

THE LUTHERAN CHURCH OF THE FOOTHILLS

BYLAWS (revision 09-29-01) (CONTINUING RESOLUTIONS)

PART 1. MEMBERSHIP

1. *GOOD STANDING:* The prerequisite for good standing is participation in the activities of the congregation, including communion (for those eligible), and worship. These requirements do not apply to members who cannot participate by reason of immaturity, disability or personal responsibilities..

2. *MEMBERSHIP ROLLS:* The Church Council is responsible for maintaining current rolls of membership of the various categories. The acts of maintaining rolls may be delegated to the pastor or an officer, but the responsibility for review, verification, and change of rolls remains with the Council. The information on each individual shall include full name, name of mother and father, date of birth, date of baptism (if known), and date of confirmation or affirmation of faith (if known).

3. *TRANSFERS:*

a. The congregation may receive persons in appropriate categories of membership by letter of transfer from other Lutheran congregations.

b. If a member moves so far from the area served by the congregation that active participation in the life of the congregation is not practicable that member shall be encouraged to transfer formally to another Lutheran congregation or join another Christian denomination serving the new home community.

c. The congregation shall provide letters of transfer to another Lutheran congregation or release to another Christian denomination upon request of the member or parent or guardian.

4. *PASTORAL MINISTRY, LAY AND CLERICAL:*

a. The congregation, Church Council, and Pastor shall maintain awareness of the level of participation of members in the life of the church, especially participation in worship, communion, and involvement in affairs of the church. This effort should be directed only towards the ends of supplying relevant ministry to all members.

b. When there is apparent evidence that a member has withdrawn from active participation in the life of the congregation, that member shall receive pastoral visits (Lay and/or Pastor) to determine the reason for withdrawal and to encourage the member to return to active church life.

c. If a member has not participated in congregational life for a period of a year, has not responded to repeated pastoral visits, and has not transferred, that member shall be placed on the inactive roll, but shall still be included in the mail and visitation programs of the congregation.

A year after being placed on the inactive roll, the case of an inactive member shall be reviewed by the Council, and, if still inactive, the member shall be advised that membership in the congregation has been forfeited; however, the advice of termination of membership shall contain invitation to become active in this congregation or suggestion to become active in another Lutheran or other Christian congregation.

d. Persons who are not members of the congregation, but are in need of spiritual or general counseling, and desire to receive such, may be included in the pastoral care of the congregation.

5. ADJUDICATION OF DISAGREEMENTS OR COMPLAINTS AGAINST MEMBERS OR OFFICERS:

a. If a member has a complaint or disagreement against another member, or an officer of the congregation, and desires adjudication by the Church Council, the Council shall require that the complaining member first attempt to obtain reconciliation by direct, private approach in the spirit of Matthew 18:15-18. If the issue cannot be reconciled by direct approach and the issue may disrupt congregational life, the Council and Pastor together may provide equal hearing of both sides and formulate approaches to resolution of differences.

b. If the issues involve serious malfeasance on the part of officers, chairpersons, or other members, the matter may be referred by the Council to the congregation in a special meeting for disposition by congregational action.

c. For reasons of malfeasance, an officer, chairperson, or other member may be relieved of office or duties by a two-thirds majority of voting members present and voting in a legally called and constituted congregation meeting.

PART II. THE PASTORATE

1. DUTIES, SUPERVISION, REVIEW:

a. The general duties of the Pastorate are determined by the Constitution and policy of The Evangelical Lutheran Church in America and are specified in the standard Letter of Call. The acts required of the Pastor by this congregation shall not conflict with the preceding. The Pastor shall not become officially involved in activities of a nature contrary to those specified in the Letter of Call or which conflict with the best interest of the congregation of Church at large.

b. The Pastor is responsible to the congregation and to the Church Council as representative of the congregation. Pastoral acts will be reviewed regularly through monthly pastoral reports to the Church Council and annual pastoral report to the congregation.

c. The joint ministry of the Pastor and Congregation will be reviewed annually by the Pastor, Church Council, and Program Boards to evaluate relevance, effectiveness, and impact, to determine strengths and weaknesses and to formulate approaches to improvement and realignment. Instruments developed by the ELCA or the Synod, if available, shall be used for this review. The Council will report the findings of this review and evaluation to the annual meeting of the congregation, together with proposals for desirable congregational action to improve the ministry.

2. CALL:

a. The decision to undertake the calling of a pastor rests with the congregation, but must be stated in a resolution or motion approved by a majority of voters present and voting, in a legally called and constituted meeting of the congregation.

b. A vote to call a pastor must be followed, in the same meeting, by nomination and election of a Call Committee by the congregation. At least six voting members shall be elected as a Call Committee, non-voting members of the congregation may be elected as advisory members of the Committee. If the congregation has authorized the calling of an additional pastor, the incumbent pastor or pastors may serve as advisory members of the Call Committee.

c. The call committee shall institute a search for suitable candidates with the advice of the Bishop of the Synod and with the help of members and friends of the congregation. Persons suggested for candidacy, if on the clergy roster of The Evangelical Lutheran Church in America, or otherwise approved for call, shall be contacted by the call committee to determine availability and to invite submission of a resume of education and experience and other pertinent personal information.

d. The call committee shall review the dossiers of the candidates for the office. The candidates shall be ranked according to evident qualifications. The leading candidates may be interviewed or invited to visit the congregation.

e. The names and resume of qualifications of as many as 3 of the leading candidates, according to the evaluations of the call committee, shall be submitted to the congregation for selection of the person to receive the call. Selection of a candidate to receive a call must be made by resolution passed by two-thirds majority of voting members present and voting in a legally called and constituted meeting of the congregation.

f. The issue of call to a candidate shall be in a form approved by The Evangelical Lutheran Church in America. Any additional statements of conditions of employment

shall be attached to the call. The call shall be issued by the Church Council and forwarded to the candidate with advice to the Bishop of the Synod.

g. If the candidate returns (refuses) the call, the cycle of call committee activity shall be repeated.

h. If a pastor of this congregation receives a call to another ministry, the Church Council shall be consulted before reaching a decision and again when the decision is made. The Pastor shall also advise the Bishop of the Synod. If the call is accepted, the Pastor shall announce the fact to the Bishop, Church Council and the congregation. Timing and other considerations relating to departure shall be negotiated with the Church Council. The Council has authority to seek and appoint an appropriately qualified person to serve as interim pastor.

3. MISCONDUCT AND REMOVAL:

Alleged misconduct of a Pastor in office is subject to Council and Congregational review and disposition. The Bishop of the Synod shall be consulted to assist in determining appropriate criteria and procedure with regard to the kind of misconduct involved. Hearings conducted by Council or Congregation shall be carried out with equal treatment of all sides, right to counsel, right to cross examination, and other factors of due process. Dismissal of a Pastor can be accomplished only by action in a legally called and constituted Congregation meeting and (a) requires a 2/3 majority of members present and voting if the Synodical Bishop and the Committee described in Constitution §9.05b do not recommend termination of the call or (b) a simple majority if the Synodical Bishop and such Committee recommend termination.

PART III. MEETINGS OF THE CONGREGATION

1. The current roster of voting members shall be available at each meeting of the congregation.

2. Each annual meeting shall receive written reports from all officers, program boards, and auxiliary organizations of the congregation as well as from the pastor. The Church Council shall also submit a report of evaluation of the ministry (see Part 11 lc) and a suggested budget for the coming year. These reports shall be submitted to the Secretary of the congregation not less than 14 days before the meeting.

3. Each annual meeting of the congregation shall elect a nominating committee of four to six members to formulate and present a slate of nominations for each elective position as a report for the next annual meeting. Vacancies occurring on, the nominating committee in the course of the year shall be filled by the Church Council.

PART IV. OFFICERS AND CHAIRPERSONS

The officers of the congregation shall be the President, Vice President, Secretary and Treasurer. The duties are the following:

1. The President shall (a) preside at meetings of the congregation and Church Council, (b) maintain ongoing surveillance of the administration and programs of the church and performance of employees, boards, and officers, (c) call special meetings of the Church Council or congregation to deal with emergent problems, and (d) call meetings of a Program Board if the chairperson has failed to do so, particularly if the Board is inactive.

2. The Vice President shall (a) preside at Council or congregational meetings in the absence of the President, (b) maintain surveillance of the physical plant and other property of the congregation to make sure they are maintained in good condition to support the activities of the church, and (c) participate as a full member of the Church Council.

3. The Secretary shall be responsible for (a) the recording, keeping, and transmission of minutes of the meetings of the church council and congregation, (b) drafting of outgoing and receipt and transmission of incoming correspondence for the congregation and Council, (c) care, maintenance, and security of important documents of the congregation and minutes of council and congregational meetings as an archive of congregational and corporate history, (d) the preparation, transmission, and filing of documents and reports required by church and government agencies, and (e) participation as a full member of the Church Council.

4. The duties of the Treasurer shall be as follows:

a. The Treasurer shall be responsible for (1) receipt, safeguarding, investment and banking of all funds belonging to the congregation, (2) disbursement of funds, as authorized by the Church Council or congregation, (3) preparation and maintenance of accounts of fiscal transactions, (4) preparation of fiscal reports to the Council and congregation, (5) recording of monetary contributions to the congregation, real or in kind, made by members and friends of the congregation and issue of certification of such donations when requested by the donor, (6) preparation and transmission of financial reports which are required by church or government agencies, and (7) participation as a full member of the Church Council.

b. If warranted by workload, a Financial Secretary and other assistants may be appointed by the Church Council to assist the Treasurer in necessary accounting and reporting. Financial Secretaries and assistants will not serve as members of the Church Council but serve in advisory capacity.

c. Preparation of accounts and reports for special purposes may be carried out by private or commercial services, when authorized by the Council or congregation. However, the responsibility for oversight on such operations remains with the Treasurer.

- d. The Treasurer and others authorized to handle funds shall be bonded against loss or theft of congregational funds.
- e. The financial accounts of the congregation shall be audited annually within three months after the end of each fiscal year.

6. *Chairpersons of Program Boards*

The duties each of the Chairpersons are as follows:

- a. To call and preside over meetings of the board and to stimulate productive activity in the areas of interest of the board.
- b. To maintain oversight on the functions and activity of the board, checking on quality of performance and accomplishments.
- c. To serve as liaison among the board, the Church Council, and the congregation, reporting actions and accomplishments.
- d. To serve as full member of the Church Council.

PART V. THE CHURCH COUNCIL

The Church Council is composed of the officers of the church: President, Vice President, Secretary, Treasurer, Pastor, and the five Chairpersons of the Program Boards. The duties of the Council are as follows:

- 1. To coordinate and to maintain oversight over the functions and activities of the congregation to evaluate the quality of performance and achievement of pastors, employees, officers, and program boards and workers.
- 2. To serve as trustees, managing the property and finances of the congregation according to the constitution, bylaws, Articles of Incorporation, resolutions of the congregation, and applicable statutes of the Church and civil government.
- 3. To serve as the personnel agency of the congregation, i.e., establishing job descriptions, assigning duties, negotiating pay, hiring and discharge of employees of the congregation other than pastors. Congregational approval is required for establishment of employee positions.
- 4. To appoint qualified persons to vacancies occurring in officer's position and boards, to serve until the next annual meeting of the congregation.
- 5. To serve as liaison between the Program Boards and the congregation in promotion of the service and mission of the Church.

6. To present a proposed budget to the annual congregation meeting reflecting program, facility and other operational fiscal needs for the new year.
7. To serve as liaison between the congregation and other congregations, the Conference and other levels of the Church, as well as between the congregation and the community.
8. To appoint delegates or representatives as needed if not selected by the congregation, to serve until the next annual meeting of the congregation.

PART VI. **THE PROGRAM BOARDS**

1. *Duties:* The Program Boards are established to serve definable functional areas in the mission of the congregation. The duties of the boards are:

- a. To plan program activities for the functional areas assigned by the bylaws or congregational resolutions.
- b. To operate and evaluate the planned program activities after approval and funding by congregational action (budgetary or special allocation). Program activities not requiring funding may be initiated if approved by the Church Council.
- c. To report regularly to the Church Council and congregation on the status of operation and achievement of the program activities.
- d. To develop a program budget for each new year for submission to the Church Council for incorporation into the proposed overall budget for the annual congregational meeting.

2. *MEMBERSHIP:*

- a. The chairpersons of Program Boards are elected by the congregation.
- b. Members of the congregation are appointed to the boards by action of the Church Council on recommendation of the Program Chairperson, in numbers and range of interest consonant with the functional areas of the respective boards.
- c. Any member of the congregation is eligible to be appointed to a program board, except those serving as elected officers may only serve as advisory members and not as voting members of the program board.
- d. Vacancies can be filled or additional needed membership can be appointed at any time by Council action on recommendation by the Program Chairperson.

3. *FUNCTIONAL AREAS:*

a. Board for Music and Worship:

In concert with the pastor to recommend services and hours of worship to the Church Council to oversee Choir, Special Music, Altar Guild, banner making, greeting and ushering, and other volunteer lay participation in planning and conducting services, to give witness to the church's musical heritage with recitals and concerts for the community, to provide specifications and to supervise procurement, care, and replacement of worship aids, instruments and furnishings.

b. Board for Congregational Services:

To plan and develop programs or events that foster fellowship among congregational members and friends of the congregation. These activities may involve cooperation with other boards or extramural organizations or persons.

And, for purposes of membership growth and retention, to promote public recognition of the presence and mission of the congregation and to invite people of the community to come to hear the Gospel and to seek spiritual renewal.

To gain information on the reactions of members and visitors to the activities, programs and attitude of the congregation, with view of improving relevance and attractiveness.

To plan and coordinate activities to contact, encourage and assist members of the congregation in distress, especially the sick, disabled, bereaved or otherwise troubled; and to involve the general membership in prayer and direct aid for relief of those in distress.

c. Board for Education:

To plan and develop a program of Christian education and training for people of all ages and, in cooperation with the Pastor, to insure that Confirmation instruction, preparation for first communion, adult instruction in the Bible, Sunday School, and special events are provided.

d. Board for Community Service:

To plan and develop activities and programs of assistance to the needy and distressed; advocacy for relief of socially underprivileged and oppressed people of the community, nation, and world- support of local and synod social services to improve community life.

e. Board for Stewardship:

To promote generous, proportionate, cheerful, Biblical giving for support for the congregation's and church's ministries; to promote members' participation in congregational life by prayer and personal services.

PART VII. MEETINGS OF COUNCIL BOARDS AND COMMITTEES

1. All meetings of Council, Council Boards, and Committees shall be open to all members of the congregation.
2. A quorum for all meetings of the Council, Boards, or Committees shall be at least one-half of the elected or appointed membership.
3. Regular meetings shall be announced by mail or direct notice to the membership five days in advance; however, it is preferable that the Council, Board, or committee set meeting dates by resolution and that these be made known to the general congregation.
4. Special meetings for emergent problems can be called by direct contact or telephoned notice to all the members who can be reached one day before the necessary meeting. Business at such a special meeting must be limited to the problem causing the meeting and directly related issues.
5. Parliamentary procedure: Robert's Rules of Order, shall govern the conduct of all council, board, or committee meetings.
6. The President of the congregation or the Pastor may call necessary meetings of boards and committees if the designated chairperson has failed to do so, or has failed to organize and implement board or committee function. The Pastor may call necessary meetings of the Council if the President has failed to do so. A petition of at least one-half of the membership of the Council or a board or committee to call a meeting require the President or chairperson to call a meeting of the council, board or committee served by the petitioners.

PART VIII. REPLACEMENT OF OFFICERS OR MEMBERS OF BOARDS OR COMMITTEES

If an officer or member misses four consecutive regularly scheduled meetings of the council, board, or committee, without reasonable excuse, or if any such member is unable to or refuses to carry out constitutional responsibilities, the problem shall be referred to the Church Council. If the Council ascertains, through conversation with the member, that the latter will continue to be non-functional, the Council has the authority to appoint a replacement, who shall serve until the next annual meeting of the Congregation.