.03.03. Duties of the secretary shall be to:

- a. record proceedings of Congregation and Council meetings, seeing that Council members receive copies.
- b. maintain a register of Congregational and Council continuing resolutions and policies.
- c. keep an attendance record of each Council meeting and notify a member and the president when two absences are attained.
- d. retain records of Council members regarding devotions at monthly meetings and visits to partner congregations.
- e. oversee the publishing of notices for time and place of all called Congregation and Council meetings, in the weekly bulletins and on the Zoar website
- f. with the president, be responsible for creating an agenda for Congregation and Council meetings.
- g. be responsible for reminding Council at its next meeting of all matters which have been deferred, or referred to committee for further study and recommendation.
- h. raise for Council's consideration the closure of old continuing resolutions and/or policies, when appropriate or out-of-date.
- i. with the president, execute letters of Call as directed by this Congregation.
- j. oversee the retention and organization of secretarial records permanently filed in the church office, while also keeping a second copy of each in a "secretary" binder that includes privileged notes of executive session deliberations for reference. The secretary binder copy shall be the only recorded notes for any executive sessions and shall be handed forward to the next secretary. Three years of recorded minutes shall be all that are kept in the secretary binder.

- k. oversee the Annual Report's compilation and distribution to the Congregation.
 - l. oversee the preparation and transmission of the parochial report to the ELCA.
 - m. oversee the records of membership, the roster of voting members (which is to be available at each Congregational meetings), and the directory of Council and committee/ministry members.
 - n. oversee the safekeeping of all official Congregational documents (e.g., deeds, mortgages, articles of incorporation, Constitution and Bylaws, tax documents, audits, etc.) by verifying the location of each no later than June 30 of every year.
- B11.03.04.** Duties of the treasurer shall be to:
- a. oversee and be responsible for all financial procedures, records, and investments of the Congregation.
 - b. countersign checks on behalf of the Congregation.
 - c. attend with voting rights as a member of Cash Management /Investment Committee and the Budget / Finance Committee.
 - d. recommend to Council any improvements for financial policies and procedures concerning cash management, annual budgeting, fund accounting, annual audit, etc.
 - e. deliver an annual financial report at the annual Congregational meeting.
 - f. oversee the contracts with financial businesses for the purpose of doing payroll, reconciliation of the checking account, and other work as specified by Council.
 - g. oversee the reconciliation of the checking account and present at each monthly Council meeting a statement of income and expense compared to the approved annual budget.
 - h. assign such additional duties to the financial secretary as the treasurer shall deem appropriate.
- B11.03.05.** Duties of the financial secretary shall be to:
- a. recruit and oversee a sufficient number of counters as to maintain a minimum of two unrelated individuals to count each weekend for a month or alternate timeframe.
 - b. train or oversee the training of counters in the procedures of counting, depositing, and recording of all contributions, fees collected, gifts, and bequests received.
 - c. attend with voting rights as a member of Cash Management /Investment Committee and the Budget / Finance Committee.
 - d. recommend to Council for Council's approval, by each December's meeting, a certified public accountant to conduct an annual audit of the financial affairs of the Congregation, oversee this audit to its completion, and review the finish audit.
 - e. countersign checks on behalf of the Congregation.
 - f. develop, in cooperation with the treasurer, a yearly projection of possible income for the coming year by October 10.
 - g. assist the treasurer in performing the duties of that office and assume additional duties as may be assigned by the treasurer.
 - h. oversee a reconciliation of deposits.
 - i. oversee the issuing of annual statements to contributors and other statements as deemed necessary.
 - j. oversee the records of giving and ensure confidentiality of the contributions made by all members and others.
- C11.04.** The officers of the Congregation shall each serve a respective office on the Congregation Council with full voting rights on the Council.
- C11.05.** The officers of this congregation and the pastor(s) shall constitute the Executive Committee of the Council. Responsibilities of the Executive Committee shall be specified in the by-laws under Chapter 12.

Chapter 12

CONGREGATION COUNCIL

Authorization

- C12.01.** Council is granted authority by this Congregation to assure that the provisions of this constitution, bylaws, and continuing resolutions are carried out as specified.
- C12.02.** Council shall serve as the Board of Trustees for this Congregation, and as such, 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.

- C12.03.** Council shall emphasize partnership with the synod and ELCA churchwide organizations as well as, cooperation with other congregations, both Lutheran and non-Lutheran, subject to established policies of the synod and the ELCA.
- C12.04.** Council shall be responsible for the employment and supervision of the non-rostered staff of this Congregation including adhering to Federal and Ohio State law, though typically allowing supervision to be administered by the senior pastor. Nothing in this provision shall affect Council's or this Congregation's responsibilities to a rostered person(s) under a Letter of Call.

Membership

- C12.05.** Council shall consist of the officers of the Congregation, pastor(s), and Council members of not fewer than five nor more than eleven, as specified in the by-laws.
- B12.05.01.** Council shall be comprised of six voting Council members in addition to this Congregation's officers and pastor(s).
- B12.05.02.** Three voting members of this Congregation, over the age of eighteen, shall be elected with full voting rights as Council members every year for a two year term, as detailed in the by-laws. These Council members shall be eligible to run for one additional two year term, and if elected, may serve for a maximum of four consecutive years. A Council member having served four consecutive years must then be off Council for a full year before being re-nominated for Council.
- B12.05.03.** One voting member of this Congregation, under the age of eighteen at the time of the election, may be selected each year as a non-voting youth representative to Council for a one year term. The youth representative shall be selected from and by the confirmed youth members who are under the age of eighteen, as overseen by the youth director or senior pastor. The youth representative may be selected for one additional year of service, though may not serve more than two terms.
- B12.05.04.** Elected Council members and the youth representative terms shall begin each year at the end of the Annual Meeting.
- B12.05.05.** At the annual meeting in 2019 following the adoption of this new constitution, this Congregation shall elect three new Council members to service as directed in B12.05.02. At the annual meeting in 2020 this Congregation shall elect another three new council members as directed in B12.05.02. Council members who were on Council prior to the adoption of the new constitution in 2019 may serve out their full term or resign. The number of members on Council during this two year transition may be larger than the number specified in B12.05.01.
- B12.05.06.** Specific details covering membership on and responsibilities of Council members shall be detailed in the By-laws.

Election Guidelines

- C12.06.** Elections by this Congregation for officers, Council members, and committee members shall be the responsibility of the Nominating Committee, as detailed in C13.02. The Council's responsibilities shall be:
- to accept the ballot / slate as presented on behalf of this Congregation.
 - to have the secretary verify the nominees listed on the ballot / slate meet the membership guidelines established in this constitution/by-laws
 - to work with the Nominating Committee to present the ballot / slate to the congregation at the appropriate time, as detailed in this constitution.
 - to follow the election procedures set forth in this constitution / by-laws.
- B12.06.01.** The Nominating Committee shall typically present the names for election to the Council secretary on or before December 1st of each year.
- B12.06.02.** Election of Council officers and Council members shall take place by written ballot at either the Annual Congregation Meeting or a Special Announced Congregation Meeting called for that purpose and held on any weekend between December 1 and the Annual Meeting.
- B12.06.03.** The results of the Council election shall be announced within two weeks of the election and/or at the Annual Congregation Meeting so the election results are in the annual minutes.

Vacant Term Action

- C12.07.** A Council member's term shall be declared vacant by the Executive Committee when a member:
- ceases to be a voting member of this congregation,
 - dies during their Council term,
 - is absent from Council meetings as specified in B12.07.01., or
 - demonstrates inappropriate conduct as a congregation leader.

- B12.07.01. If a Council member misses two regularly scheduled Council meetings within a year, as recorded by the secretary in meeting minutes, the secretary is to inform the president of the member's status within seven days of the second absence. The president is to then talk with the member in person, or by telephone, and provide written notification by mail or email, stating that if a third regularly scheduled Council meeting is missed during this present year the member's term will be declared vacant. Upon agreement of the president and the vice-president, special extenuating circumstances may be considered in excusing one absence. The president is to complete all communication with the member within 21 days of the second absence.
- B12.07.02. Council member conduct considered inappropriate as a congregation leader may include, but is not limited to:
- a. misuse of church funds or property,
 - b. improper language with church members or church guests,
 - c. inappropriate actions/behavior with church members, family, or church guests, or
 - d. severe criminal acts as defined under the laws of the United States of America and/or any of the fifty states in the United States of America.
- B12.07.03. Should a Council member's term be declared vacant, the president shall request from the present Nominating Committee two names of voting congregation members who could serve the remaining term (names to be provided at least three days before the next regularly scheduled Council meeting), and the Council shall elect from the two names, by simple majority vote, a successor to fill that term until the next annual meeting.

General Administrative Responsibilities

C12.08. Council shall have Administrative oversight of this Congregation in accordance with the Word of God and ELCA practices. Council shall have general administrative responsibilities to:

For this Congregation

- a. act as managing authority on behalf of this Congregation, make contracts, and enter into leases proper to the mission of this Congregation, except as limited elsewhere in this constitution and bylaws.
- b. arrange for pastoral service during the sickness or absence of the pastor(s).
- c. provide for internal and external Congregational communications.
- d. provide reports of special activities in a timely manner to this Congregation using appropriate communication.
- e. oversee the process of approving the use of this Congregation's facilities by outside groups who are compatible with this Congregation's mission, as detailed in continuing resolutions.
- f. approve all operating manuals as continuing resolutions used in managing this Congregation, including but not limited to: confirmation, first communion, education, employee training, maintenance, personnel handbook, etc.
- g. evaluate the appropriateness and effectiveness of this Congregation's activities as compared to the stated mission in B4.05.01. and established goals, every five years with years ending in zero or five.
- h. develop annually long-range plans for this Congregation and their programs

For Committees

- i. oversee and coordinate the committees, ministries, and programs of this Congregation, assigning functions not presently designated to an existing committee to the most appropriate committee or to a Task Force.
- j. create new appointed or elected committees or change the designation/goals of existing committees as the needs of this Congregation evolve. Changes to or new committees, along with all their specific details, will be described in chapter 13 per B12.08.01.
- k. create and/or re-designate all Task Forces to complete the work of this Congregation or Council, as needed, with specific detailed in the continuing resolutions.
- l. name Council members to act as committee liaisons each year at the first regularly scheduled Council meeting following the annual meeting.

For Council Members

- m. provide each year, in February, all Council members with a 'Council Binder' intended to provide information about the responsibilities of a Council member and Council's procedures.

- n. offer each year, in February, a training opportunity(s) for all Council members and Committee members that strives to inform and motivate members for the coming year.
- o. participate as the membership of Abundant Life of Perrysburg, Inc. Corporation, per Article III of the Code of Regulations of Abundant Life of Perrysburg of the Corporation known as Abundant Life of Perrysburg, Inc. As such, and on behalf of this Corporation, the Zoar Council shall hold an Annual Meeting to elect individuals to serve on Abundant Life's Board of Trustees and to conduct other business as set forth in the Corporation's Code of Regulations and/or as requested by the Corporation's Board of Trustees. No financial obligation shall exist, or is implied, between this Council/Congregation and the Abundant Life Board or the entity known as Abundant Life of Perrysburg Inc. I and II.

Specific Administrative Responsibilities

For this Congregation

- B12.08.01. Council's specific administrative responsibilities for this Congregation shall be to:
- a. study, either on its own or through an appointed Task Force, whether each congregation activity is:
 - 1) consistent with the present mission statement and
 - 2) effectively meeting the stated goals set forth for and/or by that activity.
 - b. assemble the findings into a straight forward written report that is to be presented to the Congregation at the subsequent annual meeting. This written report, either completed by the Council or by the appointed Task Force, is to:
 - 1) state if each congregation activity is working according to the mission and goals, or
 - 2) suggest improvements for those activates not in compliance, or
 - 3) suggest the elimination of those activities substantially outside the mission and/or stated goals, with "substantially" defined by Council and applied equally.

For Committees

- B12.08.02. Council's specific administrative responsibilities for committees shall be to:
- a. coordinate established ministries and designate new ministries as interests create new opportunities, with the advice and assistance of the Vision for Ministries Committee, as detailed in Ch13.
 - b. appoint or elect each new committee; specifying their member size, terms of service and election process, goals, responsibilities, authority, budget, and accountability to the Council, as detailed in Ch 13.
 - c. designate each new Task Force; specifying their membership, terms of service, goals, responsibilities, authority, budget, time-frame, and their accountability to Council, as a continuing resolution detailed in Ch 13. As members are selected for each new Task Force, and when appropriate, an attempt is to be made at involving congregation members not currently participating in other church leadership positions or on established committees.
 - d. encourage all committee members to promote within their committee:
 - 1) prayer,
 - 2) fellowship,
 - 3) fairness,
 - 4) timeliness, meaning respect for one another's willingness to give of their time,
 - 5) opportunities for growth and discovery.

For Council Members

- B12.08.04. Council's specific administrative responsibilities for Council members shall be to:
- a. have the president, secretary, and senior pastor be responsible for providing the 'Council Binder' in which each Council member is to receive a current copy of at least:
 - 1) Zoar constitution, by-laws, and continuing resolutions,
 - 2) congregation directory, either picture or yearly name only type,
 - 3) committee and staff roster,
 - 4) operating handbooks and essential manuals, like the employee handbook .
 - b. have the president, secretary, and senior pastor be responsible for providing a training opportunity each year in February for Council members and committee members that at the very least strives to improve:
 - 1) community,
 - 2) spirituality,
 - 3) communication,

- 4) introduction to handbooks, manuals, and proper procedures,
- 5) insight into yearly goals and expectations.

General Financial Responsibilities

C12.09. Council shall have financial oversight of this Congregation in accordance with the Word of God and ELCA practices. Council shall have general obligations and authorities to:

Obligations

- a. maintain and protect the congregation's property.
- b. be accountable for all investments and insurance programs.
- c. supervise the expenditure of funds in accordance with the adopted annual budget.
- d. ensure all Zoar's checks shall be signed and countersigned, regardless of circumstances.
- e. adhere strictly to all this Congregation's votes authorizing action taken at the Annual Meeting and any Special Congregation Meeting.
- f. prepare an annual budget for adoption by the congregation at the annual meeting.
- g. update annually a three year Capital Asset Reserve Fund Plan for improvements and/or major repairs based in part on recommendations from the Property Committee.

Authorities

- h. manage the congregation's business and fiscal affairs.
- i. enter into contracts and expend funds as authorized in the approved annual budget.
- j. authorize an annual external audit of the entire financial affairs of the congregation, reviewing the auditor's written report at a public council meeting, and approving such report on behalf of this Congregation.
- k. approve all appeals to this Congregation for funds and fund raising events that:
 - 1) support the mission of this Congregation,
 - 2) are not financially supported in this Congregation's budget, and
 - 3) do not compromise other activities in the church, as detailed in By-law B12.09.01-f.
- l. provide termination compensation to an employee leaving the church, if deemed appropriate, as described in B12.09.01.g.
- m. authorize the expenditure of restricted funds, adhering to all guidelines set forth for each of those funds.
- n. adjust the allocation of funds should income fall short of expectations or expenses.
- o. spend not more than a total of 2% beyond the gross total of the approved annual budgeted expenditures to handle unforeseen and/or emergency expenses with monies drawn from restricted funds and/or the general reserves as needed each fiscal year, without additional congregation approval. Property repairs paid through the Capital Asset Reserve Fund shall be exempt from this 2% limit.

Specific Financial Responsibilities

B12.09.01. Council shall have specific obligations and authorities to:

Obligations

- a. approve all depositories of Congregational funds and consolidate all funds of this Congregation and its organizations.
- b. use a voucher system for disbursements.
- c. oversee the annual review of all insurance policies for adequacy of coverage.
- d. provide a fidelity bond covering the president, treasurer, financial secretary, staff, and others who have access to this Congregation's funds and cash.
- d. support the staff in providing documentation requested by the auditor(s) and making themselves (Council members) available upon the request of the auditor(s).

Authorities

- e. appoint, only when necessary and for only the duration of that specific year, a paid staff person to be authorized as a first signature on church checks when that person does not pose in any way an accounting conflict of interest. Specific authorization must then be delegated to this person for each transaction in writing by one of the unavailable signers. Checks signed by this person must then only be countersigned by either the president, treasurer, or financial secretary.
- f. approve, prior to the event date, the appeals from any church committee, individual, or external entity being considered by this Council, per C12.09.k, in order to control the number of requests for extra giving directed at this Congregation. Completed Resolution forms must be submitted to the Council Secretary or Director of Church Operations at least seven days prior to the monthly Council Meeting.

- g. authorize, when appropriate and at Council's discretion, up to four months of compensation and/or benefits for an employee departing Zoar, regardless of the exit circumstances and in lieu of the church not paying into the state's unemployment insurance program because it is exempt under state law.
- h. provide the appropriate legal vehicle(s) to receive bequests, special or deferred gifts, and any other type of monetary contribution presented to the Congregation as part of any campaign and to review all offers of unsolicited gifts made to any campaign before accepting or declining said offers.
- i. prepare and present to the congregation for approval any building campaign for new building, improvements, or major maintenance beyond emergency repairs .

General Leadership Responsibilities

C12.10. Council shall have Leadership oversight of this Congregation in accordance with the Word of God and ELCA practices. Council shall have general leadership responsibilities to:

Congregation Welfare

- a. lead this Congregation in:
 - 1) establishing a Christ-centered mission statement,
 - 2) setting goals that embody this Congregation's mission statement, and
 - 3) establishing committees, ministries, and programs that embrace this Congregation's mission statement and goals, while being consistent with God's Word.
- b. provide for and oversee the operation of this Congregation, enabling it to perform its mission statement, accomplish its goals, and shepherd its committees, ministries, and programs.
- c. cultivate a Congregational environment of friendliness which invites and welcomes all members and guests.
- d. promote an atmosphere of peace and goodwill within this Congregation by purposeful example, as expected of all baptized persons in Jesus Christ.
- e. cultivate Christian understanding and mutual respect, thus leading to workable solutions when differences or conflicts arise in the congregation or between members.
- f. administer discipline when and as appropriate, per details in C9 and C15.

Congregation Participation

- g. seek to involve all congregation members in continuous participation through worship, prayer, learning, witnessing, small groups, committees, ministries, and service.
- h. encourage all congregation members to contribute through stewardship by the giving of one's time, talent, and resources out of love and thanks for Jesus Christ.
- i. encourage and monitor all committees, ministries, and programs of this Congregation so they each are accountable to the mission statement and goals of this Congregation.
- j. lead by completing long-range planning to support this Congregation's mission and goals.
- k. seek, encourage, and support qualified persons to prepare for the ministry of the Gospel, in cooperation with the pastor(s).

Staff Welfare

- l. maintain a supportive and encouraging relationships with all staff.
- m. work to be supportive and encouraging to the pastor(s) according to their Letter of Call.

Specific Leadership Responsibilities

B12.10.01. Council shall have specific leadership responsibilities to:

- a. recognize the service of Congregation members as is appropriate.
- b. assist the pastor(s) in establishing thoughtful and caring procedures for the reception of new members to and the departure of present members from this Congregation.
- c. assist the pastor(s) and staff in the organization and completion of Confirmation.
- d. assist all those involved in Sunday School and Vacation Bible School to build continuous learning, joy, and growth.

General Spiritual Care Responsibilities

C12.11. Council shall have Spiritual Care oversight of this Congregation in accordance with the Word of God and ELCA practices. Council shall have general Spiritual Care responsibilities to:

- a. provide for spiritual care of this Congregation's members.
- b. promote a congregation climate of peace and good will and, as differences and conflicts arise, to endeavor to foster mutual understanding.
- c. exercise general oversight of the spiritual life, mission, and ministry of this Congregation that all may be done according to the Word of God and the constitution/by-laws.

- d. approve applications for membership into this Congregation.
- e. acknowledge candidates for the rite of confirmation in consultation with the Pastor.
- f. determine the age for baptized members to receive their first Holy Communion in consultation with the pastor(s).
- g. approve major modifications in worship as recommended by the Worship and Music Committee and/or the pastor(s).

Specific Spiritual Care Responsibilities

B12.11.01. Council shall have specific Spiritual Care responsibilities to:

- a. issue a letter or certificate of transfer to another Lutheran Congregation upon a member's request. Should a member who has moved to a distant community fail to request a transfer, a Lutheran congregation in or near that community shall be notified of the member's relocation.
- b. authorize the pastor(s) and/or a representative of this Congregation to contact a member who has elected not to fulfill the provisions of membership during the prior year, in an attempt to restore their active membership, as described in C8 of this constitution.
- c. approve the removal of any congregation member from the active member roster of this Congregation who has not made any attempt to restore their active membership by the end of two years. However, any congregation member removed from the active member roster of this Congregation will be retained on the responsibility list.

Meetings of Council

C12.12. Council shall typically meet once a month throughout the year to conduct its business. Other procedures for conducting the Council meetings shall be detailed in the by-laws.

B12.12.01. The date, time, and place for regular meetings of the Council shall be set by the president, senior pastor, and a quorum of council.

B12.12.02. A quorum for the transaction of all business shall be a simple majority of all Council members, officers, and pastor(s) elected for that year.

B12.12.03. Council may:

- a. conduct meetings with some members connected from other locations utilizing remote communication, including but not limited to telephone and video conferencing.
- b. allow meeting notices and reports to be completed electronically, provided all Council members have prior acknowledgement of the actions to be taken.
- c. allow simple majority votes to be cast electronically, provided the actionable motion is not amended in any manner during the voting process and all Council members respond to the vote.
- d. allow these practices, and others, to the extent permitted by state and federal law.

B12.12.04. No proxy votes of any kind and in any form will be allowed on any motions or action to be taken by this Council.

B12.12.05. Council members will support each other at all times, actively participate in work and discussions, affirm collective decisions made by the Council, and maintain strict confidentiality on all appropriate discussions, votes, and policies.

B12.12.06. Special Council meetings shall only be called by the president, senior pastor, or by the president in response to the written request of four Council members. The secretary shall personally notify each Council member of the date and time of any special Council meetings both electronically and by telephone. A quorum (B12.12.02) shall be required for the conducting of any business at a special Council meeting and only the business for which that meeting was called shall be conducted.

B12.12.07. Council meetings shall not be conducted without the senior pastor, or interim pastor, except when the senior pastor, or interim pastor, requests or consents to being absent and has given prior approval to the agenda for a particular regular or special meeting, with the approved agenda items being the only business considered. Chronic or repeated absence of the senior pastor, or interim pastor, and/or refusal to approve agendas for regular or special Council meetings shall not preclude action by the Council at the subsequent meeting following consultation with the synodical bishop.

C12.13. Parliamentary procedure shall be followed during all Council meetings, according to Robert's Rules of Order, the latest available edition.

Reports to and Records of Congregation

- C12.14.** The Council shall submit a comprehensive written report to this Congregation detailing both the leadership and financial state of this Congregation at each annual meeting.
- C12.15.** The Council shall provide for an annual review of this Congregation's membership records.
- C12.16.** Council shall assist the secretary, pastor(s), and staff in overseeing the management of the church pastoral records including baptized, confirmed, communing, and voting members.

Chapter 13

COMMITTEES

Committees Directly Reporting To This Congregation

- C13.01. Executive Committee** shall:
- be composed of the officers and pastor(s) of this Congregation.
 - serve as the legal officers of this Congregation.
 - supervise the support, along with Council, of the pastor(s) according to their Letter of Call and this constitution.
 - when a pastoral vacancy occurs, notify the synod bishop seeking assistance in providing interim pastoral service, provide leadership to this Congregation, and initiate the Call process, as detailed in C13.03 and C9.
- C13.02. Nominating Committee** shall typically have seven members, as described in B13.02.02 and shall:
- provide a slate to fill all the required elected positions, as described in this constitution.
 - provide a slate for a Call Committee, when needed, as described in C13.03.
 - assist the President in identifying members to fill open positions on committees, if and when requested.
 - follow the procedures and structure for this committee, as described in the By-laws.
- B13.02.01. The Nominating Committee** shall:
- serve as the election officials for all elections of Council and/or committee position.
 - set the date for the election based on the procedures set forth in this constitution and in agreement with the Council president and senior pastor.
 - nominate one or more candidates for each office and position to be filled.
 - ensure nominees have agreed to serve the full term and understand the job description.
 - supervise that the ballot is created, correct, and accurate.
 - maintain the security of the ballots and the accuracy of the election count.
 - run the election during the meeting per the latest edition of Robert's Rules of Order.
- B13.02.02. The Nominating Committee** shall have seven elected members including:
- any person(s) serving as the Volunteer Coordinator. If multiple persons serve in this capacity, each may serve on the Nominating Committee, but together have only a vote.
 - two members to be elected from the outgoing members of the present Council, each serving a one year term.
 - four members to be elected from the voting members of this Congregation, each serving two year terms. Two of the congregation members are to be elected on even years and two elected on odd years, thus providing continuity from year to year.
- B13.02.03. Nominating Committee members** may:
- not serve more than three consecutive years before a member must be off the committee for one full year before being re-elected to this committee.
 - not simultaneously be on the Council, be an employee of this congregation, or be a rostered member of this or any other congregation.
- B13.02.04. The senior pastor** shall convene this committee each year on or before October 1 and at the first meeting assist in setting an agenda to develop an election ballot that provides nominations for all offices and positions available that year. The senior pastor will not be a committee member, but rather serve as an advisor, as needed, with no voting rights.
- B13.02.05. The committee** shall elect its own chairperson during the first meeting and the committee is to meet/communicate as often as is necessary to complete the assigned work.
- C13.03. Call Committee**, as described in B13.03.02., shall:
- be convened after the Council president, on behalf of the Executive Committee, confers with the bishop of the synod and then announces the pastoral vacancy to this Congregation at all services on a given weekend and through the Zoar website.

- b. consist of nine congregation members elected by this Congregation according to the Call process in C9 of this constitution, the by-laws of C13.03, and the synod bishop guidelines.
 - c. include the senior pastor as a tenth member, when the vacancy and Call is not for the senior pastor, though the senior pastor may not serve as chairperson.
- B13.03.01. The president shall charge the present Nominating Committee with preparing a Call Committee ballot or slate of at least nine voting congregation members for election by this Congregation within 120 days of the vacancy.
- B13.03.02. Nominated Congregation members for the Call Committee must:
 - a. be voting congregation members.
 - b. elected at an Annual meeting or Special Congregation meeting called for that purpose.
 - c. not be Council officers, Council members, employees, rostered clergy, or any immediate family member of these groups, as these members are not eligible to be on Call Committee.
- B13.03.03. The Call Committee will be convened by the Nominating Committee chair within twenty-one days following the election and will conduct the beginning of the first meeting through:
 - a. the explanation of the Call Committee responsibilities as detailed in C13.02 and C9.
 - b. the election of a chairperson and secretary from the nine elected Call members, who will then immediately assume responsibility for the meeting as the Nominating chair leaves.
- B13.03.04. The Call committee, led by the chairperson, will:
 - a. contact the synod bishop.
 - b. follow the procedures outlined in this constitution.
 - c. work with the bishop and the synod guidelines for conducting a Call through the entire process until a new pastor has been installed by the bishop.
 - d. be responsible, along with the Call Committee, for gathering and completing synod requested information required for the Call process. This may include, but is not limited to: written histories of the church, pictures of the church facilities, member testimonials, and this Congregation's reports, financial documents, directories, website and social media details, etc.
 - e. study this Congregation's mission statement (B4.02.01.), goals, structure, and programs.
 - f. complete congregation need assessment surveys, as requested by the bishop.
 - g. share all information requested by the synod bishop to complete their search guidelines.
- B13.03.05. The Call Committee, as the process moves forward, will:
 - a. receive recommendations of nominees from the synod for study,
 - b. study, compare, and make decisions as a committee in complete confidence,
 - c. work with the bishop and the synod in narrowing nominee choices,
 - d. establish an interview process and interview top nominees in complete confidence,
 - e. make periodic reports (chair) to this Congregation to update the process, providing only general details of the search process, but no specific details about any nominees,
 - g. keep the Council updated (chair) with general information about the process, but no specific details about the nominees.
 - h. continue to meet and work with the bishop and synod until the new pastor has been installed in this Congregation (process lasting 4 months to several years).
- B13.03.06. The Call Committee shall when a finalist has been selected:
 - a. make a recommendation of one candidate for this Congregation to consider,
 - b. follow synod procedures for managing the introduction of finalist to this Congregation,
 - c. announce and conduct a Special Congregation meeting called for the purpose of voting on the one candidate,
 - d. use the synod process of notifying the voting results to the synod and this Congregation and arrange for the installation of the selected finalist with the assistance of the bishop, or start the search process over working to identify another finalist.
- B13.03.07. Call Committee term of office shall end at the installation of the newly Called pastor.

Council Committees - Members Are Appointed

C13.04. **Council appointed committees** shall contain Congregation members who are appointed by the President with assistance from the Nominating Committee, when requested, and approved by the Council. Committee members may be appointed at any time during the year as needed or when requested by a specific committee.

C13.05. **Budget /Finance Committee** shall develop a suggested annual budget for Council's consideration and monitor the current budget in order to make recommendations to Council

- for action when income/expenses veer from budget. Budget/Finance will have eight members as described in B13.05.02.
- B13.05.01.** Budget/Finance Committee shall:
- be responsible for submitting to Council a suggested income and expense budget covering all current line items for the next fiscal year by November first each year.
 - monitor the current budget on a quarterly basis and make recommendations to Council for action when the budget begins to under or over perform outside of typical norms.
 - operate according to the Budget/Finance guidelines in continuing resolution R13.05.???
- B13.05.02.** Membership on the Budget/Finance Committee shall be:
- the Director of Church Operations (non-voting),
 - the current treasurer and financial secretary for the length of their term, and the immediate past treasurer for one year,
 - four voting congregation members appointed to two year terms each, with two congregation members appointed on even years and two on odd years. Congregation members may serve for two terms, if re-appointed, but not more than four years without being off the committee for a full year before being re-appointed.
- C13.06.** **Cash Management/Investment Committee** shall provide direction for Council to maintain a proper mix of cash, cash equivalent, and longer term investments (greater than three years) to meet short-term liquidity and longer-term preservation of capital normally using moderate levels of risk. The committee shall employ a professional Investment Advisor to actively manage Zoar's Investment Portfolio. Cash Management will have four members, as described in B13.06.02.
- B13.06.01.** Cash Management shall:
- select a professional Investment Advisor and operate as outlined in the Cash Management / Investment guidelines under continuing resolution R13.06.A12.
 - review and adjust the net asset dollar amount on a yearly basis.
 - oversee all aspects of the investments and evaluate results of the Portfolio at least on a quarterly basis, reporting any large changes to Council as needed.
 - provide a written report to Council on a yearly basis during the first quarter.
- B13.06.02.** Membership on the Cash Management Committee shall be:
- treasurer (serve as chairperson), financial secretary, Director of Church Operations (non-voting).
 - one voting congregation member appointed to serve a three year term. The congregation member may be appointed for second term, though may not serve more than six years without being off the committee for a full year before being re-appointed.
- C13.07.** **Communication Committee** shall create and maintain a communication strategy that furthers this Congregation's mission and promotes the Congregation and its programs. The communication strategy will cover marketing, advertising, public relations, branding, and processes for sharing information about this Congregation, both internally to its members and externally to the greater community and market. Communication Committee shall typically have seven members as described in B13.07.02.
- B13.07.01.** Communication Committee shall:
- define and oversee branding on all forms of print, promotion, and electronic communication.
 - create and maintain a congregation website and all defined social media platforms.
 - provide guidelines and oversee marketing and advertising for key congregation events.
 - provide direction and guidelines for public relations outreach and support as needed.
 - work to improve information sharing within the Congregation.
- B13.07.02.** Membership on the Communication Committee shall be:
- the Marketing Coordinator, director of youth ministry , and the community pastor.
 - four voting congregation members appointed for two year terms each. Two congregation members are to be appointed on even years and two on odd years. The congregation members may be appointed for a second and third, two year term; though no congregation member may serve more than six years without being off the committee for a full year before being re-appointed.
- C13.08.** **Courtyard Committee** shall be known as the Courtyard Garden Board, as established by continuing resolution R13.08.A18. It shall be responsible for the oversight of the memorial garden area (courtyard), its guidelines, and maintenance; so long as all policies and

procedures concur with all governing policies of this Congregation. The garden space will be both a safe and final resting place for the human remains of and the respectful events by this Congregation's members. Courtyard Committee shall typically have seven members, as detailed in B13.08.02.

B13.08.01. Courtyard Committee shall:

- a. author and manage all regulations, including but not limited to, eligibility, application for interment, interment fees, design and care of space, usage, definition of perpetuity, etc.
- b. develop and maintain all procedures, including but not limited to, installation/care of space artwork, interment care of space, maintenance of overall space, etc.
- c. hire and manage the service professionals for the care of this area, in coordination with the Property Committee and office staff; and when needed, the Council of this Congregation.
- d. handle the promotion of the space for cremains interment.
- e. establish and coordinate all aspects of recording of names on the "Tree of Life" for each interment remains.

B13.08.02. Membership and committee leadership on the Courtyard Committee shall be:

- a. the senior pastor
- b. six voting congregation members appointed for two year terms each. Three congregation members are to be appointed on even years and three on odd years. The congregation members may be appointed for a second and third, two year term; though no congregation member may serve more than six years without being off the committee for a full year before being re-appointed.
- c. to elect a chairperson, financial secretary, and secretary/archivist from its members at its first meeting each year. Typically, this committee will meet twice per year or as needed.

C13.09. **Personnel Committee** shall develop procedures, guidelines and best-practices for providing this Congregation's employees with a legal and proper work environment. Personnel will develop job descriptions, appropriate manuals, and aid in staff reviews. Personnel Committee shall typically have eight members as described in B13.09.02.

B13.09.01. Personnel Committee shall:

- a. produce and maintain all job descriptions, attempting to stay current on hiring trends
- b. create hiring recommendations, including procedures for advertising and hiring each employee's position.
- c. assist in overseeing benefit requirements for all employees.
- f. provide annual employee salary suggestions to Council by October first of each year.
- d. develop and recommend personnel policies for all employees.
- e. prepare and maintain a personnel policy manual detailing all employment procedures, as referenced in continuing resolution R13.09.A20
- g. establish employee evaluation procedures and provide appropriate evaluation forms.
- h. assist in coordinating and performing performance evaluations by the end of November each year.
- g. conduct performance evaluations of pastor(s) by the end of November each year.

B13.09.02 Membership on the Personnel Committee shall be:

- a. the vice-president of Council and the senior pastor, neither of whom may serve as chair.
- b. six voting congregation members appointed to two year terms. Three congregation members are to be appointed on even years and three on odd years. The congregation members may be appointed for a second and third, two year term; though no congregation member may serve more than six years without being off the committee for a full year before being re-appointed.

C13.10. **Property Committee** shall maintain and manage all of this Congregation's properties in cooperation with the administrator manager, custodian, and Council. Property Committee shall typically have eight members, as described in B13.10.02., though additional members may attend without voting rights.

B13.10.01. Property Committee shall:

- a. oversee the maintenance of the church building and all rental properties.
- b. complete general repairs or recommend appropriate contractors/trades persons when necessary for general or major repairs.
- c. provide policies for security, building and grounds maintenance, and building improvements.

- d. prepare an annual budget and make recommendations for upgrades to facilities.
 - e. update annually a three year Capital Asset Reserve Fund Plan for improvements and/or major repairs, that is to be submitted to Council by October 10.
- B13.10.02.** Membership on the Property Committee shall be:
- a. Director of Church Operations (non-voting) and a Council liaison.
 - b. six voting congregation members appointed to two year terms each. Three congregation members are to be appointed on even years and three on odd years. The congregation members may be appointed for a second and third, two year term; though no congregation member may serve more than six years without being off the committee for a full year before being re-appointed.
- Council Committees - Elected Annually By This Congregation**
- C13.11.** Congregation-elected committees shall contain voting congregation members who are elected by a vote at the Annual meeting, per C12. Elected committee member vacancies may be left open until the next Annual meeting or they may be filled by the Council president appointing a voting congregation member and the Council confirming the member for the remainder of the person's vacancy or until elections at the next Annual meeting.
- C13.12. Heritage Committee** shall work to preserve the historical documents and pictures of this Congregation, plan celebrations to honor the legacy of this Congregation's history, and be responsible for publishing this Congregation's pictorial directory of members. Heritage Committee shall typically have nine members, as described in B13.12.02.
- B13.12.01.** Heritage Committee shall:
- a. preserve items having relevance to the history of this Congregation and the ELCA
 - b. work to maintain and update the historic records kept in the archive folders and room
 - c. plan periodic projects and celebrations to honor this Congregation's legacy and traditions
 - d. be responsible for creating, scheduling, and publishing this Congregation's pictorial directory, typically every four to eight years
- B13.12.02.** Membership on the Heritage Committee shall be:
- a. Council secretary, senior pastor, and Marketing Coordinator
 - b. six voting congregation members elected to two year terms each. Three congregation members are to be elected at the annual meeting on even years and three on odd years. The congregation members may be elected for a second and third, two year term; though no congregation member may serve more than six years without being off the committee for a full year before being re-nominated for election to this committee.
- C13.13. Life-Long Learning Committee** shall provide learning opportunities for members of all ages to nurture their faith in Jesus Christ. Life-Long Learning shall typically have nine members representing a cross-section of this Congregation, as described in B13.13.02.
- B13.13.01.** Life-Long Learning Committee shall:
- a. assist in structuring and conducting Sunday School classes for both youth and adults
 - b. assist in structuring and conducting the summer Vacation Bible School (VBS)
 - c. assist in encouraging and arranging education classes offered throughout the year, led by congregation members and others, to enrich the lives of congregational members on a wide-range of topics fostering appreciation of the world God has given us in which to live as a blessed community.
- B13.13.02.** Membership on the Life-Long Learning Committee shall be:
- a. director of youth ministry and a Council liaison
 - b. six voting congregation members elected to two year terms each. Three congregation members are to be elected at the annual meeting on even years and three on odd years. The congregation members may be elected for a second and third, two year term; though no congregation member may serve more than six years without being off the committee for a full year before being re-nominated for election to this committee.
- C13.14. Social Ministry Committee** shall plan and lead the social outreach of this Congregation with needs assessment, education, service and direct or indirect action programs. Social Ministry shall typically have eight members, as described in B13.14.02.
- B13.14.01.** Social Ministry Committee shall:
- a. organize and/or oversee the service outreach of this Congregation
 - b. plan through assessment and other means what service outreach needs are to be offered

- c. coordinate the direct and indirect action programs/groups, both for this Congregation and the greater community extending to global, such as ELCA support networks/programs.
 - d. assist in encouraging and arranging learning opportunities to improve one's knowledge of service.
- B13.14.02 Membership on the Social Ministry Committee shall be:
 - a. Council liaison and community pastor
 - b. six voting congregation members elected to two year terms each. Three congregation members are to be elected at the annual meeting on even years and three on odd years. The congregation members may be elected for a second and third, two year term; though no congregation member may serve more than six years without being off the committee for a full year before being re-nominated for election to this committee.
- C13.15. Stewardship Committee** shall lead this Congregation to be biblical stewards through balanced and thoughtful giving of their individual time, talent, abilities, and money. Stewardship Committee typically has ten members, as described in B13.15.02.
- B13.15.01. Stewardship Committee shall:
 - a. develop and coordinate annual programs/events to encourage Congregation members to identify their talents that provide personal satisfaction and to utilize their talents to give back to God.
 - b. develop and organize annual education events to improve each member's use of money in giving back to God.
 - c. encourage weekly, monthly and/or annual giving practices and identify best practices for allowing members to give in ways that are fruitful and efficient.
 - d. coordinate events to assist this Congregation in understanding all the ways (worship, committees, ministries, programs, and events) a member may be involved in service on a regular basis.
- B13.15.02. Membership on the Stewardship Committee shall be:
 - a. Council liaison and community pastor.
 - b. eight voting congregation members elected to two year terms each. Four congregation members are to be elected at the annual meeting on even years and four on odd years. The congregation members may be elected for a second and third, two year term; though no congregation member may serve more than six years without being off the committee for a full year before being re-nominated for election to this committee.
- C13.16. Vision for Ministry Committee** shall encourage, develop, and support ministries of this Congregation as interests and needs change by understanding their goals, requests, and budgets. This committee reports to Council on the status of and budget needs for all ministries. Vision for Ministry typically has nine members, as described in B13.16.02.
- B13.16.01. Vision for Ministry Committee shall:
 - a. assist in the growth or change of any ministry as its needs or interests evolve
 - b. maintain regular contact with each ministry and keep a record of their participation numbers, leadership contacts, goals, general meeting times/places, budget (if applicable), and anticipated needs and/or changes.
 - c. report regularly to Council on the status and needs of all ministries
 - d. offer recommendations to Council for forming and retiring ministries to meet this Congregation's mission, goals, and programs
 - e. assist Stewardship Committee in providing events to showcase all active ministries.
 - f. provide financial resources, guidance, and management for new ministries as needed.
- B13.16.02. Membership on the Vision for Ministry Committee shall be:
 - a. Council president, financial secretary, and community pastor
 - b. six voting congregation members elected to two year terms each. Three congregation members are to be elected at the annual meeting on even years and three on odd years. The congregation members may be elected for a second and third, two year term; though no congregation member may serve more than six years without being off the committee for a full year before being re-nominated for election to this committee.
- C13.17. Worship and Music Committee** shall provide for an active and meaningful worship life for every member of this Congregation, giving special attention to the liturgical year. This committee provides guidance and support to the worship music program, including choirs and musical groups, and also to music events planned and presented beyond regular

worship. Worship and Music Committee typically has eight members, as described B13.16.02.

B13.17.01. Worship and Music Committee shall:

- a. maintain this Congregation's rich history of traditional Lutheran liturgy as directed by the ELCA and the Northwest Ohio Synod.
- b. explore new liturgy experiences to evolve with social and community needs
- c. assist the cantor in planning, presenting, and growing the worship music (organ, piano, choir, performing groups), striving to balance the traditional with the needs and desires of multiple generations
- d. assist and encourage music experiences beyond worship that will allow for outreach to the community and entice non-church persons to seek Jesus Christ and a church home
- e. collaborate with other committees, especially communications, and ministries to improve participation and awareness of non-worship experiences
- f. maintain an active understanding of the needs of this Congregation through surveys and other information-gathering techniques to keep worship and music inspiring

B13.17.02. Membership on Worship and Music Committee shall be:

- a. Cantor and Senior Pastor.
- b. six voting congregation members elected to two year terms each. Three congregation members are to be elected at the annual meeting on even years and three on odd years. The congregation members may be elected for a second and third, two year term; though no congregation member may serve more than six years without being off the committee for a full year before being re-nominated for election to this committee.

C13.18. Youth and Young Adult Committee shall provide for meaningful education, fellowship, social enrichment, and service activities for this Congregation's youth and young adults. This committee will also work to provide outreach and encouragement to the youth and young adults of the Perrysburg community in an effort to introduce Jesus Christ to those in need and/or seeking a Lutheran experience. Youth and Young Adult Committee typically has eight members, as described in B13.18.02.

B13.18.01. Youth and Young Adult Committee shall:

- a. be responsible for planning and implementing junior and senior high education in all the forms it may take throughout each week year round, in cooperation with the Director of Youth Ministry,
- b. create and put into action fellowship and social opportunities to encourage on-going participation and commitment by the junior and senior high youth to youth involvement at this Congregation, in cooperation with the Director of Youth Ministry,
- c. encourage the use of multiple communication methods to keep youth informed and energized about events, learning, and experiences, in cooperation with the Director of Communications and the Director of Youth Ministry,
- d. plan outreach opportunities for the youth of the Perrysburg community to prompt the mission of this Congregation,
- e. plan and/or encourage cooperation and joint opportunities with other community churches to support the greater "church" of Jesus Christ.
- f. plan and/or support opportunities for young adults post- high school between the ages of 18 and 25 to provide education, fellowship, and/or support and in cooperation with the director of youth ministry and/or the Community Pastor.

B13.18.02. Membership on Youth and Young Adult Committee shall be:

- a. Director of Youth Ministry and a Council liaison
- b. six voting congregation members elected to two year terms each. Three congregation members are to be elected at the annual meeting on even years and three on odd years. The congregation members may be elected for a second and third, two year term; though no congregation member may serve more than six years without being off the committee for a full year before being re-nominated for election to this committee.

C13.19. Expected responsibilities of all committee members, on all committees of this Congregation, shall be described in B13.19.01.

B13.19.01 Each committee member shall have the following responsibilities:

- a. to encourage and support their fellow committee members in:
 - 1) prayer,
 - 2) fellowship,

- 3) fairness,
 - 4) timeliness, meaning respect for one another's willingness to give of their time,
 - 5) opportunities for growth and discovery.
 - b. to utilize the following guidelines for and during each of their meetings:
 - 1) have an agenda for each meeting, making it available ahead of time,
 - 2) keep discussions and conversations on topic,
 - 3) move meetings forward by not covering the same items each meeting,
 - 4) volunteer for assignments, completing them in a respectful timeframe,
 - 5) work to be on time and ready to participate in the meeting,
 - 6) follow Robert's Rules of Order, latest edition, for conducting all meetings.
 - c. to participate each year during their February meeting in the election of a chairperson and secretary, and be willing serve a one year term of office if elected. Members may be re-elected to the same office for one additional year, but must take a one year break before being elected again to the same office, after serving two consecutive years in the same office.
 - d. to understand that staff members of this Congregation may not serve as chairperson or secretary on any committee.
 - e. to appreciate, and be supportive of, your committee chairperson's responsibility for:
 - 1) generating and distributing the agenda for each meeting,
 - 2) encouraging all members to participate and offer new ideas,
 - 3) assigning responsibilities equally among members, if volunteering is not working,
 - 4) cooperating with the secretary to send minutes/requests to Council on time,
 - 5) making prayer and grace part of each meeting.
 - f. to value members of this Congregation who may serve on more than one committee at a time in order to allow fulfillment of their interests and/or talents.
 - g. to assist in maintaining your committee's goals, duties, and membership guidelines as specified in chapter 13.
- C13.20. Ex officio to committees and ministries shall be:**
- a. the senior pastor of this Congregation may attend as desired and/or needed, with full participation and voting rights, all committees and ministries of this congregation, except the Nominating and Call Committees, as specified elsewhere in this constitution.
 - b. the president of this Congregation may attend as desired and/or needed, with full participation and voting rights, all committees and ministries of the congregation, except the Nominating and Call Committees, as specified elsewhere in this constitution.

Chapter 14

CONNECTIONS TO OTHER CONGREGATIONS

- C14.01.** All schools, auxiliaries, societies, and other organizations within this Congregation shall be organized and operate under the consent, mission statement, and purpose of this Congregation.
- C14.02.** This Congregation shall from time to time develop Covenants with other congregations and/or organizations, that have a comparable mission statement and set of goals, for specific purposes which will be clearly specified in a continuing resolution approved by this Congregation, or Council, and the an equivalent authority of the other congregation. Approved continuing resolution for such Covenants will be placed C14 and the original signed document kept with this Congregation's legal documents.
- R14.02.A08 Updated Continuing Resolution of Covenant with Redeemer Lutheran

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 this Congregation, or willful and repeated harassment or defamation of member(s) of 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 this Congregation shall be governed as prescribed by the chapter on discipline in the Constitution, Bylaws, and Continuing Resolutions of the ELCA. If the counseling, censure, and admonitions pursuant to *C15.01. do not result in repentance and amendment of life, charges against the accused member(s) that are specific and in writing may be prepared by the Congregation Council, signed, and submitted to the vice president of the synod. The vice president shall select from the synod's Consultation Committee a panel of five members (three laypersons and two ministers of Word and Sacrament). A copy of the written charges shall be provided to the consultation panel and the accused member(s). The consultation panel, after requesting a written reply to the charges from the accused member(s), shall consider the matter and seek a resolution by means of investigation, consultation, mediation, or whatever other means may seem appropriate. The panel's efforts to reach a mutually agreeable resolution shall continue for no more than 45 days after the matter is submitted to it.
- ***C15.03.** If the consultation panel fails to resolve the matter, that panel shall refer the case in writing, including the written charges and the accused member's reply, to the Committee on Discipline of the synod for a hearing. A copy of the panel's written referral shall be delivered to the vice president of the synod, the Congregation Council, and the accused member(s) at the same time it is sent to the Committee on Discipline of the synod. The Executive Committee of the Synod Council shall then select six members from the Committee on Discipline to decide the case and shall appoint a member of the Synod Council to preside as nonvoting chair. Those six members, plus the nonvoting chair, comprise the discipline hearing panel for deciding the case. The Congregation Council and the accused member(s) are the parties to the case.
- ***C15.04.** The discipline hearing panel shall commence and conduct the disciplinary hearing in accordance with the provisions governing discipline of congregation members prescribed in the Constitution, Bylaws, and Continuing Resolutions of the ELCA.
- ***C15.05.** By the vote of at least two-thirds of the members of the discipline hearing panel who are present and voting, one of the following disciplinary sanctions can be imposed:
 - a. suspension from the privileges of congregation membership for a designated period of time;
 - b. suspension from the privileges of congregation membership until the pastor and Congregation Council receive evidence, satisfactory to them, of repentance and amendment of life;
 - c. termination of membership in the congregation; or
 - d. termination of membership in the congregation and exclusion from the church property and from all congregation activities.
- ***C15.06.** The written decision of the discipline hearing panel shall be sent to the vice president of the synod, the accused member(s), and the Congregation Council as required by the Constitution, Bylaws, and Continuing Resolutions of the ELCA. 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 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 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 President of the Congregation Council of their intent. If the consultation fails to resolve the issue(s), the Consultation Committee of the synod shall consider the matter. If the Consultation Committee of the

synod shall fail to resolve the issue(s), the matter shall be referred to the Synod Council, whose decision shall be final.

Chapter 16.

AMENDMENTS

- *C16.01.** Unless provision *C16.04. is applicable, those sections of this constitution that are not required, in accord with the Model Constitution for Congregations of the ELCA, may be amended in the following manner: Amendments may be proposed by at least five (5) 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 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 a legally called Congregation Meeting according to this constitution by a majority vote of those voting members present and voting;
 - b. be ratified without change at the next annual meeting by a two-thirds vote of those voting members present and voting; and
 - c. have the effective date included in the resolution² and noted in the constitution.***
- *C16.03.** Any amendments to this constitution that result from the processes provided in *C16.01. and *C16.02. shall be sent by the secretary of this Congregation to the synod. The synod shall notify 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 ELCA 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 this Congregation without presentation at a prior meeting of this Congregation, provided that the Congregation Council has submitted by mail or electronic means, as permitted by state law, notice to 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 this Congregation, the Congregation Council shall submit such notice. Following the adoption of an amendment, the secretary of this Congregation shall submit a copy thereof to the synod. Such provisions shall become effective immediately following a vote of approval.

Chapter 17.

BYLAWS

- *C17.01.** This Congregation may adopt bylaws. No bylaw may conflict with this constitution.
- *C17.02.** Bylaws may be adopted or amended at any legally called meeting of this Congregation with a quorum present by a two-thirds vote of those voting members present and voting.
- *C17.03.** Changes to the bylaws may be proposed by any voting member, provided that such additions or amendments be submitted in writing to this 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.
- *C17.04.** Approved changes to the bylaws shall be sent by the secretary of this Congregation to the synod.

Chapter 18.

CONTINUING RESOLUTIONS

- *C18.01.** 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.

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

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

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

Does not apply to Zoar Lutheran Church, but left in this constitution for possible future events.

[* 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 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 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 of Word and Sacrament who has been recommended by the synodical 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 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 of Word and Service who has been recommended by the synodical 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 provided in †S14.18.d. of the synodical 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.
- 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 synodical 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.
- 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.

CONTINUING RESOLUTIONS

This listing will include active Continuing Resolutions with code and description, adoption date, anticipated expiration date (if warranted), and the name of related accompanying documents. Council should review this list regularly to remove antiquated resolutions from within the Constitution document and from this Continuing Resolution Listing.

[illegible]