



Constitution Committee Summary

Tuesday, September 17, 2020

Table of Contents

- ▶ Overview of Constitution Committee Process
- ▶ How the model constitution works
- ▶ Key Changes
 - ▶ Voting Members
 - ▶ Pastor has a vote
 - ▶ Multiple Term Option for Officers
 - ▶ Items to move to Policies and Procedures
- ▶ Next Steps
 - ▶ Congregational Discussion Sessions

Constitution Committee and Process

- ▶ Members: Bruce Mohn, Jeff Otto, Arnie Schultz, Cheryl Schindeldecker, Sharon Buckley, Denise Kanfield, Pastor Jon, and Pastor Tanner (Synod Representative)
- ▶ Met weekly or bi-weekly from March to June guided by Pastor Tanner
 - ▶ Updated to align with the 2019 Model Constitution
 - ▶ Aligning to the model constitution is required
 - ▶ We did not align to the 2016 Model
 - ▶ Discussed every chapter in detail
 - ▶ Adopted all asterisk (*) sections as written (these are required by the ELCA)
- ▶ Presented to Council in July, facilitated Council Q&A session in August, gained Approval to recommend the updates in September

Key Change - Voting Members

Discussion summary:

- ▶ Required item
- ▶ Shows our commitment to our youth
- ▶ Officers must be 18 or older addresses concern about contract signing

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

- The president shall preside at meetings of this congregation, the Congregation Council, and, as provided in C13.10.b., shall be an advisory member of the Ministry Board and all committees of this congregation, except the Audit Committee.
- The vice-president shall preside at meetings of the congregation and Congregation Council in the absence of the president. If the presidency is declared vacant, the vice-president shall serve as president for the remainder of the term as provided in C11.01.b.4. and shall continue to serve for the following term. As provided in C13.10.c., the vice-president shall be an advisory member of the Ministry Board and all committees of this congregation, except the Audit Committee.
- The secretary shall be responsible for the recording of the minutes and preserving of the documents of all meetings of the congregation and Congregation Council and for preserving the archives of the congregation.
- Officers of this congregation must be at least 18 years of age.

*C8.02.

Members shall be classified as follows:

- 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.
- 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.
- 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. They shall not have voted as a seasonal member of another congregation of this church in the previous two calendar months.
- Associate** members are persons holding membership in other Christian congregations who wish to retain such membership but desire to participate in the life and mission of this congregation. These individuals have all the privileges and duties of membership except voting rights or other rights and privileges ascribed to voting members by the provisions of this constitution and its bylaws.
- Seasonal** members are voting members of other congregations of this church who wish to retain such membership but desire to participate in the life and mission of this congregation, including exercising limited voting rights in this congregation. The Congregation Council may grant seasonal membership to such persons provided that this congregation is a member of a synod where the Synod Council has approved seasonal member voting on its territory. Such seasonal members shall have all the privileges and duties of voting members except that:
 - they shall not be eligible for elected office in, or for membership on the Congregation Council or on a call committee of, this congregation;
 - 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;
 - they shall not have the right to vote on any matter concerning or affecting the affiliation of this congregation with this church;
 - they shall not be eligible to serve as voting members from this congregation of the Synod Assembly or the Churchwide Assembly;
 - they shall not, even if otherwise permitted by this congregation, vote by proxy or by absentee ballot; and
 - they shall not, within any two calendar month period, exercise voting rights in this congregation and in the congregation where they remain voting members.

Key Change - Pastor has a vote

Discussion Summary:

- ▶ Most common approach in Lutheran Churches
- ▶ Pastor Jon would like a vote
- ▶ Pastor(s) are influencing the vote
- ▶ Transparency on Pastor's position
- ▶ Pastor having a vote balances youth on council

Informal discussions with congregation members feedback against vote:

- ▶ Maintain a check and balance
- ▶ Pastor vote unduly influences other votes
- ▶ Trust concerns for future Pastor(s)

Chapter 12. CONGREGATION COUNCIL

C12.01. The voting membership of the Congregation Council shall consist of the pastor(s), the officers of this congregation, and five (5) members of this congregation, at least one of whom should be a youth and at least one of whom should be a young adult. Any voting member of this congregation may be elected, subject only to the limitation on the length of continuous service permitted in that office. A member's place on the Congregation Council shall be declared vacant if the member a) ceases to be a voting member of this congregation or b) is absent from four successive regular meetings of the Congregation Council without cause. Consistent with the laws of the state in which this congregation is incorporated, this congregation may adopt procedures for the removal of a member of the Congregation Council in other circumstances.

C12.01.01. The majority of the members of the Congregation Council must be over the age of 18 to be in compliance with Minnesota non-profit rules.

C12.02. The members of the Congregation Council except the pastor(s) shall be elected by written ballot to serve for two (2) years or until their successors are elected. Such members shall be eligible to serve no more than two full terms consecutively. Their terms shall begin at the close of the annual meeting at which they are elected.

Key Change - Multiple Term Option

Discussion Summary

- Provide continuity of leadership during times of change/uncertainty
- Flexibility for members who wish to continue to serve
- Common approach for other congregations

Chapter 11. OFFICERS

- C11.01.** The officers of this congregation shall be a president, vice president, and secretary.
- Duties of the officers shall be specified in the bylaws.
 - The officers shall be voting members of this congregation.
 - Officers of this congregation shall serve similar offices of the Congregation Council and shall be voting members of the Congregation Council.
- C11.02.** The congregation shall elect its officers and they shall be the officers of this congregation. The officers shall be elected by written ballot and the president/vice-president shall serve for one year or until their successors are elected and the secretary shall server for two years or until their successor is elected. Their terms shall begin at the close of the annual meeting at which they are elected.
- C11.03.** No officer shall hold more than one office at a time. No elected officer shall be eligible to serve more than two consecutive terms in the same office.
- C11.01.01.** The duties of the officers shall be as follows:
- The president shall preside at meetings of this congregation, the Congregation Council, and, as provided in C13.10.b., shall be an advisory member of the Ministry Board and all committees of this congregation, except the Audit Committee.
 - The vice-president shall preside at meetings of the congregation and Congregation Council in the absence of the president. If the presidency is declared vacant, the vice-president shall serve as president for the remainder of the term as provided in C11.01.b.4. and shall continue to serve for the following term. As provided in C13.10.c., the vice-president shall be an advisory member of the Ministry Board and all committees of this congregation, except the Audit Committee.
 - The secretary shall be responsible for the recording of the minutes and preserving of the documents of all meetings of the congregation and Congregation Council and for preserving the archives of the congregation.
 - Officers of this congregation must be at least 18 years of age.

Key Change - Update some Policies

Discussion Summary

- ▶ Keep the constitution focused on 'guardrails' not the details of how
- ▶ Easier way to manage the 'how'

Items removed from Updated Constitution:

- ▶ Procedure for Inactives (Old C8.05)
- ▶ Staffing Support Policy (Old C12.08)
- ▶ Operation ethics policy (Old C12.05)
- ▶ Meeting Policy (Old C12.14)
- ▶ Nominating Committee Policy (Old C13.02)
- ▶ Purpose of Standing ministry teams (requirement in old C13.01.03, new C13.12.03)

Next Steps

- ▶ October, Synod does soft approval
- ▶ October/November- Discussion sessions for Congregation
 - ▶ Thursday, 10/15, 7:00 pm via Zoom
 - ▶ Saturday, 10/24, 10:00 am via Zoom
 - ▶ Sunday, 11/8, 9:45 am in Fellowship Hall following our service
- ▶ 30-Day Notice to Congregation no later than 1/1/21
- ▶ January 31, 2021, vote at Annual Meeting, approval requires majority
 - ▶ Approve updated constitution as written
 - ▶ Approve updated constitution with an amendment voiced at meeting
 - ▶ Reject updated constitution
- ▶ Synod final approval in February 2021 if approved at Annual Meeting
- ▶ January 30, 2022, Ratification of constitution at Annual Meeting requires 2/3rd vote and no changes