

CONSTITUTION

HOLY TRINITY LUTHERAN CHURCH OF MERCER ISLAND, WASHINGTON

**Contains the Constitution
And all Bylaws and Continuing Resolutions
Current as of May 23, 2010**

[Bylaws and Continuing Resolutions are in Italics]

Our Mission

Holy Trinity Lutheran Church is a respectful, loving, compassionate congregation living as disciples of Jesus Christ and growing in faith and knowledge of him. We gather to proclaim Christ's good news through fulfilling worship and do Christ's work by reaching out to the local community and the world.

This Congregation substantially revised its Constitution in 2008 to bring it into conformity with the mandatory portions of the ELCA's *Model Constitution for Congregations*. The revised and restated Constitution was adopted and became effective on January 27, 2008. Initial Bylaws and Continuing Resolutions were adopted on May 18, 2008 and May 13, 2008, respectively. The Constitution, Bylaws and Continuing Resolutions have been amended from time to time thereafter. This document contains the Constitution, Bylaws and Continuing Resolutions in an integrated format, as last amended as of the date stated above.

As currently amended, this Constitution conforms with the mandatory portions of the 2009 version of the ELCA's *Model Constitution for Congregations*.

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NOTES

***The Asterisk: Mandatory Constitution Provisions.** The constitution sections that are marked by an asterisk [*] are taken verbatim from the ELCA *Model Constitution for Congregations* (subject to customization in those limited portions where the Model Constitution permits customization). The Model Constitution is available on the ELCA website. As specified in the Model Constitution, in compliance with provision 9.52 of the ELCA Constitution, the sections marked with an asterisk “must be used [as presented in the Model Constitution] without alteration or amendment of the text in any manner (neither additions nor deletions).” *The congregation should not consider changing any constitutional provision that is marked with an asterisk without first consulting the Model Constitution. Chapter 17 of our constitution does not permit amendments that are inconsistent with the mandatory provisions of the Model Constitution.*

What this Document Includes. This document combines in one place our congregation’s constitution, bylaws and continuing resolutions. Related provisions are placed together for clarity and ease of use.

How the Numbering Works. The number designations identify whether a provision is part of the constitutional, a bylaw or a continuing resolution:

a. **Constitution.** Constitutional provisions have **two sets of numbers**: the chapter number, followed by a two-digit constitution number. Thus, one constitutional

provision related to “Membership” is numbered *C8.02. The constitutional provisions are the most difficult to change. Except for changes made to conform our constitution to future changes made to the ELCA Model Constitution for Congregations, a constitutional amendment requires, among other things, two congregational votes, and approval by a two-thirds vote of the congregation on the second vote. *See* Chapter 17 of the constitution.

b. **Bylaws.** Bylaw provisions have **three sets of numbers**: the chapter number, the related constitution number, and a two-digit bylaw number. Thus, a bylaw provision related to “Membership” could be numbered as C8.02.01. Bylaws may be adopted or amended by a simple majority vote at a single congregation meeting. *See* Chapter 16 of the constitution.

c. **Continuing Resolutions.** Continuing resolutions have **four sets of numbers**: the chapter number, the related constitution number, the related bylaw number, and a two-digit continuing resolution number. Thus, a continuing resolution might be numbered C13.03.01.01. In this example, the “C13.03” indicates the constitution chapter and section to which the continuing resolution relates, the first “.01” indicates the bylaw (if any) that the continuing resolution follows, and the last “.01” is the continuing resolution number. Continuing resolutions are the provisions most easily amended. They may be updated regularly by the Congregation Council without the necessity of a congregational vote.

Headings of Constitution Provisions. In some cases, headings (in bold) have been added to provisions of the constitution. These are provided for ease of reference only. They are not a part of the constitution and shall not affect the meaning of any constitutional provision.

Numbering Order. The numbering system is a progressive sequence. Chapter numbers are the major sequence number, constitution numbers are a fraction of the chapter number, bylaw numbers are a fraction of the constitution number, and continuing resolution numbers are a fraction of the bylaw number. Thus, *C5.01 precedes C5.03.10, C9.11.16 precedes *C9.13, and C13.07.06.01 precedes C13.07.07.

Missing numbers. Certain numbers are intentionally left out of the numbering sequence in some chapters. In the style followed in the Model Constitution, the number “.10.” and multiples thereof have been reserved for possible use as section headings in future editions. Therefore, in the sequence, for example, of Chapters 1, 9, and 12, these “.10.” numbers do not appear.

The “C” Prefix. All numbers begin with a “C” to indicate these are congregational provisions. This distinguishes them from comparable provisions in the synodical (Northwest Washington Synod) and church wide (ELCA) constitutions.

References to Church. In the governing documents, “Church” with a capital letter is used in references to the one, holy, catholic, and apostolic Church. In references to the Evangelical Lutheran Church in America, the words “church” and “this church” in lower case letters are employed, although, for clarity in this constitution, the full name or “ELCA” normally is used. This congregation - Holy Trinity Lutheran Church of Mercer Island, Washington - is identified, as provided in C1.02, as “this congregation.”

GLOSSARY

Annual Meeting	The regular Congregation Meeting held annually on the last Sunday in January. <i>See</i> C10.01.01(a).
Annual Report	A comprehensive report submitted by the council to the congregation at the Annual Meeting. <i>See</i> C12.09.
Bylaw	The bylaws adopted by this congregation. <i>See</i> Chapter 16.
Call	The continuing mutual relationship and commitment between this congregation and the pastor(s) it has called. <i>See</i> *C9.05.
Church	When capitalized: The one, holy, catholic and apostolic Church. When not capitalized: The Evangelical Lutheran Church in America (ELCA).
Confidential Session	A part of a meeting during which attendance is limited to the members of the council or committee involved, due to the sensitive nature of the particular subject matter involved. <i>See</i> C12.14 (council meetings), C13.01.01.02 (committee meetings).
Congregation	This congregation, <i>i.e.</i> , Holy Trinity Lutheran Church of Mercer Island, Washington.
Congregation Council	The council is a group of congregation members elected by the congregation and charged with general oversight of the life and ministries of the congregation. The council has certain specific duties and authorities as set out in the constitution. <i>See</i> Chapter 12.
Congregation Meeting	A legally called regular or special meeting of the voting members of the congregation. <i>See</i> Chapter 10. As stated in *C5.01, “The powers of this congregation are vested in the Congregation Meeting called and conducted as provided in this constitution and bylaws.”
Congregational Covenant	The Congregational Covenant adopted by the congregation and set out as Attachment Two to the constitution.
Constitution	The constitution of this congregation, adopted by the congregation.
Continuing Resolution	The continuing resolutions of this congregation, adopted by the council or the congregation. <i>See</i> Chapter 18.
Council	<i>See</i> Congregation Council.
Council Meeting	A regular or special meeting of the council. <i>See</i> C12.11.

Council Member	A member of the Congregation Council. <i>See</i> C12.01.
ELCA	The Evangelical Lutheran Church in America.
Elections	<i>See</i> C11.02.01, “Elections of Officers, Council Members and Committee Members.”
Endowment Fund	This congregation’s mission endowment fund. <i>See</i> C5.05.01.
<u>Ex Officio</u> Member	A person who is automatically a nonvoting member of either the council or a committee by virtue of the office the individual fills. For example, a pastor is automatically a nonvoting member of the council, “ <u>ex officio</u> .”
Executive Committee	The officers of the congregation form the Executive Committee. The Executive Committee has only such authority as may be granted to it by action of the council or the congregation. Currently, the Executive Committee has not been granted any authority. <i>See</i> C13.01 and C13.01.01.01.
Ineffective Conduct of the Pastoral Office	A basis for terminating the call of a pastor, following the procedures outlined in *C9.05(b) and (d) and C13.04.11.
Member, Membership	The members of this congregation. <i>See</i> Chapter 8.
Mid-Year Meeting	A regular Congregation Meeting held annually on the Sunday immediately before Memorial Day weekend. <i>See</i> C10.01.01(b).
Mission Statement	The mission statement of our congregation, adopted pursuant to *C4.05 and set out in C4.05.01.
Mutual Ministry	The shared responsibility of the pastors, staff and congregation to provide service in the name of Christ. <i>See</i> C13.04.02.
Officer	One of the officers of the congregation, which are the president, vice-president, secretary, treasurer, and past-president. <i>See</i> C11.01.
Operating Funds	Funds contributed to the congregation that are not earmarked for use for a designated purpose and, as such, are available to pay for any costs of the congregation. <i>See</i> C12.05.02.
President	The president of the congregation. <i>See</i> C11.01.
Special Congregation Meeting	A specially called meeting of the voting members of the congregation. <i>See</i> C10.02.
Special Funds	Funds contributed to the congregation that are earmarked for use only for a designated purpose. <i>See</i> C12.05.02.

Standing Committee	The standing committees of the congregation are those committees that have ongoing responsibilities and that are established by the constitution and bylaws. All standing committees are described in Chapter 13. The standing committees associated with council positions are established in C13.07.01-14.
Synod	The Northwest Washington Synod of the ELCA, which is one of 65 synods of the ELCA. This congregation is an interdependent part of the ELCA, and of the Northwest Washington Synod. <i>See</i> *C6.01.
Task Force	A task force is a group formed by the council for a special, short-term purpose. <i>See</i> C13.07 and C13.07.30.01.
Term Limits	These are limits on the number of times a person may be re-elected or re-appointed to a given position. <i>See</i> C11.03 (officers), C12.02 (council members), C13.04.01 (Mutual Ministry Committee), C13.04.06 (Human Resources Committee) and C13.05.01 (Endowment Fund Committee).
Voting Member	The voting members of this congregation. <i>See</i> *C8.02(c).

Note: This glossary is for reference purposes only and shall not affect the meaning of the constitution, bylaws or continuing resolutions.

CONSTITUTION
HOLY TRINITY LUTHERAN CHURCH
OF MERCER ISLAND, WASHINGTON

***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. (Adopted by the Congregation January 27, 2008)

Chapter 1.

NAME AND INCORPORATION

- C1.01.** The name of this congregation shall be Holy Trinity Lutheran Church of Mercer Island, Washington.
- C1.02.** For the purpose of this constitution and the accompanying bylaws, the Holy Trinity Lutheran Church of Mercer Island, Washington congregation is hereinafter designated as "this congregation."
- C1.11.** This congregation shall be incorporated under the laws of the State of Washington.

(Chapter 1 adopted by the Congregation January 27, 2008)

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 2 adopted by the Congregation January 27, 2008)

Chapter 3.

NATURE OF THE CHURCH

- *C3.01. All power in the Church belongs to our Lord Jesus Christ, its head. All actions of this congregation are to be carried out under his rule and authority.
- *C3.02. The Church exists both as an inclusive fellowship and as local congregations gathered for worship and Christian service. Congregations find their fulfillment in the universal community of the Church, and the universal Church exists in and through congregations. The Evangelical Lutheran Church in America, therefore, derives its character and powers both from the sanction and representation of its congregations and from its inherent nature as an expression of the broader fellowship of the faithful. In length, it acknowledges itself to be in the historic continuity of the communion of saints; in breadth, it expresses the fellowship of believers and congregations in our day.

(Chapter 3 adopted by the Congregation January 27, 2008)

Chapter 4.

STATEMENT OF PURPOSE

- *C4.01. The Church is a people created by God in Christ, empowered by the Holy Spirit, called and sent to bear witness to God's creative, redeeming, and sanctifying activity in the world.
- *C4.02. To participate in God's mission, this congregation as a part of the Church shall:
 - a. Worship God in proclamation of the Word and administration of the sacraments and through lives of prayer, praise, thanksgiving, witness, and service.
 - b. Proclaim God's saving Gospel of justification by grace for Christ's sake through faith alone, according to the apostolic witness in the Holy Scripture, preserving and transmitting the Gospel faithfully to future generations.

- c. Carry out Christ's Great Commission by reaching out to all people to bring them to faith in Christ and by doing all ministry with a global awareness consistent with the understanding of God as Creator, Redeemer, and Sanctifier of all.
- d. Serve in response to God's love to meet human needs, caring for the sick and the aged, advocating dignity and justice for all people, working for peace and reconciliation among the nations, and standing with the poor and powerless, and committing itself to their needs.
- e. Nurture its members in the Word of God so as to grow in faith and hope and love, to see daily life as the primary setting for the exercise of their Christian calling, and to use the gifts of the Spirit for their life together and for their calling in the world.
- f. Manifest the unity given to the people of God by living together in the love of Christ and by joining with other Christians in prayer and action to express and preserve the unity which the Spirit gives.

***C4.03.** To fulfill these purposes, this congregation shall:

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

***C4.04.** This congregation shall develop an organizational structure to be described in the bylaws. The Congregation Council shall prepare descriptions of the responsibilities of each committee, task force, or other organizational group and shall review their actions.

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

(Chapter 4 adopted by the Congregation January 27, 2008)

C4.05.01. Mission Statement. *Our congregation's mission statement, as adopted by the congregation on January 27, 2008, is as follows:*

Holy Trinity Lutheran Church is a respectful, loving, compassionate congregation living as disciples of Jesus Christ and growing in faith and knowledge of him. We gather to proclaim Christ's good news through fulfilling worship and do Christ's work by reaching out to the local community and the world.

(Adopted by the Congregation as part of the bylaws on May 18, 2008)

C4.05.02. Congregational Covenant. *Our Congregational Covenant, as currently adopted by the congregation, is reproduced as Attachment Two to this constitution and bylaws. (Adopted by the Congregation May 18, 2008)*

Chapter 5.

POWERS OF THE CONGREGATION

- ***C5.01.** The powers of this congregation are those necessary to fulfill its purpose.
(Adopted by the Congregation January 27, 2008)
- ***C5.02.** The powers of this congregation are vested in the Congregation Meeting called and conducted as provided in this constitution and bylaws. (Adopted by the Congregation January 27, 2008)
- ***C5.03.** Only such authority as is delegated to the Congregation Council or other organizational units in this congregation's governing documents is recognized. All remaining authority is retained by the congregation. The congregation is authorized to:
 - a. call a pastor as provided in Chapter 9;
 - b. terminate the call of a pastor as provided in Chapter 9;
 - c. call or terminate the call of associates in ministry, deaconesses, and diaconal ministers in conformity with the applicable policy of the Evangelical Lutheran Church in America;
 - d. adopt amendments to the constitution, as provided in Chapter 17, and amendments to the bylaws, as specified in Chapter 16.
 - e. approve the annual budget;
 - f. acquire real and personal property by gift, devise, purchase, or other lawful means;
 - g. hold title to and use its property for any and all activities consistent with its purpose;
 - h. sell, mortgage, lease, transfer, or otherwise dispose of its property by any lawful means;
 - i. elect its officers, and Congregation Council, and require them to carry out their duties in accordance with the constitution, bylaws, and continuing resolutions; and
 - j. terminate its relationship with the Evangelical Lutheran Church in America

as provided in Chapter 6.

(Adopted by the Congregation January 27, 2008)

***C5.04.** This congregation shall choose from among its voting members laypersons to serve as voting members of the Synod Assembly as well as persons to represent it at meetings of any conference, cluster, coalition, or other area subdivision of which it is a member. The number of persons to be elected by the congregation and other qualifications shall be as prescribed in guidelines established by the Northwest Washington Synod of the Evangelical Lutheran Church in America. (Adopted by the Congregation January 27, 2008)

C5.04.01. Election of Representatives to Synod Assembly. *This congregation's representatives to the Synod Assembly for any given year shall be elected at the congregation's Annual Meeting for that year. The election shall follow the procedures described in C11.02.01. If a vacancy arises between the Annual Meeting and that year's Synod Assembly, the Congregation Council shall elect, by majority vote, a successor, subject to the right of this congregation to elect the successor at a legally called meeting of this congregation. The Nominating Committee shall nominate one or more candidates for the position before any council or congregational vote is taken, but this shall not preclude nominations from the floor. (Adopted by the Congregation May 18, 2008)*

***C5.05.** This congregation shall have a mission endowment fund that will operate as specified in this congregation's bylaws. The purpose of the mission endowment fund is to provide for mission work beyond the operational budget of this congregation. (Adopted by the Congregation January 27, 2008)

C5.05.01. Endowment Fund. *The congregation's existing Endowment Fund was established in 1987 for the purpose of supporting all the work of the church, including through disbursements supporting internal enrichment and growth, outreach into the community, new mission development by the ELCA, and capital improvements of this congregation. Because one of the purposes of the existing Endowment Fund is to provide for mission work beyond the operational budget of this congregation, the existing Endowment Fund is considered by the congregation to satisfy Section *C5.05 of the constitution. Except as otherwise provided in these bylaws, the Endowment Fund shall continue to be operated in conformance with the Resolution to Implement the Endowment Fund, as adopted by the congregation on October 18, 1987, which is reproduced as Attachment One to this constitution and bylaws. (Adopted by the Congregation May 18, 2008)*

Chapter 6.

CHURCH AFFILIATION

***C6.01.** This congregation shall be an interdependent part of the Evangelical Lutheran Church in America or its successor, and of the Northwest Washington Synod of the Evangelical Lutheran Church in America. This congregation is subject to the discipline of the Evangelical Lutheran Church in America. (Adopted by the Congregation January 27, 2008)

***C6.02.** This congregation accepts the Confession of Faith and agrees to the Purposes of the Evangelical Lutheran Church in America and shall act in accordance with them. (Adopted by the Congregation January 27, 2008)

- *C6.03.** This congregation acknowledges its relationship with the Evangelical Lutheran Church in America in which:
- a. This congregation agrees to be responsible for its life as a Christian community.
 - b. This congregation pledges its financial support and participation in the life and mission of the Evangelical Lutheran Church in America.
 - c. This congregation agrees to call pastoral leadership from the clergy roster of the Evangelical Lutheran Church in America in accordance with its call procedures except in special circumstances and with the approval of the bishop of the synod.
 - d. This congregation agrees to consider associates in ministry, deaconesses, and diaconal ministers for call to other staff positions in the congregation according to the procedures of the Evangelical Lutheran Church in America.
 - e. This congregation agrees to file this constitution and any subsequent changes to this constitution with the synod for review to ascertain that all of its provisions are in agreement with the constitution and bylaws of the Evangelical Lutheran Church in America and with the constitution of the synod.

(Adopted by the Congregation January 27, 2008)

- *C6.04.** Affiliation with the Evangelical Lutheran Church in America may be terminated as follows:
- a. This congregation takes action to dissolve.
 - b. This congregation ceases to exist.
 - c. This congregation is removed from membership in the Evangelical Lutheran Church in America according to the procedures for discipline of the Evangelical Lutheran Church in America.
 - d. This congregation follows the procedures outlined in C6.05.

(Adopted by the Congregation January 27, 2008)

- *C6.05.** This congregation may terminate its relationship with the Evangelical Lutheran Church in America by the following procedure:
- a. A resolution indicating the desire of this congregation to terminate its relationship must be adopted at a legally called and conducted special meeting of this congregation by a two-thirds majority of the voting members present.
 - b. The secretary of this congregation shall submit a copy of the resolution to the synodical bishop and shall mail a copy of the resolution to voting members of this congregation. This notice shall be submitted within 10 days after the resolution has been adopted.

- c. The bishop of the synod shall consult with this congregation during a period of at least 90 days.
- d. If this congregation, after consultation, still desires to terminate its relationship, such action may be taken at a legally called and conducted special meeting by a two-thirds majority of the voting members present, at which meeting the bishop of the synod or an authorized representative shall be present. Notice of the meeting shall be mailed to all voting members at least 10 days in advance of the meeting.
- e. A certified copy of the resolution to terminate its relationship shall be sent to the synodical bishop, at which time the relationship between this congregation and the Evangelical Lutheran Church in America shall be terminated.
- f. Notice of termination shall be forwarded by the synodical bishop to the secretary of this church and published in the periodical of this church.
- g. Since this congregation was a member of the Lutheran Church in America, it shall be required, in addition to the foregoing provisions in C6.05., to receive synodical approval before terminating its membership in the Evangelical Lutheran Church in America.

(Adopted by the Congregation January 27, 2008)

- ***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 program 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. (Originally adopted by the Congregation January 27, 2008. Amended by the Congregation May 23, 2010)
- ***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 program unit of the churchwide organization before any steps are taken leading to such action. (Adopted by the Congregation May 23, 2010)

Chapter 7.

PROPERTY OWNERSHIP

- ***C7.01.** If this congregation ceases to exist, title to undisposed property shall pass to the Northwest Washington Synod of the Evangelical Lutheran Church in America. (Adopted by the Congregation January 27, 2008)
- ***C7.02.** If this congregation is removed from membership in the Evangelical Lutheran Church in America according to its procedure for discipline, title to property shall continue to reside in this congregation. (Adopted by the Congregation January 27, 2008)
- ***C7.03.** If a two-thirds majority of the voting members of this congregation present at a legally called and conducted special meeting of this congregation vote to transfer to another Lutheran church body, title to property shall continue to

reside in this congregation. Before this congregation takes action to transfer to another Lutheran church body, it shall consult with representatives of the Northwest Washington Synod. (Adopted by the Congregation January 27, 2008)

- ***C7.04.** If a two-thirds majority of the voting members of this congregation present at a legally called and conducted special meeting of this congregation vote to become independent or relate to a non-Lutheran church body, title to property of this congregation shall continue to reside in this congregation only with the consent of the Synod Council. The Synod Council, after consultation with this congregation by the established synodical process, may give approval to the request to become independent or to relate to a non-Lutheran church body, in which case title shall remain with the majority of this congregation. If the Synod Council fails to give such approval, title shall remain with those members who desire to continue as a congregation of the Evangelical Lutheran Church in America. (Adopted by the Congregation January 27, 2008)

Chapter 8.

MEMBERSHIP

- ***C8.01.** Members of this congregation shall be those baptized persons on the roll of this congregation at the time that this constitution is adopted and those who are admitted thereafter and who have declared and maintain their membership in accordance with the provisions of this constitution and its bylaws. (Adopted by the Congregation January 27, 2008)

C8.01.01. *The Membership Roll.* *The membership roll of this congregation is made up of all baptized, confirmed and associate members. Voting member status is not a requirement to be on the membership roll. (Adopted by the Congregation May 23, 2010)*

- ***C8.02.** Members shall be classified as follows:
- a. **Baptized** members are those persons who have been received by the Sacrament of Holy Baptism in this congregation, or, having been previously baptized in the name of the Triune God, have been received by certificate of transfer from other Lutheran congregations or by affirmation of faith.
 - b. **Confirmed** members are baptized persons who have been confirmed in this congregation, those who have been received by adult baptism or by transfer as confirmed members from other Lutheran congregations, or baptized persons received by affirmation of faith.
 - c. **Voting** members are confirmed members. Such confirmed members, during the current or preceding calendar year, shall have communed in this congregation and shall have made a contribution of record to this congregation. Members of this congregation who have satisfied these basic standards shall have the privilege of voice and vote at every regular and special meeting of the congregation. (As amended by the Congregation May 17, 2009)
 - d. **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, or persons who wish to retain a relationship with this congregation while being members of other congregations. They have all the privileges and duties of membership except voting rights and eligibility for elected offices or membership on the Congregation Council of this congregation.

(Adopted by the Congregation January 27, 2008)

C8.02.01. Determinations of Voting Member Status. *Shortly before each congregation meeting, the congregation secretary shall see that a list is prepared of those confirmed members who qualify as voting members (by virtue of having communed in this congregation, and made a contribution of record to this congregation, either during the year in which the congregation meeting occurs or in the immediately preceding calendar year). In the case of any dispute regarding a member's eligibility to vote, the decision of the secretary shall be final unless reviewed and overruled by the Council. (Adopted by the Congregation May 23, 2010)*

C8.02.02. Contributing and Communing. *For all purposes related to membership status, a contribution made by one member of a household will be attributed to each member of the household, and also to the children of that household who are 26 years of age or younger whether or not they reside in the household. In-kind contributions and substantial contributions of services, as well as cash contributions, will be considered. All cash contributions to this congregation will be considered, including designated contributions and contributions to the Endowment Fund. It shall be presumed that a confirmed member who has made a contribution of record in the current or preceding calendar year also communed in this congregation during that period, unless the contrary is established by evidence to the satisfaction of the Council. Like confirmed members, associate members shall be subject to removal from the membership rolls for inactivity (following the procedure set out in these bylaws) if they have not made a contribution of record to this congregation during the current or preceding calendar year, but associate members need not have communed in this congregation during that time. (Adopted by the Congregation May 23, 2010)*

***C8.03.** All applications for confirmed membership shall be submitted to and shall require the approval of the Congregation Council. (Adopted by the Congregation January 27, 2008)

C8.03.01. Applications for Membership. *The senior pastor and the congregation secretary shall have joint responsibility for ensuring that applications for confirmed membership are submitted to the Council for approval. (Adopted by the Congregation May 23, 2010)*

***C8.04.** It shall be the privilege and duty of members of this congregation to:

- a. make regular use of the means of grace, both Word and sacraments;
- b. live a Christian life in accordance with the Word of God and the teachings of the Lutheran church; and

- c. support the work of this congregation, the synod, and the churchwide organization of the Evangelical Lutheran Church in America through contributions of their time, abilities, and financial support as biblical stewards.

(Adopted by the Congregation January 27, 2008)

***C8.05.** Membership in this congregation shall be terminated by any of the following:

- a. death;
- b. resignation;
- c. transfer or release;
- d. disciplinary action by the Congregation Council; or
- e. removal from the roll due to inactivity as defined in the bylaws.

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

(Adopted by the Congregation January 27, 2008)

C8.05.01. Removal from Membership Roll Due to Inactivity – Confirmed and Associate Members. *Each May, the congregation secretary shall obtain a list of any confirmed or associate members who have not made a contribution of record either in that year or during the prior two calendar years, and shall provide the list to the senior pastor for review. These members shall be considered for removal from the membership roll. If extenuating circumstances exist, as determined by the senior pastor, the member will remain on the roll. Extenuating circumstances include members who are shut ins or temporarily out of the area with a known intention to return. The senior pastor shall report to the council the number of members retained on the roll based on extenuating circumstances, and the general types of extenuating circumstances that were considered (not identifying particular members). After the pastor's review, the secretary shall provide the list of members still being considered for removal to the president and the chair of the Evangelism Committee, who will consult with the senior pastor regarding appropriate contacts that may be made to those members by the pastor(s) or others. After any contact resulting from this consultation, the secretary and senior pastor shall be responsible to see that members who remain under consideration for removal are advised by letter that if they do not make a contribution of record by December 31 (or correct the record regarding contributions made in the then current or prior calendar year that do not appear of record) they will be removed from the membership roll, but will remain a person for whom the Church has a continuing pastoral concern, and may later apply for re-admission to membership upon making a contribution to this congregation. The letter will be mailed to the member's last known address by September 30. The secretary and senior pastor shall be responsible to see that members to whom this letter is sent who do not contribute of record (or correct their contribution record) by December 31 are removed from the membership roll, and shall report to the council that this process has been completed. The process described in this bylaw will take place only (a) when there is a regularly called pastor serving this congregation, or (b) with the approval of the bishop of the synod. (Adopted by the Congregation May 23, 2010)*

C8.05.02. Removal from Membership Roll Due to Inactivity – Baptized Members who have not become Confirmed Members. Each May, the congregation secretary shall obtain a list of any baptized members who were 27 years of age or older by the end of the prior calendar year but who have not yet become confirmed members (by either confirmation or affirmation of faith), and shall provide the list to the senior pastor for review. These members shall be considered for removal from the membership roll, and if appropriate removed from the membership roll, following a process similar to that for the removal of confirmed members. It shall be the joint responsibility of the secretary and the senior pastor to see that this process is carried out. (Adopted by the Congregation May 23, 2010)

C8.05.03. Significance of Removal from Membership Roll Due to Inactivity. The fact that an individual is removed from the membership roll due to inactivity signifies only that that person is no longer a member of this congregation. It does not affect that person's baptism or confirmation. (Adopted by the Congregation May 23, 2010)

Chapter 9.

THE PASTOR

- ***C9.01.** Authority to call a pastor shall be in this congregation by at least a two-thirds majority ballot vote of members present and voting at a meeting legally called for that purpose. Before a call is issued, the officers, or a committee elected by the Congregation Council to recommend the call, shall seek the advice and help of the bishop of the synod. (Adopted by the Congregation January 27, 2008)
- ***C9.02.** Only a member of the clergy roster of the Evangelical Lutheran Church in America or a candidate for the roster of ordained ministers who has been recommended for the congregation by the synodical bishop may be called as a pastor of this congregation. (Adopted by the Congregation January 27, 2008)
- ***C9.03.** Consistent with the faith and practice of the Evangelical Lutheran Church in America,
 - a. Every ordained minister shall:
 - 1) preach the Word;
 - 2) administer the sacraments;
 - 3) conduct public worship;
 - 4) provide pastoral care; and
 - 5) speak publicly to the world in solidarity with the poor and oppressed, calling for justice and proclaiming God's love for the world.
 - b. Each ordained minister with a congregational call shall, within the congregation:
 - 1) offer instruction, confirm, marry, visit the sick and distressed, and bury the dead;
 - 2) supervise all schools and organizations of this congregation;
 - 3) install regularly elected members of the Congregation Council; and
 - 4) with the council, administer discipline.

- c. Every pastor shall:
 - 1) strive to extend the Kingdom of God in the community, in the nation, and abroad;
 - 2) seek out and encourage qualified persons to prepare for the ministry of the Gospel;
 - 3) impart knowledge of this church and its wider ministry through distribution of its periodicals and other publications; and
 - 4) endeavor to increase the support given by the congregation to the work of the churchwide organization of the Evangelical Lutheran Church in America (ELCA) and of the Northwest Washington Synod of the ELCA.

(Adopted by the Congregation January 27, 2008)

***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. (Adopted by the Congregation January 27, 2008)

- *C9.05.** a. The call of a congregation, when accepted by a pastor, shall constitute a continuing mutual relationship and commitment, which, except in the case of the death of the pastor, shall be terminated only following consultation with the synodical bishop and for the following reasons:
- 1) mutual agreement to terminate the call or the completion of a call for a specific term;
 - 2) resignation of the pastor, which shall become effective, unless otherwise agreed, 30 days after the date on which it was submitted;
 - 3) inability to conduct the pastoral office effectively in the congregation in view of local conditions, without reflection on the competence or the moral and spiritual character of the pastor;
 - 4) the physical or mental incapacity of the pastor;
 - 5) disqualification of the pastor through discipline on grounds of doctrine, morality, or continued neglect of duty;
 - 6) the dissolution of the congregation or the termination of a parish arrangement; or
 - 7) suspension of the congregation as a result of discipline proceedings.
- b. When allegations of physical or mental incapacity of the pastor or ineffective conduct of the pastoral office have come to the attention of the bishop of the synod, the bishop in his or her sole discretion may, or when such allegations have been brought to the synod's attention by an official recital of allegations by the Congregation Council or by a petition signed by at least one-third of the voting members of the congregation, the bishop shall investigate such conditions personally in company with a committee of two ordained ministers and one layperson.
- c. In case of alleged physical or mental incapacity, competent medical testimony shall be obtained. When such disability is evident, the bishop of the synod with the advice of the committee shall declare the pastorate vacant.

Upon the restoration of a disabled pastor to health, the bishop of the synod shall take steps to enable the pastor to resume the ministry, either in the congregation last served or in another field of labor.

- d. In the case of alleged local difficulties that imperil the effective functioning of the congregation, all concerned persons shall be heard, after which the bishop of the synod together with the committee described in C9.05.b. shall decide on the course of action to be recommended to the pastor and the congregation. If they agree to carry out such recommendations, no further action shall be taken by the synod. If either party fails to assent, the congregation may dismiss the pastor at a legally called meeting after consultation with the bishop, either (a) by a two-thirds majority vote of the voting members present and voting where the bishop and the committee did not recommend termination of the call, or (b) by a simple majority vote of the voting members present and voting where the bishop and the committee recommended termination of the call.
- e. If, in the course of proceedings described in C9.05.d., the committee concludes that there may be grounds for disciplinary action, the committee shall make recommendations concerning disciplinary action to the synodical bishop, who may bring charges in accordance with the provisions of the constitution and bylaws of the Evangelical Lutheran Church in America and the constitution of this synod.
- f. If, following the appointment of the committee described in C9.05.b. or d., it should become apparent that the pastoral office cannot be conducted effectively in the congregation(s) being served by the ordained minister due to local conditions, the bishop of the synod may temporarily suspend the pastor from service in the congregation(s) without prejudice and with pay provided through a joint synodical and churchwide fund and with housing provided by the congregation(s).

(Originally Adopted by the Congregation January 27, 2008. Amended by the Congregation May 23, 2010)

C9.05.01. Terminating a Pastor's Call. See C13.04.11. (Adopted by the Congregation May 18, 2008)

- ***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. (Adopted by the Congregation January 27, 2008)
- ***C9.07.** During the period of service, an interim pastor shall have the rights and duties in the congregation of a regularly called pastor and may delegate the same in part to a supply pastor with the consent of the bishop of the synod and this congregation or Congregation Council. The interim pastor and any ordained pastor providing assistance shall refrain from exerting influence in the selection of a pastor. (Adopted by the Congregation January 27, 2008)
- ***C9.08.** This congregation shall make satisfactory settlement of all financial obligations to a former pastor before calling a successor. A pastor shall make satisfactory

settlement of all financial obligations to this congregation before beginning service in a call to another congregation or employment in another ministry setting related to the Evangelical Lutheran Church in America. (Adopted by the Congregation January 27, 2008)

- *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. (Adopted by the Congregation January 27, 2008)
- *C9.10. [Intentionally Left Blank]
- *C9.11. With the approval of the bishop of the synod, the congregation may depart from C9.05.a. and call a pastor for a specific term. Details of such calls shall be in writing setting forth the purpose and conditions involved. Prior to the completion of a term, the bishop or a designated representative of the bishop shall meet with the pastor and representatives of the 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. (Adopted by the Congregation January 27, 2008)
- *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.

(Adopted by the Congregation January 27, 2008)

- *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. (Adopted by the Congregation January 27, 2008)
- *C9.14. The parochial records of this congregation shall be maintained by the pastor and shall remain the property of the 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. (Adopted by the Congregation January 27, 2008)

Chapter 10.

CONGREGATION MEETING

C10.01. Regular Congregation Meetings. This congregation shall hold one or more regular meetings each year, at the times specified in the bylaws. The bylaws shall designate one regular meeting each year to be the annual meeting.

(Adopted by the Congregation January 27, 2008)

C10.01.01. Regular Congregation Meetings. *This congregation shall hold two regular congregation meetings each year. The Annual Meeting shall be held on the last Sunday in January, and the Mid-Year Meeting shall be held in May on the Sunday immediately prior to the Memorial Day Weekend.*

(a) Annual Meeting. *The following business shall be transacted at each Annual Meeting: Be reminded of, and affirm, our Congregational Covenant; elect the Nominating Committee; elect representatives to the Synod Assembly; approve the budget; and receive the Annual Report (including the annual report of the Endowment Fund Committee).*

(b) Mid-Year Meeting. *The following business shall be transacted at each Mid-Year Meeting: Elect officers, non-officer council members, Co-Chairs of Congregational Life, and members of the Endowment Fund Committee.*

(c) Other Business. *Other business may also be transacted at a regular meeting, upon the request of a pastor, the Congregation Council, the president, or the written request of 10% of the voting members. Any such request must be received by the president at least twenty five (25) days before the meeting, so that the additional business may be included in the written notice of the meeting.*

(Adopted by the Congregation May 18, 2008)

C10.02. Special Congregation Meetings. A special Congregation Meeting may be called by the pastor, the Congregation Council, or the president of this congregation, and shall be called by the president of the congregation upon the written request of 10% of the voting members. The call for each special meeting shall specify the purpose for which it is to be held and no other business shall be transacted. (Adopted by the Congregation January 27, 2008)

C10.03. Notice of Congregation Meetings. Notice of all meetings of this congregation shall be given at the services of worship on the preceding two consecutive Sundays, and shall also be given to all voting members at least 16 days in advance of the date of the meeting. Notice of any special meeting called to elect or remove any officer, any Congregation Council member, or any committee member required by this constitution to be elected by the congregation, shall be given at the services of worship on the preceding two consecutive Sundays, and shall also be given to all voting members at least 30 days in advance of the date of the meeting. The posting of any notice to members in the regular mail, with the regular postage affixed or paid, sent to the last known address of such members shall be sufficient and shall be effective on the date of mailing. Alternative forms of notice may be specified in the bylaws. (Adopted by the Congregation January 27, 2008)

C10.03.01. Notice of Congregation Meetings. *Each notice of a regular or special Congregation Meeting shall specify all purpose(s) for which the meeting is to be held, and no other business shall be transacted. As required by Washington law (RCW 24.03.080), no notice of a regular or special Congregation Meeting shall be given more than fifty days in advance of the date of the meeting. (Adopted by the Congregation May 18, 2008).*

C10.03.01.01. Notice Given at Services of Worship. *Notices of congregation meetings that are given at services of worship may be given either in writing (for example, in written announcements in the bulletin), or by oral announcement. (Adopted by the Council May 13, 2008)*

C10.04. Quorum. Five percent (5%) of the voting members shall constitute a quorum. (Adopted by the Congregation January 27, 2008)

C10.05. Proxies Prohibited. Voting by proxy or by absentee ballot shall not be permitted. (Adopted by the Congregation January 27, 2008)

C10.06. Votes Determined by Members Present and Voting. All actions by the congregation shall be by majority vote of those voting members present and voting, except as otherwise provided in this constitution or by Washington law. All actions specified to be by two-thirds vote shall be by a two-thirds vote of those voting members present and voting, except as otherwise provided in this constitution or by Washington law. (Adopted by the Congregation January 27, 2008)

C10.07. Rules of Order. *Robert's Rules of Order*, latest edition, shall govern parliamentary procedure of all meetings of this congregation. The president or his or her designee shall preside. The individual presiding may appoint a parliamentarian to advise him or her upon matters of order. (Adopted by the Congregation January 27, 2008)

Chapter 11.

OFFICERS

- C11.01 Officer Positions Established.** The officers of this congregation shall be a president, vice-president, secretary, treasurer, and past-president.
- a. Duties of office shall be specified in the bylaws.
 - b. The officers shall be voting members of the congregation.
 - c. Except for the past-president, officers of this congregation shall serve similar offices of the Congregation Council and shall be voting members of the Congregation Council.
 - d. The past-president shall serve as an ex officio (non-voting) member of the Congregation Council and the Executive Committee.

(Adopted by the Congregation January 27, 2008)

C11.01.01. Duties of Officers. *The duties of the officers of this congregation shall be as follows.*

*(a) **President.** The president (or his or her designee) shall preside at all meetings of the congregation and Congregation Council. The president shall see to it that the business of the congregation is carried out in accordance with the constitution, bylaws, and continuing resolutions. The president shall prepare (or direct the preparation of) all notices of congregation meetings, shall ensure that all necessary notices of congregation meetings are given, and shall ensure that all business that the constitution requires be conducted by the congregation is taken up by the congregation at appropriate times. The president shall be given notice of, and be entitled to attend on a non-voting basis (as he or she deems appropriate), all meetings of (a) each standing committee associated with a council position (these committees are established in the bylaws in sections C13.07.01-.14), (b) the Mutual Ministry Committee, (c) the Human Resources Committee, and (d) the Endowment Fund Committee (provided that the president shall attend Endowment Fund Committee meetings as a formal ex officio (non-voting) member if the president has been appointed as the council's formal representative to that committee pursuant to C13.05.01). (Adopted by the Congregation May 18, 2008)*

*(b) **Vice-President/President Elect.** The vice president shall perform the duties of the president in the absence of or during the disability of the president. The vice president shall assist the president in the president's duties; shall serve as chair of the Human Resources Committee; and shall ensure that all information required to be provided to the congregation is timely provided (other than notices of congregation meetings, which are the responsibility of the president). The vice president shall be responsible for initiating, at the council's regular February meeting, a review by the council of the constitution, bylaws and continuing resolutions of the congregation, and of the Congregational Covenant. This review shall be completed by the council at least 60 days before the congregation's Mid-Year Meeting, so that any proposed amendments may be presented at that meeting. As part of the review, the vice president shall determine whether any changes have been made to the ELCA Model Constitution for Congregations since our constitution was last amended, and if so the council shall consider whether to recommend amending our constitution to conform with those changes. (It is intended that our constitution will be regularly updated to conform to the ELCA Model unless there are compelling reasons to do otherwise.) The vice president shall also be responsible, each February, for confirming that this congregation's registration and registered agent filed with the Washington Secretary of State are current. The vice president may be referred to as the president elect, shall commit to serve as the president the following year, if elected, and shall be given first consideration by the Nominating Committee to be nominated for the position of president following his or her term as vice president, but the vice president is not assured either nomination or election as president. (Adopted by the Congregation May 18, 2008)*

*(c) **Secretary.** The secretary shall keep minutes of all meetings of the congregation and the Congregation Council. The secretary shall be the custodian of and shall preserve all legally or historically important documents of the congregation, and shall handle council correspondence. The secretary shall be responsible, each February,*

*for confirming that all amendments to this congregation's constitution or bylaws adopted during the prior calendar year have been forwarded to the synod as required by *C16.04 and *C17.03. The secretary will also have joint responsibility with the senior pastor for ensuring that applications for confirmed membership are submitted to the Council for approval, and that the annual review of the membership roll is carried out. (Originally adopted by the Congregation May 18, 2008. Amended by the Congregation May 23, 2010)*

*(d) **Treasurer.** The treasurer shall be custodian of all monies, and shall ensure that proper accounts are maintained and payments for all obligations and liabilities of the congregation are made. The treasurer shall make a monthly detailed statement in writing to the Congregation Council of the condition of the finances of the congregation, or whenever the Congregation Council may request; and at the Annual Meeting of the congregation shall render an accurate account of all monies received and of all payments made during the prior calendar year. (Adopted by the Congregation May 18, 2008)*

*(e) **Past President.** The past president shall provide advice and counsel to the president and the Congregation Council. (Adopted by the Congregation May 18, 2008)*

C11.02. Election of Officers. The congregation shall elect the officers of the congregation (except for the past-president) annually at a regular meeting designated for this purpose in the bylaws. They shall be elected by written ballot and shall serve for one year or until their successors are elected. Their terms shall begin at the close of the meeting at which they are elected. Upon the end of the president's term, and provided the president was not elected to serve a subsequent consecutive term as an officer or non-officer council member, the president shall automatically fill the position of past-president for a one-year term. If the president was elected to serve a subsequent consecutive term as an officer or non-officer council member, the position of past-president shall be left vacant for that term. (Adopted by the Congregation January 27, 2008)

C11.02.01. Election of Officers, Council Members and Committee Members. *The congregation's officers (except for the past-president), non-officer council members, Co-Chairs of Congregational Life, and Endowment Fund Committee members, shall be elected at the congregation's Mid-Year Meeting. The congregation's Nominating Committee members and representatives to the Synod Assembly shall be elected at the congregation's Annual Meeting. The Nominating Committee shall nominate one or more candidates for each position before any congregational vote is taken, as provided in C13.02.02, but this shall not preclude nominations from the floor.*

*(a) **Officers and Council Members.** Each officer, council member and Co-Chair of Congregational Life candidate shall stand for election for only one open position, and each member of the congregation shall cast no more than one vote for each position. These positions shall be elected by a majority of votes cast for each open position. For contested positions, the vote shall be by written ballot (as required by the constitution), which shall be a secret ballot, but a voice vote may be used for uncontested positions. If there are more than three names placed in nomination for a position, and if no candidate is elected by a majority on the first ballot, the candidate receiving the*

fewest votes shall be removed from nomination and a further vote shall be held. This process shall continue until a candidate is elected by a majority vote, provided that in the event of a tie between two candidates the tie shall be broken by a vote of the council at its next regular meeting. All officers and council members properly elected shall be duly installed by the pastor(s) as early in June as is practicable.

*(b) **Committee Members and Synod Representatives.** The members of the Endowment Fund Committee and Nominating Committee, and representatives to the Synod Assembly, shall be elected using the following procedure. All candidates for the committee in question shall stand for election together. Likewise, all candidates for representative to the Synod Assembly shall stand for election together. In each case, each member of the congregation shall be allowed a number of votes equal to the number of open committee positions, or representative positions (as the case may be), being elected, but shall cast no more than one vote for any candidate. There shall be one ballot for committee member elections, and one ballot for representatives to the Synod Assembly. In each case, the top vote getters shall be elected to fill the open positions, provided that if there is a tie to fill any position a run-off ballot shall be cast. If a tie remains after a run-off ballot, the tie shall be broken by a vote of the council at its next regular meeting. If there are more names placed in nomination than there are open positions, a written secret ballot shall be used, but a voice vote may be used if there are no more names placed in nomination than there are open positions.*

*(c) **Age.** Officers, Endowment Fund Committee members and members of the Nominating Committee shall be at least 21 years of age. Non-officer council members, Co-Chairs of Congregational Life, and Representatives to the Synod Assembly shall be at least 18 years of age.*

(Adopted by the Congregation May 18, 2008)

C11.03. Holding Multiple Officer Positions Prohibited; Term Limits; Family Members; Single Vote. No individual shall hold more than one officer position at a time. Except for the past-president, no individual shall be eligible to serve more than two full consecutive terms (disregarding any partial terms served) in any combination of officer positions. Except for the past-president, no more than one immediate family member (spouse, child, parent or sibling) shall serve as an officer at any one time. Each officer position shall have only one vote on the Congregation Council and Executive Committee (except for the past-president, who shall not vote), and each officer position shall be held by only one congregation member at one time. (Adopted by the Congregation January 27, 2008)

C11.04. Vacancies. An officer's position shall be declared vacant if the officer:

- a. ceases to be a voting member of the congregation; or
- b. is absent from three successive regular meetings of the Congregation Council without cause (as determined by the council); or
- c. resigns, or
- d. is removed by a two-thirds vote at a legally called meeting of this congregation that is called for that purpose.

Consistent with Washington law, the congregation may adopt procedures for the removal of an officer in other circumstances. An officer's authority may be temporarily suspended by a vote of the Congregation Council to the extent so provided in the bylaws.

(Adopted by the Congregation January 27, 2008)

C11.04.01. Suspension of Officer's Authority by Council. *The Congregation Council may suspend an officer's authority to act in the capacity of an officer for no longer than 90 days. To suspend an officer's authority, the council first must vote, by a two-thirds (2/3rds) vote at a legally called meeting, to inform the officer of the council's intent to consider suspension. Second, the council must vote, by a two-thirds (2/3rds) vote at a subsequent, legally-called meeting of the council, to suspend the officer's authority. The officer shall be given at least five (5) days' advance written notice personally delivered to the officer, or at least eight (8) days' advance written notice delivered by mail (effective upon mailing), of the date, time and place of the meeting at which the final vote on suspension will be taken. The officer shall be entitled to be present and to address the council but shall not be eligible to vote on these questions. Suspension of an officer shall not affect the officer's status as a voting member of the council. (Adopted by the Congregation May 18, 2008)*

C11.05. Filling Officer Vacancies. Should an officer's position be declared vacant, the Congregation Council shall elect, by majority vote, a successor until the next regular meeting of the congregation at which officers are elected, subject to the right of this congregation to elect the successor at a legally called special meeting of this congregation. The Nominating Committee shall nominate one or more candidates for the position before any council or congregational vote is taken, but this shall not preclude nominations from the floor. (Adopted by the Congregation January 27, 2008)

Chapter 12.

CONGREGATION COUNCIL

C12.01. Membership of Council; Family Members; Single Vote; Vacancies. The voting membership of the Congregation Council shall consist of the officers of the congregation, plus not more than 11 members of the congregation, the precise number to be specified in the bylaws. Any voting member of the congregation may be elected, subject only to (i) the limitation on the length of continuous service permitted in that office and (ii) the limitation that no more than one immediate family member (spouse, child, parent or sibling) shall serve on the Congregation Council at one time (including by virtue of being an officer). Each council position shall have only one vote and shall be held by only one congregation member at one time. A member's place on the Congregation Council shall be declared vacant if the member:

- a. ceases to be a voting member of the congregation; or
- b. is absent from three successive regular meetings of the Congregation Council without cause (as determined by the council); or
- c. resigns, or

- d. is removed by a two-thirds vote at a legally called meeting of this congregation that is called for that purpose.

Consistent with Washington law, the congregation may adopt procedures for the removal of a member of the Congregation Council in other circumstances.

(Adopted by the Congregation January 27, 2008)

C12.01.01. Council Member Positions Established. *The voting membership of the Congregation Council shall consist of the voting officers of the congregation plus the following nine (9) non-officer council members:*

	Position	Year Elected
(a)	<i>Christian Education</i>	<i>Odd Years</i>
(b)	<i>Congregational Life</i>	<i>Odd Years</i>
(c)	<i>Evangelism</i>	<i>Odd Years</i>
(d)	<i>Management</i>	<i>Odd Years</i>
(e)	<i>Property</i>	<i>Even Years</i>
(f)	<i>Social Concerns</i>	<i>Odd Years</i>
(g)	<i>Stewardship</i>	<i>Even Years</i>
(h)	<i>Worship & Music</i>	<i>Even Years</i>
(i)	<i>Youth Ministry</i>	<i>Even Years</i>

(Adopted by the Congregation May 18, 2008)

C12.02. Election of Council Members; Term Limits. The non-officer members of the Congregation Council except the pastor(s) shall be elected by written ballot at a regular congregation meeting designated for that purpose in the bylaws, to serve for two years or until their successors are elected. Such members shall be eligible to serve no more than two full terms consecutively (disregarding any partial terms served). A full one-year term served as an officer will be counted as a full term served as a non-officer council member for purposes of this term limit. For example, an individual who has served two consecutive full one-year terms as an officer will not be eligible to serve a subsequent consecutive term as a non-officer council member. The terms of newly-elected non-officer council members shall begin at the close of the meeting at which they are elected.

(Adopted by the Congregation January 27, 2008)

C12.02.01. Election of Council Members. *See C11.02.01, "Election of Officers, Council Members and Committee Members."* (Adopted by the Congregation May 18, 2008)

C12.03. Filling Vacancies. Should a member's place on the Congregation Council be declared vacant, the Congregation Council shall elect, by majority vote, a successor until the next regular meeting of the congregation at which Congregation Council members are elected, subject to the right of this congregation to elect the successor at a legally called special meeting of this congregation. The Nominating Committee shall nominate one or more candidates for the position before any council or congregational vote is taken,

but this shall not preclude nominations from the floor. (Adopted by the Congregation January 27, 2008)

C12.04. The Council's Duties. The Congregation Council shall have general oversight of the life and activities of this congregation, and in particular its worship life, to the end that everything be done in accordance with the Word of God and the faith and practice of the Evangelical Lutheran Church in America. The duties of the Congregation Council shall include the following:

- a. To lead this congregation in stating its mission, to do long-range planning, to set goals and priorities, and to evaluate its activities in light of its mission and goals.
- b. To seek to involve all members of this congregation in worship, learning, witness, service, and support.
- c. To oversee and provide for the administration of this congregation to enable it to fulfill its functions and perform its mission.
- d. To maintain supportive relationships with the pastor(s) and staff and help them annually to evaluate the fulfillment of their calling or employment.
- e. To be examples individually and corporately of the style of life and ministry expected of all baptized persons.
- f. To promote a congregational climate of peace and goodwill and, as differences and conflicts arise, to endeavor to foster mutual understanding.
- g. To assist the pastor as necessary to arrange for pastoral service during the sickness or absence of the pastor.
- h. To emphasize partnership with the synod and churchwide organization of the Evangelical Lutheran Church in America as well as cooperation with other congregations, both Lutheran and non-Lutheran, subject to established policies of the synod and the Evangelical Lutheran Church in America.
- i. To recommend and encourage the use of program resources produced or approved by the Evangelical Lutheran Church in America.
- j. To seek out and encourage qualified persons to prepare for the ministry of the Gospel.

(Adopted by the Congregation January 27, 2008)

C12.04.01. Human Resources Issues Related to the Pastor(s). *The council shall be responsible for addressing human resources issues that arise regarding the pastor(s) (e.g., establishing the pastor's pay and benefits as part of the annual budgeting process, or investigating allegations of ineffective conduct of the pastoral office), except as specifically provided otherwise in the constitution and bylaws; provided that in fulfilling this responsibility the council may direct others, including the Human Resources Committee, to conduct investigations and make recommendations to the council. See C13.04.08, "Human Resources Committee Duties and Authority Regarding Pastors." If considering the potential termination of a pastor's call, the council shall comply with the requirements set out in C13.04.11, "Terminating a Pastor's Call." (Adopted by the Congregation May 18, 2008)*

C12.05. The Council's Financial and Property Responsibilities. The Congregation Council shall be responsible for the financial and property matters of this congregation.

- a. The Congregation Council shall be the board of trustees/directors of this congregation, and as such shall be responsible for maintaining and protecting its property and the management of its business and fiscal affairs. It shall have the powers and be subject to the obligations that pertain to such boards under the laws of the State of Washington, except as otherwise provided herein.
- b. The Congregation Council shall not have the authority to buy, sell, or encumber real property unless specifically authorized to do so by a meeting of the congregation.
- c. The Congregation Council shall have authority to enter into contracts for items not included in the budget to the extent that authority is specified in the bylaws or granted by specific action at a Congregation Meeting.
- d. The Congregation Council shall prepare an annual budget for adoption by this congregation, shall supervise the expenditure of funds in accordance therewith following its adoption, and may incur obligations in any calendar year that are expected to exceed the budgeted undesignated receipts for that year by more than 20% only after approval by a Congregation Meeting. The budget shall include an appropriate amount (as determined through the budget process) of benevolence giving to the synod in support of the wider ministry being carried on in partnership with the synod and churchwide organization.
- e. The Congregation Council shall ascertain that the financial affairs of this congregation are being conducted efficiently, giving particular attention to the prompt payment of all obligations and to the regular forwarding of benevolence monies to the synodical treasurer.
- f. The Congregation Council shall be responsible for this congregation's investments and its total insurance program, provided that the Endowment Fund Committee, not the council, shall be responsible for the endowment fund's investments.
- g. The Congregation Council shall be responsible for ensuring that restricted or designated assets are used only for their designated purposes, unless and until the applicable restriction or designation has been removed in a manner permitted by law. This shall not prohibit the borrowing of restricted or designated assets to the extent authorized by vote of the congregation.

(Adopted by the Congregation January 27, 2008)

C12.05.01. Contracts Not Included in Budget. *The Congregation Council may enter into a contract not included in the budget if both (i) the financial commitment from the contract in any one calendar year is not expected to exceed an amount equal to 10% of the budgeted undesignated receipts for the year during which the contract is entered into, and (ii) the financial commitment from the contract does not impact the budget in more than four calendar years. This authorization is subject to the expenditure limitation in*

C12.05(d); that is, that congregational approval is required before incurring total obligations in any calendar year that are expected to exceed the budgeted undesignated receipts for that year by more than 20%. (Adopted by the Congregation May 18, 2008)

C12.05.02. Borrowing from Special Funds to Fund Operating Deficits. *The council and officers are authorized to borrow from special funds to fund operation deficits to the extent of \$50,000 during any year or time of year (or to such greater amount as may be authorized by congregational vote from time to time). Any such borrowing will be considered a debt to the special fund that must be repaid from future operating funds within three (3) years or less, unless otherwise authorized by congregational vote. No person shall be held liable for any debts to the special funds that are not repaid by the congregation. This bylaw constitutes an indemnity by the congregation to Holy Trinity Lutheran Church's pastor(s), officers, council members, employees and agents. Should a deficit in excess of \$50,000 be anticipated at any time, the church council shall promptly call a special meeting of the congregation to address the deficit unless a regularly scheduled congregation meeting is scheduled to be held within 30 days of the monthly council meeting when it becomes apparent this issue must be addressed. (Adopted by the Congregation May 18, 2008)*

C12.06. Duty to Carry Out Constitution. The Congregation Council shall see that the provisions of this constitution, its bylaws and the continuing resolutions are carried out. (Adopted by the Congregation January 27, 2008)

C12.07. Membership Roster Review. The Congregation Council shall provide for an annual review of the membership roster. (Adopted by the Congregation January 27, 2008)

C12.07.01. Membership Roster Review. *See C8.05.01 – 0.3. (Adopted by the Congregation May 23, 2010)*

C12.08. Employment of Lay Workers. The Congregation Council shall be responsible for the employment and supervision of the salaried lay workers of this congregation. (Adopted by the Congregation January 27, 2008)

C12.09. Annual Report. The Congregation Council shall submit a comprehensive report to this congregation at the annual meeting. (Adopted by the Congregation January 27, 2008)

C12.10. [Intentionally Left Blank]

C12.11. Council Meetings. The Congregation Council shall normally meet once a month. Special meetings may be called by the pastor or the president, and shall be called by the president at the request of at least one-half of its members. Reasonable advance notice of each meeting shall be given to all members of the council. Establishment by the council of a regular schedule of meetings shall constitute notice to all council members of all regularly scheduled meetings. (Adopted by the Congregation January 27, 2008)

C12.11.01. Participation in Council Meetings by Telephone. *Council members may participate in a council meeting by conference telephone or similar communications equipment so that all persons participating in the meeting can hear each other at the*

same time. Participation by that method constitutes presence in person at a meeting. Special meetings may be conducted entirely by telephone conference call. Regular meetings shall be convened in person but members may joint in those meetings by telephone conference. (Adopted by the Congregation May 18, 2008)

C12.11.02. Electronic Council Meetings. *Between regular meetings, a special council meeting called for a specific purpose may be conducted by e-mail (an “electronic meeting”). Any electronic meeting must be called in the same fashion as for other special meetings, as set out in C12.11. Reasonable advance notice of the meeting shall be given by e-mail to all members of the council. The notice shall include the text of the proposal to be voted on and shall state the date and time by which votes on the proposal must be received by the president. The deadline for voting shall be considered the date and time of the electronic meeting. Council members timely voting by e-mail shall be considered present at the meeting for all purposes of quorum and count of votes. The foregoing notwithstanding, if council members constituting 20% of the voting membership of the council state by e-mail, by the deadline for voting, that they believe a live meeting is required to discuss the proposal, the electronic meeting shall be of no force or effect. The results of any electronic meeting shall be reflected in minutes which shall be published as any other council minutes. (Adopted by the Congregation May 18, 2008)*

C12.12. Quorum. A quorum for the transaction of business shall consist of a majority of the voting members of the Congregation Council. All matters shall be decided by a majority vote of those present and voting except as otherwise required by the constitution or bylaws. (Adopted by the Congregation January 27, 2008)

C12.13. Pastor(s) as Ex-Officio Member. The pastor(s) shall serve as an ex officio (non-voting) member of the Congregation Council and the Executive Committee. (Adopted by the Congregation January 27, 2008)

C12.14. Announcement of Council Meetings. The normal meeting times of the Congregation Council shall be announced to the congregation in a manner specified in the bylaws. Council meetings shall be open to all members of the congregation, provided that the council may vote to meet in a confidential session to address sensitive issues not appropriate to an open meeting, such as personnel issues. The council may excuse the pastor(s) from attendance during a confidential session directly involving any pastor. The rules specified in this paragraph shall apply to the Executive Committee to the extent the Executive Committee is given authority to act in the place of the council. (Adopted by the Congregation January 27, 2008)

C12.14.01. Announcement of Council Meetings. *The times and locations of normal council meetings shall be listed on the calendar in the congregation newsletter and announced on the congregation’s bulletin board and web site. Special meetings of the council shall be announced on the congregation’s bulletin board and web site, to the extent practicable. (Adopted by the Congregation May 18, 2008)*

C12.14.02. Council Transparency. *The council shall make every reasonable effort to be*

transparent to the congregation in all of its actions. The approved minutes of the council shall be posted on the congregation's bulletin board and web site. The council shall not meet in confidential session unless the council first determines that confidentiality is clearly necessary and appropriate. (Adopted by the Congregation May 18, 2008)

C12.15. Rules of Order. The council and all committees of this congregation may conduct their business informally and without following particular rules of order. Upon the request, however, of any person in attendance at a meeting who is entitled to vote, *Robert's Rules of Order*, latest edition, shall govern parliamentary procedure of the meeting. (Adopted by the Congregation January 27, 2008)

Chapter 13.

CONGREGATION COMMITTEES

C13.01. The officers of this congregation shall constitute the **Executive Committee**. The Executive Committee shall have only such authority as may be granted to it by action of the council or the congregation. The Executive Committee can receive authority by continuing resolution to act in the place of the council on church matters between council meetings. If this authority is granted, the Executive Committee shall give a full and complete written report to the council at each council meeting on all meetings, discussions and actions taken by the Executive Committee. (Adopted by the Congregation January 27, 2008)

C13.01.01.01. Executive Committee. *At the present time, the Executive Committee has no authority to take action of any kind because no such authority has been granted to it by either the congregation or the council. Members of the Executive Committee and/or any other part of the council may have informal discussions to advise the president on setting the agenda for council meetings or to engage in preliminary discussions of council business, but any such informal discussions shall not be treated as a committee meeting and shall not be binding on the council or the congregation. The council and congregation are advised that, if they should elect at some future time to grant authority to the Executive Committee to act in the place of the council, any such authority must not extend to the subjects prohibited by RCW 24.03.115. (Adopted by the Council May 13, 2008)*

C13.01.01.02. Committee Transparency. *All standing committees of this congregation shall make every reasonable effort to be transparent to the congregation in all of their actions, including by informing the congregation of their meeting times and locations, activities and actions through the use of the congregation's bulletin board, web site and newsletter, as appropriate. Committee meetings shall be open to all members of the congregation, provided that (a) the Mutual Ministry Committee, Human Resources Committee, Nominating Committee and Call Committee may meet in confidential session as specified in C13.02.02, C13.04.12 and C13.06.02; and (b) any other committee may vote to meet in confidential session to address a particular issue not appropriate to an open meeting only on rare occurrence and only when (i) the committee has first determined that unusual circumstances make confidentiality clearly necessary and appropriate, (ii) the committee has given at least one calendar week's advance notice to*

the congregation president of the committee's intention to meet in confidential session and the reasons for doing so, and (iii) the president has given his or her approval. (Adopted by the Council May 13, 2008)

C13.01.01.03. Pastor(s) as Ex-Officio Member of Committees. *The pastor(s) shall be given notice of, and be entitled to attend as an ex officio (non-voting) member (as he or she deems appropriate), all meetings of (a) each standing committee associated with a council position (these committees are established in the bylaws in sections C13.07.01-.14), and (b) the Human Resources Committee (but not with respect to any work of that committee related to the pastor(s)). When there is more than one pastor, the pastors shall decide among themselves which of them (if any) shall attend committee meetings. The forgoing notwithstanding, a pastor shall at all times be an attending, ex officio member of the Worship and Music Committee. (Adopted by the Council May 13, 2008)*

C13.02. A Nominating Committee composed of voting members of this congregation shall be elected annually at a regular congregation meeting designated for this purpose in the bylaws, for a term of one year. Members of the Nominating Committee are not eligible for consecutive reelection. The size of the Nominating Committee, and any qualifications for membership, shall be specified by the congregation in the bylaws. (Adopted by the Congregation January 27, 2008)

C13.02.01. Nominating Committee Composition and Election. *The Nominating Committee shall be composed of the individual who is sitting as president at the time of the Annual Meeting at which the Nominating Committee is elected, plus six additional voting members of this congregation. If practicable, at least two of these six additional members shall be former and/or immediately outgoing members of the Congregation Council. The six additional members of the Nominating Committee shall be elected at the congregation's Annual Meeting. The election shall follow the procedures described in C11.02.01. (Adopted by the Congregation May 18, 2008)*

C13.02.02. Nominating Committee Duties. *At least 15 days before the Mid-Year Meeting of the congregation, the Nominating Committee shall prepare and forward to the president a slate of at least one nominee for each position that is to be elected at the upcoming Mid-Year Meeting: Officers, council members, Co-Chairs of Congregational Life, and Endowment Fund Committee members. This slate shall be promptly announced on the congregation's bulletin board and web site, and shall be presented at the Mid-Year Meeting, and all members on the slate shall be deemed nominated at that meeting. Likewise, at least 15 days before the Annual Meeting of the congregation, the Nominating Committee shall prepare and forward to the president a slate of at least one nominee for each position that is to be elected at the upcoming Annual Meeting: Nominating Committee members, and representatives to the Synod Assembly. This slate shall be promptly announced on the congregation's bulletin board and web site, and shall be presented at the Annual Meeting, and all members on the slate shall be deemed nominated at that meeting. A similar process shall be followed when nominating mid-term replacements. For all candidates proposed at any time, the Nominating Committee shall provide a brief biographical sketch to the congregation. The president, on behalf of the Nominating Committee, shall solicit input from the congregation for all nominations,*

which in the case of the slates for the Mid-Year Meeting and the Annual Meeting shall include advertising the open positions in the Sunday bulletin at least three Sundays before the Nominating Committee meets to approve the recommended slate. It shall be presumed that meetings of the Nominating Committee shall be held in confidential session. (Adopted by the Congregation May 18, 2008)

C13.02.03. Vacancies on Nominating Committee, Endowment Fund Committee or Co-Chairs of Congregational Life. *A member's place on the Nominating Committee or Endowment Fund Committee, or a position of Co-Chair of Congregational Life, shall be declared vacant by the council if the individual:*

- a. ceases to be a voting member of the congregation; or*
- b. resigns, or*
- c. is removed by a two-thirds vote at a legally called meeting of this congregation that is called for that purpose, as specified in C13.08.*

Should a vacancy occur, then, as specified in C13.08, the council shall elect, by majority vote, a successor until the next regular meeting of the congregation at which members of the committee in question are elected, subject to the right of this congregation to elect the successor at a legally called special meeting of this congregation. The Nominating Committee shall nominate one or more candidates for the position before any council or congregational vote is taken, but this shall not preclude nominations from the floor.

(Adopted by the Congregation May 18, 2008)

C13.03. An **Audit Committee** composed of voting members of this congregation may be elected by the Congregation Council if deemed appropriate by the Congregation Council. The size of the Audit Committee, the terms of office, and any qualifications for membership, shall be specified by the council in a continuing resolution. (Adopted by the Congregation January 27, 2008)

C13.04. A **Mutual Ministry Committee** composed of voting members of this congregation shall be appointed. The method of appointment, the size of the Mutual Ministry Committee, the terms of office, and any qualifications for membership, shall be specified by the congregation in the bylaws. (Adopted by the Congregation January 27, 2008)

C13.04.01. Mutual Ministry Committee Composition and Appointment. *The Mutual Ministry Committee shall be composed of three voting members of this congregation. Members shall be appointed by the president and the pastor(s) in June of each year, with terms commencing on July 1. One member shall be appointed by the president, one by the pastor(s), and the third jointly by the president and the pastor(s). Any vacancy that occurs shall likewise be filled by appointment, in the same fashion as for the member whose vacant position is being filled, and the appointment shall be effective until the end of the term of the position being filled. The term of office shall be two years, or until a successor is appointed, with no more than two consecutive re-appointments, and with members to be appointed to staggered terms each successive year (one member one year, two the next); provided that initially in 2008 all three members shall be appointed, with the member jointly appointed by the president and the pastor(s) to serve a one-year term and the other two members to serve two-year terms. Officers and council members are*

eligible to serve on this committee. A member's place on the Mutual Ministry Committee shall be declared vacant by the president if the member:

- a. ceases to be a voting member of the congregation; or*
- b. resigns, or*
- c. is removed in the same fashion in which the member was appointed (e.g., by decision of the pastor(s) if the member was appointed solely by the pastor(s)).*

(Adopted by the Congregation May 18, 2008)

C13.04.02. Mutual Ministry Committee Duties and Authority. *This congregation recognizes that the job of ministry— service to another in the name of Christ – is not the job only of the pastors, but rather is a mutual or shared responsibility of the pastor(s), the staff and the congregation.*

*The Mutual Ministry Committee's role is to support and facilitate this total ministry of the congregation through a process of listening, sharing of information, clarifying roles and issues, providing counsel, support and encouragement, seeking mutually agreed resolution of disputes and differences, and providing constructive criticism (when appropriate) to the pastor(s), staff and congregation. In order that the Mutual Ministry Committee may retain its focus on supporting and encouraging ministerial activities in a positive and constructive way, the Committee shall **not** have any responsibility or authority to (a) impose or threaten corrective action against a pastor, staff member or congregation member, or (b) make recommendations regarding allegations against a pastor, staff member or congregation member that may result in discipline, termination of a call or discharge. Likewise, the Mutual Ministry Committee shall **not** have the authority or responsibility to hire, discharge or discipline any person, to affect any person's compensation, or to make recommendations with respect to those matters.*

In support of and consistent with this vision of mutual ministry, the Mutual Ministry Committee shall be responsible for the following, and shall have the full authority (subject to council review) necessary to carry out these responsibilities: (a) working toward building effective team ministry among the pastor(s) and staff, (b) acting as a sounding board for concerns from the congregation regarding the pastor(s), staff and our ministries, and for concerns from the pastor(s) and staff regarding the conduct of our ministries, (c) assisting the pastor(s) annually, each fall, to evaluate the fulfillment of their calling through an annual review process (which shall be structured to provide comments and feedback in a constructive fashion, and shall result in a written review that shall be provided to the pastor who is reviewed and the council, and retained in the reviewed pastor's personnel file) (the Mutual Ministry Committee shall do this as a delegate of the council, fulfilling the council's duty to help the pastor(s) annually to evaluate the fulfillment of their calling (See C12.04(d)), (d) soliciting input from the staff and congregation as part of this annual review process, (e) periodically reviewing and clarifying in writing the job responsibilities of the pastor(s), consistent with the letter(s) of call, and communicating this information to the congregation, (f) reporting to the congregation at least annually, in the annual report, on its evaluations of the total

ministries of the congregation, and on any plans developed, or initiatives taken, to strengthen these ministries and/or address any concerns, and (g) regularly reporting on its activities to the council.

The Mutual Ministry Committee's role is not to serve any pastor or staff member or the congregation. Rather, the Mutual Ministry Committee should always remain focused on advancing the ministries of this congregation.

If concerns regarding the pastor(s), staff, congregation members or our ministries come to the attention of the Mutual Ministry Committee that the Committee believes should be addressed but that the Committee cannot effectively address in a spirit of constructive criticism and mutual support, the Committee shall pass those concerns on to the council for response. Before taking this step, however, the Committee first (a) shall have made every reasonable effort to bring about an agreed and appropriate resolution of the concern, (b) shall have reasonably investigated the facts surrounding the concern, and (c) shall have summarized the results of its investigation in a written report to the council. If an allegation of serious misconduct by a pastor, staff member or congregation member comes to the attention of the Committee, however, the Committee shall immediately consult with the council and shall follow any direction the council may provide regarding how the matter should be handled.

All actions taken by the Mutual Ministry Committee may be reviewed or revised by the council.

(Adopted by the Congregation May 18, 2008)

C13.04.03 -.05 Intentionally Omitted.

C13.04.06. Human Resources Committee Composition and Election. *A Human Resources Committee is hereby established. The Human Resources Committee shall be composed of the congregation vice president (who shall chair the committee) plus two voting members of the congregation elected by the Congregation Council in June of each year, with terms commencing on July 1. Any vacancy that occurs in those two positions shall likewise be filled by election by the council, which shall be effective until the end of the term of the position being filled. The term of office for these two positions shall be two years, or until a successor is elected, with no more than two consecutive re-elections, and with members to be appointed to staggered terms each successive year (one member one year, one the next); provided that initially in 2008 both of these members shall be elected (one member to a one-year term, and one member to a two-year term). Officers and council members are eligible to serve in these two positions, provided that at least one member of the Human Resources Committee shall be neither an officer nor a council member. A position on the Human Resources Committee that is elected by the council shall be declared vacant by the council if the member:*

- a. ceases to be a voting member of the congregation; or*
- b. resigns, or*
- c. is removed by a majority vote of the council.*

(Adopted by the Congregation May 18, 2008)

C13.04.07. Human Resources Committee Duties and Authority Regarding Staff. *With*

*respect to staff (but specifically **not** with respect to the pastor(s)), the Human Resources Committee shall be responsible for (a) periodically reviewing and clarifying the job responsibilities of each staff member, through written job descriptions, and appropriately communicating that information to the congregation, (b) providing annual written performance evaluations (the Human Resources Committee shall do this as a delegate of the council, fulfilling the council's duty to help staff members annually to evaluate the fulfillment of their employment (See C12.04(d)), (c) making compensation recommendations to the council in connection with the annual budget process, (d) addressing employee relations issues and concerns, (e) acting as a conduit for issues of concern to the staff, and helping direct those issues appropriately, (f) making recommendations to the council regarding the hiring, discharge and/or discipline of staff members, (g) serving as a resource to council, pastor(s), staff and congregation, and (h) regularly reporting on its activities to the council.*

The Human Resources Committee shall periodically review and update the congregation's employee handbook, provided that all changes shall be approved by the council.

The Human Resources Committee shall not have the authority, without action by the council, to hire, discharge or discipline any person, or to affect any person's compensation, and all actions taken by the Human Resources Committee may be reviewed or revised by the council.

(Adopted by the Congregation May 18, 2008)

C13.04.08. Human Resources Committee Duties and Authority Regarding Pastors.

The council, in fulfilling its responsibility for addressing human resources issues that arise regarding the pastor(s) (See C12.04.01), may (but shall not be required to) direct the Human Resources Committee to investigate and make recommendations to the council regarding human resources issues regarding a pastor (such as allegations of physical or mental incapacity of a pastor or ineffective conduct of the pastoral office), and to take such further steps regarding such issues as the council may direct. The congregation's employee handbook, prepared by the Human Resources Committee and approved by the council, shall apply to the pastor(s) to the extent so stated in the handbook, but shall not supersede any provision of a pastor's letter of call or the constitution, bylaws and continuing resolutions of this congregation. (Adopted by the Congregation May 18, 2008)

C13.04.09 - .10 Intentionally Omitted.

C13.04.11. Terminating a Pastor's Call. *Before the council considers seeking the involuntary termination of a pastor's call by presenting an official recital of allegations to the synod (as provided in *C9.05(b)), the council shall (a) prayerfully consider and evaluate whether the council should first take further steps to assist and support the pastor to properly fulfill his or her call, consistent with the council's duty, as set out in C12.04(d), to maintain supportive relationships with the pastor(s), and (b) consult with, and solicit input from, the synodical bishop. Further, the council shall not present an official recital of allegations to the synod (as provided in *C9.05(b)) unless the congregation first approves that step by a majority vote, and the council shall not ask the*

*congregation to approve that step unless first (a) the allegations of ineffective conduct of the pastoral office, or of physical or mental incapacity (as the case may be), have been investigated by the council or at the council's direction (e.g., by the Human Resources Committee), and (b) the council has presented the conclusions of the investigation in written form to the pastor, and the pastor has been given a reasonable opportunity to appear before the council to respond (a pastor's inability or unwillingness to appear shall not delay the process). If the council votes to ask the congregation to approve presenting an official recital of allegations to the synod (as provided in *C9.05(b)), the council shall provide full written disclosure of the result of the investigation to the congregation prior to calling for any such vote by the congregation. As used in the bylaws, the phrase "ineffective conduct of the pastoral office" shall include any and all reasons, other than physical or mental incapacity, that would properly justify the congregation in seeking to terminate the call of a pastor as provided in Section *C9.05 of the constitution, including misconduct by a pastor, and including "local difficulties that imperil the effective functioning of the congregation" (as that phrase is used in Section *C9.05(d)). (Adopted by the Congregation May 18, 2008)*

C13.04.12. Confidentiality of Personnel Matters. *The Mutual Ministry Committee and Human Resources Committee may vote to meet in confidential session to address sensitive issues not appropriate to an open meeting, and it should be expected to be common for these committees to meet in confidential session. The reasons for disciplining or discharging staff members should generally be maintained confidential within the Human Resources Committee and the council, provided that the council may choose to share this information with the congregation if it deems appropriate, for example in the interest of maintaining the congregation's confidence in the council's decisions and leadership. When allegations of physical or mental incapacity of the pastor or ineffective conduct of the pastoral office (including alleged pastoral misconduct) are being investigated, all parties involved shall keep the matter confidential to the extent reasonably possible during the investigation. Once the investigation by the Human Resources Committee and/or council is completed, the council shall determine whether or not it is appropriate that confidentiality continue. If the council votes to ask the congregation to approve presenting an official recital of allegations to the synod (as provided in *C9.05(b)), confidentiality shall not continue except to the extent mandated by law (e.g., as to certain medical information). (Adopted by the Congregation May 18, 2008)*

C13.05. **An Endowment Fund Committee** composed of voting members of this congregation shall be elected by the congregation. The method of election, the size of the Endowment Fund Committee, the terms of office, and any qualifications for membership, shall be specified by the congregation in the bylaws. (Adopted by the Congregation January 27, 2008)

C13.05.01. Endowment Fund Committee Composition and Election. *The Endowment Fund Committee shall be composed of no fewer than three and no more than five voting members of this congregation, the precise size to be determined by the council from time to time by continuing resolution. Term of office shall be three years or until a successor is elected, with no more than two consecutive terms. Election shall be at the*

congregation's Mid-Year Meeting, following the procedures described in C11.02.01. A pastor and/or an officer or council member, as designated by the council, shall be an ex officio (non-voting) member of the committee. Members of this committee may not simultaneously be members of the Congregation Council. (Adopted by the Congregation May 18, 2008)

C13.05.01.01. Endowment Fund Committee Composition. The Endowment Fund Committee shall be composed of three voting members of this congregation. (Adopted by the Council May 13, 2008)

C13.05.02. Endowment Fund Committee Duties. Except as otherwise provided in these bylaws, the Endowment Fund Committee shall discharge its duties as specified in, and shall be bound by, the Resolution to Implement the Endowment Fund, adopted by the congregation on October 18, 1987, which is reproduced as Attachment One to this constitution and bylaws. (Adopted by the Congregation May 18, 2008)

C13.05.03. Vacancies on Endowment Fund Committee. See C13.02.03, "Vacancies on Nominating Committee, Endowment Fund Committee or Co-Chairs of Congregational Life." (Adopted by the Congregation May 18, 2008)

C13.06. Call Committee. When a pastoral vacancy occurs, a **Call Committee** composed of at least six voting members of this congregation shall be appointed by the Congregation Council. Term of office will terminate upon installation of the newly-called pastor. (Adopted by the Congregation January 27, 2008)

C13.06.01. Vacancies on Call Committee. A member's place on a Call Committee shall be declared vacant by the council if the member:

- a. ceases to be a voting member of the congregation; or
- b. resigns, or
- c. is removed by a majority vote of the council.

Should a vacancy occur, the council shall appoint a successor.

(Adopted by the Congregation May 18, 2008)

C13.06.02. Confidentiality of Call Committee Meetings. The Call Committee may vote to meet in confidential session to address sensitive issues not appropriate to an open meeting, and it should be expected to be common for this committee to meet in confidential session. (Adopted by the Congregation May 18, 2008)

C13.07. Standing Committees and Task Forces to Be Established. As specified in part *C4.04 of this constitution, this congregation shall develop an organizational structure to be described in the bylaws. This structure may include, for example, committees for Human Resources, Management, Christian Education, Congregational Life, Property, Social Concerns, Stewardship, Worship & Music, Youth, and Evangelism. Temporary task forces, not established in the bylaws, that are needed for special, short-term purposes, may be formed as the need arises, by decision of the Congregation Council. The areas of responsibility and authority of all standing committees shall be specified in the bylaws. (Adopted by the Congregation January 27, 2008)

C13.07.01. Christian Education Committee. *There shall be a Christian Education Committee, associated with the Christian Education council position. The Christian Education Committee shall be responsible for educational programs for persons of all ages intended to support growth in Christian discipleship, knowledge of scripture, and our theological tradition. This includes adult education classes, Sunday school, special holiday events designed for children and families, confirmation classes, confirmation Sunday (shared responsibility with Congregational Life), first communion classes, first communion Sunday (shared responsibility with Congregational Life), the library and vacation bible school. This committee's responsibilities also include maintaining a childcare program (nursery and toddlers) during worship services, congregation meetings and other congregational events. (Adopted by the Congregation May 18, 2008)*

C13.07.02. Congregational Life Committee. *There shall be a Congregational Life Committee, associated with the Congregational Life council position. The Congregational Life Committee shall be chaired by the Congregational Life council member, supported by two Co-Chairs of Congregational Life who shall be elected to two year terms in even years in the same manner as council members are elected. The Congregational Life Committee shall be responsible for programs intended to provide and encourage caring, sharing and fellowship activities in the congregation. This includes providing food or refreshments in connection with congregation meetings and worship services (e.g., coffee following services, Lenten and Advent soup suppers, the Easter Vigil, first communion (shared responsibility with Christian Education), baptismal festivals and confirmation Sunday (shared responsibility with Christian Education). It also includes the responsibility for planning, promoting and recruiting congregation members to chair, manage and staff special events during the year, which in the past have included (but are not limited to): The Heritage Food Fest (in conjunction with the Advent Fair), the progressive Christmas dinner, mother's day celebration, congregational golf tournament (a social function, distinct from a fund-raising tournament), graduation of senior students, church picnic, Oktoberfest, new members receptions, and Lunch Bunch. The Congregational Life Committee shall call upon the other council members and their committees to assist with these functions and to organize particular activities as appropriate. Regarding vacancies in the position of Co-Chair of Congregational Life, see C13.02.03, "Vacancies on Nominating Committee, Endowment Fund Committee or Co-Chairs of Congregational Life." (Adopted by the Congregation May 18, 2008)*

C13.07.03. Evangelism Committee. *There shall be an Evangelism Committee, associated with the Evangelism council position. The Evangelism Committee shall be responsible for programs intended to (a) encourage the congregation to have a greater concern for evangelism, (b) reach out to visitors and new members (such as by obtaining greeters for worship services, contacting visitors by mail or telephone, and organizing programs for new member (such as new member classes, sponsors and receptions), (c) recruit and instruct lay visitors from the congregation, and conduct lay visitations, (d) make Holy Trinity known throughout the community, and (e) track weekly worship attendance of members and visitors. (Adopted by the Congregation May 18, 2008)*

C13.07.04. Management Committee. *There shall be a Management Committee,*

associated with the Management council position. The Management Committee shall have responsibility for (a) assisting the Treasurer in providing oversight of all financial affairs of the congregation, (b) ensuring that a clear record of member contributions and designated giving is maintained (this may be accomplished by tellers supervised by the committee), (c) ensuring that an annual budget is prepared and approved by the council for the succeeding year, (d) reviewing and making recommendations to the council regarding the efficient staffing of church office functions, and needs related to information technology systems, and (e) overseeing the maintenance and protection of the congregation's computer systems. (Adopted by the Congregation May 18, 2008)

C13.07.05. Property Committee. *There shall be a Property Committee, associated with the Property council position. The Property Committee shall be responsible for (a) overseeing the maintenance, protection and security of all grounds, facilities and utility systems of the congregation (including the rental house), including addressing routine maintenance, short-term needs and long-term needs, and (b) overseeing the acquisition, maintenance, and use of all furnishings and equipment (other than computer systems) belonging to the congregation. Any large remodeling project shall be the responsibility of a specially-formed task force. (Adopted by the Congregation May 18, 2008)*

C13.07.06. Social Concerns Committee. *There shall be a Social Concerns Committee, associated with the Social Concerns council position. The Social Concerns Committee shall be responsible for (a) identifying and supporting outreach opportunities with the local and global communities, and (b) investigating and recommending financial gifts from this congregation's funds to community, national, or international programs. Special emphasis shall be placed on enabling members of the congregation to be active participants in the outreach of this congregation. (Adopted by the Congregation May 18, 2008)*

C13.07.06.01. Social Concerns Committee – Areas of Focus. *Current areas of focus of the Social Concerns Committee include (a) local services to shut ins and emergency needs for those in need of short term assistance, (b) Habitat for Humanity, (c) the Lutheran Compass Center, (d) emergency housing and feeding programs in the Northwest region, (e) this congregation's membership in the Eastside Interfaith Social Concerns Council, and (f) the Agros Foundation/El Milagro. (Adopted by the Council May 13, 2008)*

C13.07.07. Stewardship Committee. *There shall be a Stewardship Committee, associated with the Stewardship council position. The Stewardship Committee shall be responsible for education and activities of the congregation related to stewardship of God's gifts and blessings in everything we do in response to His Word. This includes presenting opportunities to apply Christian stewardship in the use of our time, talents and treasures (including developing and implementing an annual stewardship campaign to seek commitments for financial support for the operation and ministry of this congregation), and developing and implementing a year-round emphasis on Christian stewardship at all ages. (Adopted by the Congregation May 18, 2008)*

C13.07.08. Worship and Music Committee. *There shall be a Worship and Music Committee, associated with the Worship and Music council position. The Worship and*

Music Committee shall be responsible for (a) ensuring that the services of God's House are conducted properly and in accordance with the liturgy of the church, (b) fostering enthusiastic worship participation and leadership, (c) ensuring that appropriate music is provided for the services of worship, (d) providing direction to, and support for, the pastor(s) and the musical staff regarding the planning of all elements of all worship services, (e) selecting all hymnals and/or other appropriate service materials, and ensuring they are available and maintained in good order, (f) providing ushers and readers, (g) supervising the care of musical instruments, including the pipe organ, and of the vestments of the choirs and acolytes, and (h) providing assistance to the pastor(s), musical staff, Altar Guild, and other persons involved in worship activities. (Adopted by the Congregation May 18, 2008)

C13.07.09. Youth Ministry Committee. *There shall be a Youth Ministry Committee, associated with the Youth Ministry council position. The Youth Ministry Committee shall be responsible for (a) maintaining an inviting, safe and fun environment for the youth of this congregation, where the gospel is shared, faith is nurtured, service to the community is encouraged, and youth are integrated into the whole life of the congregation, primarily by planning and organizing activities (e.g., the Easter breakfast) for 4th graders through high schoolers and providing college outreach, and (b) providing support and direction to youth ministry staff member(s). (Adopted by the Congregation May 18, 2008)*

C13.07.10-14. *[Intentionally Left Blank.]*

C13.07.15. Council Members to Chair Associated Committees; Exceptions. *Each person who fills a non-officer council member position shall also chair the congregation committee related to that position (if the committee is formed and operating), unless a different committee chair is appointed by the council. A different chair may be appointed only if (a) the council member in question resigns as chair of the committee, or (b) the council member in question is removed as chair of the committee by the council. To remove a council member from chairing his or her designated committee, the council first must vote, by a majority vote at a legally called meeting, to inform the council member of the council's intent to consider removal. Second, the council must vote, by a two-thirds vote at a subsequent, legally called meeting of the council, to remove the council member as the chair of the committee. The council member shall be given at least 10 days' advance written notice by mail of the council's intent to remove the council member as chair of the committee, and of the date, time and place of the meeting at which removal will be considered. The council member in question shall be entitled to be present and to address the council but shall not be eligible to vote on these questions. (Adopted by the Congregation May 18, 2008)*

C13.07.16. Council Member-Related Committees that are Optional. *Any one or more of the foregoing standing committees that are associated with council positions may be dispensed with, at the option of the council member responsible for the committee in question, in which case the responsible council member shall have the responsibilities that would otherwise be assigned to the committee. This shall not apply, however, if the council member has resigned as chair of the committee, or has been removed as chair of the committee as provided elsewhere in Section C13.07 of these bylaws. Also, despite the foregoing, there shall at all times be properly operating committees for Congregational*

Life, Management, Stewardship, and Worship and Music. (Adopted by the Congregation May 18, 2008)

C13.07.17. Altar Guild. *The Altar Guild is hereby established as a committee of this congregation, reporting to the Worship and Music Committee. The Altar Guild is responsible for preparing the worship space for corporate worship. This includes responsibility for the communion ware and elements (bread and wine), flowers, paraments, banners, candles, and special festival decorations. The chair of the Altar Guild shall be subject to the approval of the Worship and Music Committee. (Adopted by the Congregation May 18, 2008)*

C13.07.18-.29. *Intentionally Left Blank.*

C13.07.30. Operation of Section C13.07 Committees (including all Council Member-Related Committees). *Except to the extent otherwise specified in the constitution, bylaws, continuing resolutions, or a motion approved by the Congregation Council, all standing committees established in Section C13.07 of these bylaws shall operate in the fashion described in this bylaw C13.07.30. The size of the committee, the appointment and removal of its members, and the frequency, times and places of its meetings, shall be determined by the committee chair. A committee may establish a sub-committee to deal with any matter that is within the committee's area of responsibility, and the subcommittee may include members who are not members of the committee. A committee shall have the authority to act, without further approval of the council, on all ordinary course matters that are within the committee's area of responsibility as specified in the bylaws. Actions outside the ordinary course should be presented to the council as a recommendation, for the council's review and consideration. Each committee shall report regularly to the council on the committee's activities. Any action taken by a committee may be reviewed by the council, and may be reversed if deemed appropriate by the council; provided that the council should endeavor to give due consideration to the committee's deliberations, actions and recommendations, and should refrain from second-guessing the committee's ordinary course decisions made within the committee's area of responsibility. (Adopted by the Congregation May 18, 2008)*

C13.07.30.01. Task Forces. *The Congregation Council may establish a special task force when needed for a special, short-term purpose. The composition, duties and length of service of the task force may be determined by the council, or may be delegated by the council to a chair of the task force appointed by the council. No task force shall become active without council approval. (Adopted by the Council May 13, 2008)*

C13.07.30.02. Quorum and Votes by Committees and Task Forces. *For all committees and task forces of this congregation, a quorum for the transaction of business shall consist of a majority of the voting members of the committee or task force. All matters decided by any committee or task force shall be decided by a majority vote of those voting members present and voting except as otherwise required by the constitution, bylaw and continuing resolutions. (Adopted by the Council May 13, 2008)*

C13.08. Removal of Committee Members Elected by Congregation. *In the case of a committee whose members are required by this constitution to be elected by the congregation, a committee member may be removed by a two-thirds vote at a*

legally called meeting of this congregation called for that purpose. In case of a vacancy on such a committee, the Congregation Council shall elect, by majority vote, a successor until the next regular meeting of the congregation at which members of that committee are elected, subject to the right of this congregation to elect the successor at a legally called special meeting of this congregation. (Adopted by the Congregation January 27, 2008)

Chapter 14.

ORGANIZATIONS WITHIN THE CONGREGATION

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

(Chapter 14 adopted by the Congregation January 27, 2008)

Chapter 15.

DISCIPLINE OF MEMBERS AND ADJUDICATION

- *C15.01.** Denial of the Christian faith as described in this constitution, conduct grossly unbecoming a member of the Church of Christ, or persistent trouble-making in this congregation are sufficient cause for discipline of a member. Prior to disciplinary action, reconciliation will be attempted following Matthew 18:15-17, proceeding through these successive steps: a) private admonition by the pastor, b) admonition by the pastor in the presence of two or three witnesses, and c) citation to appear before the Congregation Council. If, for any reason, the pastor is unable to administer the admonitions required by a. and b. hereof, the president (if not the pastor) or vice president shall administer such admonitions. (Adopted by the Congregation January 27, 2008)
- *C15.02.** The process for discipline of a member of the congregation shall be governed as prescribed by the chapter on discipline in the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*. If discipline against a member proceeds beyond counseling and admonition by the pastor, charges against the accused member(s) that are specific and in writing shall be prepared by member(s) of the congregation who shall sign the charges as the accuser(s). The written charges shall be filed with the pastor, who shall advise the Congregation Council of the need to issue a written citation to the accused and the accusers that specifies the time and place of the hearing before the Congregation Council. The written charges shall accompany the written citation to the accused. The written citation that specifies the time and place of

the hearing before the Congregation Council and requests the presence of a member charged with the offense shall be sent at least ten days prior to the meeting. If the member charged with the offense fails to appear at the scheduled hearing, the Congregation Council may proceed with the hearing and may pass judgment in the member's absence. (Originally adopted by the Congregation January 27, 2008. Amended by the Congregation May 23, 2010.)

- *C15.03.** Members of the Congregation Council who participate in the preparation of the written charges or who present evidence or testimony in the hearing before the Congregation Council are disqualified from voting upon the question of the guilt of the accused member. Should the allegations be sustained by a two-thirds majority vote of the members of the Congregation Council who are not disqualified but who are present and voting, and renewed admonition prove ineffectual, the council shall impose one of the following disciplinary actions:
- a. censure before the council or congregation;
 - b. suspension from membership for a definite period of time; or
 - c. exclusion from membership in this congregation.

Disciplinary actions b. and c. shall be delivered to the member in writing.

(Adopted by the Congregation January 27, 2008)

- *C15.04.** The member against whom disciplinary action has been taken by the Congregation Council shall have the right to appeal the decision to the Synod Council. Such right may not be abridged and the decision of the Synod Council shall be final. (Adopted by the Congregation January 27, 2008)

- *C15.05.** Disciplinary actions may be reconsidered and revoked by the Congregation Council upon receipt of a) evidence that injustice has been done or b) evidence of repentance and amendment. (Adopted by the Congregation January 27, 2008)

- *C15.06.** For disciplinary actions in this congregation, "due process" shall be observed as specified in 20.41.04. in the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*. (Adopted by the Congregation January 27, 2008)

- *C15.07.** No member of a congregation shall be subject to discipline for offenses that the Congregation Council has previously heard and decided, unless so ordered by the Synod Council after an appeal. (Adopted by the Congregation January 27, 2008)

***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 chair of the Congregation Council of their intent. If the consultation fails to resolve the issue(s), the Consultation Committee of the synod shall consider the matter. If the Consultation Committee of the synod shall fail to resolve the issue(s), the matter shall be referred to the Synod Council, whose decision shall be final. (Adopted by the Congregation January 27, 2008)

Chapter 16.

BYLAWS

- *C16.01.** This congregation may adopt bylaws. No bylaw may conflict with this constitution. (Adopted by the Congregation January 27, 2008)
- *C16.02.** Bylaws may be adopted or amended at any legally called meeting of this congregation with a quorum present by a majority vote of those voting members present and voting. (Adopted by the Congregation January 27, 2008)
- *C16.03.** Changes to the bylaws may be proposed by any voting member provided, however, that such additions or amendments be submitted in writing to the Congregation Council at least 60 days before a regular or special Congregation Meeting called for that purpose and that the Congregation Council notify the congregation's members by mail of the proposal with the council's recommendations at least 30 days in advance of the Congregation Meeting. (Adopted by the Congregation January 27, 2008)

C16.03.01. Publication of Proposed Bylaw and Constitution Changes. Notice of any proposed change to the bylaws or constitution shall be mailed to all voting members at least 30 days in advance of the Congregation Meeting at which it is to be considered. The mailed notice shall describe the general subject matter of the proposed change and the council's recommendations. In addition, either (a) the proposed change shall be included verbatim in the mailing, or (b) the verbatim proposed change shall be available on the congregation web site and in the congregation office at least 30 days in advance of the Congregation Meeting at which the change is to be considered, and this shall be stated in the mailed notice. (Adopted by the Congregation May 18, 2008)

***C16.04.** Approved changes to the bylaws shall be sent by the secretary of this congregation to the synod. (Adopted by the Congregation January 27, 2008)

Chapter 17.

AMENDMENTS

***C17.01.** Unless provision *C17.04, is applicable, those sections of this constitution that are not required, in accord with the *Model Constitution for Congregations of the Evangelical Lutheran Church in America*, may be amended in the following manner. Amendments may be proposed by at least five voting members or by

the Congregation Council. Proposals must be filed in writing with the Congregation Council 60 days before formal consideration by this congregation at a regular or special Congregation Meeting called for that purpose. The Congregation Council shall notify the congregation's members by mail of the proposal together with the council's recommendations at least 30 days in advance of the meeting. (Originally adopted by the Congregation January 27, 2008. Amended by the Congregation May 17, 2009)

- *C17.02.** An amendment to this constitution, proposed under C17.01., shall:
- a. be approved at a legally called Congregation Meeting according to this constitution by a majority vote of those present and voting;
 - b. be ratified without change at the next annual meeting by a two-thirds majority vote of those present and voting; and
 - c. have the effective date included in the resolution and noted in the constitution.

(Adopted by the Congregation January 27, 2008)

- *C17.03.** Any amendments to this constitution that result from the processes provided in C17.01. and C17.02. shall be sent by the secretary of this congregation to the synod. The amendment shall become effective within 120 days from the date of the receipt of the notice by the synod unless the synod informs this congregation that the amendment is in conflict with the constitution and bylaws of the Evangelical Lutheran Church in America or the constitution of the Northwest Washington Synod of the ELCA. (Adopted by the Congregation January 27, 2008)

- *C17.04.** This constitution may be amended to bring any section into conformity with a section or sections, either required or not required, of the *Model Constitution for Congregations of the Evangelical Lutheran Church in America* by a simple majority vote of those voting members present and voting at any legally called meeting of the congregation without presentation at a prior meeting of the congregation, provided that the Congregation Council has submitted by mail notice to the congregation of such an amendment or amendments, together with the council's recommendations, at least 30 days prior to the meeting. Upon the request of 5 voting members of the congregation, the Congregation Council shall submit such notice. Following the adoption of an amendment, the secretary of the congregation shall submit a copy thereof to the synod. Such provisions shall become effective immediately following a vote of approval. (Originally adopted by the Congregation January 27, 2008. Amended by the Congregation May 17, 2009)

C17.04.01. *Publication of Proposed Constitution Changes.* See C16.03.01, "*Publication of Proposed Bylaw and Constitution Changes.*" (Adopted by the Congregation May 18, 2008)

Chapter 18.

CONTINUING RESOLUTIONS

- ***C18.01.** The 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. (Originally adopted by the Congregation January 27, 2008. Amended by the Congregation May 17, 2009)
- ***C18.02.** Continuing resolutions shall be enacted or amended by a majority vote of a meeting of the congregation or a two-thirds vote of all voting members of the Congregation Council. (Originally adopted by the Congregation January 27, 2008. Amended by the Congregation May 17, 2009)

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. (Adopted by the Congregation January 27, 2008)

***C19.01.01. Indemnification.** The congregation shall be required to defend, indemnify and hold harmless each person who, by reason of the fact that such person is or was acting in the capacity of a pastor, member of the congregation's ministerial staff or office staff, Congregation Council member, officer, or member of any committee of this congregation, was or is threatened to be made a party defendant to any threatened, pending, or completed civil proceeding (including an administrative proceeding or arbitration), but only to the extent that the person was acting in good faith, was not grossly negligent, and did not act with a wrongful intent. In any situation not covered by the foregoing mandatory indemnification, the congregation may choose, by a majority vote of the council or the congregation, to defend, indemnify and hold harmless any person to the extent permitted by *C19.01 and applicable law. For avoidance of doubt, and with the intent of ensuring compliance with RCW 24.03.043, RCW 23B.17.030 and RCW 23B.08.560 (regarding providing indemnification to council members), the congregation shall **not** indemnify any person from or on account of (a) acts or omissions of the person that are finally adjudged to be intentional misconduct or a knowing violation of law, (b) conduct of the person finally adjudged to be in violation of RCW 23B.08.310 (liability for unlawful distributions), or (c) any transaction with respect to which it was finally adjudged that the person personally received a benefit in money, property or services to which the person was not legally entitled. The congregation may fulfill its duty of defense by providing competent legal counsel of the congregation's choosing. The rights provided by this bylaw are contractual (and thus legally enforceable by the persons that those rights benefit), and are in addition to, and not in limitation of, any other rights to which a person may be entitled under any insurance*

policy, contract, or other bylaw provision. (Adopted by the Congregation May 18, 2008)

ATTACHMENT ONE

HOLY TRINITY LUTHERAN CHURCH RESOLUTION TO IMPLEMENT THE ENDOWMENT FUND

As Adopted by the Congregation on October 18, 1987

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

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

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

THEREFORE BE IT RESOLVED, that this congregation in (annual) meeting assembled on (date), approve and establish on the records of the church a new and separate fund to be known as The Endowment Fund (hereafter called The FUND of Holy Trinity Lutheran Church of Mercer Island, Washington, 8501 S.E. 40th Street.

BE IT FURTHER RESOLVED that the mission of the Holy Trinity Endowment Fund shall be to encourage, educate, motivate and assist the members of this congregation, and others, in the making of charitable gifts of an endowment nature. The gifts will be used to support specific programs and projects that will enrich and enhance the mission of this church. The FUND is based on the premise that all Christians have an innate desire and need to share their blessings with others on special occasions and throughout their lifetimes, and to provide long-enduring, worthwhile legacies. The FUND will enable this congregation to carry out programs and projects that would not be possible using the congregation's normal stewardship, benevolence, social ministry and evangelism programs and procedures. The FUND will administer all gifts in a beneficial manner consistent with the desires of the donor.

BE IT FURTHER RESOLVED, that the Endowment Fund Committee (hereinafter called the "COMMITTEE") shall be the custodian of the FUND;

BE IT FURTHER RESOLVED, that the **purpose** of the FUND is to enhance the mission outreach of Holy Trinity Lutheran Church congregation apart from the general operation of the congregation; that no portion of the income generated by the FUND shall be used for the annual operating budget of the congregation.

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

Plan of Operation

1. THE COMMITTEE

The committee shall consist of five members, all of whom shall be voting members of Holy Trinity Lutheran Church congregation. Except as herein limited, the term of each member shall be three (3) years. Upon adoption of this resolution by the congregation, it shall elect five (5) members to the COMMITTEE: two (2) for a term of three (3) years; two (2) for a term of two (2) years; and one (1) for a term of one (1) year. Thereafter, at each annual meeting, the congregation shall elect the necessary number for a term of three (3) years. **No member shall serve more than two consecutive three (3) year terms.** After a lapse of one (1) year, former COMMITTEE members may be re-elected. A pastor, the Council president and/or finance chairman, and/or a Council member designated by the Council shall be advisory, non-voting members of the COMMITTEE. The Church Council of the congregation shall nominate for the COMMITTEE and report at the annual congregational meeting in the same manner as for other offices and committees. In the event of a vacancy on the COMMITTEE, the Church Council shall appoint a member to fill the vacancy until the next annual meeting of the congregation, at which time the congregation shall elect a member to fulfill the term of the vacancy. No COMMITTEE member may serve concurrently on the Church Council.

A COMMITTEE member may be recalled from his/her position by a two-thirds (2/3) majority of a specially called congregational meeting.

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

A quorum shall consist of three (3) members. A majority present and voting shall be necessary to approve any motion, resolution or other committee action.

The committee shall elect from its membership a **chairperson, financial secretary and recording secretary**. The chairperson, or member designated by the chairperson, shall preside at all committee meetings.

The recording secretary shall maintain complete and accurate minutes of all meetings of the COMMITTEE and supply a copy thereof to each member of the committee. Each member shall keep a complete copy of minutes **to be delivered to his or her successor**. The secretary shall also supply a copy of the minutes to the Church Council.

The COMMITTEE financial secretary shall maintain complete and accurate books of accounts for the FUND and together with the chairperson shall sign checks and all other necessary documents on behalf of the congregation in furtherance of the purposes of the

FUND. The books shall be **audited annually** or as deemed necessary by a majority of the Church Council by the Holy Trinity Finance Committee or a certified public accountant or other appropriate person(s) selected by the Church Council who is **not** a member of the COMMITTEE.

The COMMITTEE shall report on a quarterly basis to the Church Council. At each annual meeting of the congregation or at other times requested by the Council, The COMMITTEE shall render a full and complete audited account of the administration of the FUND during the preceding year. Such audit shall be conducted in the same manner as audits of the congregation's financial accounts, as set forth above.

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

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

Members of the COMMITTEE having responsibility for custody and/or disbursement of the FUND's income shall be bonded and/or insured.

Decisions to hold, sell, exchange, rent, lease, transfer, convert, invest, reinvest, and in all other aspects to manage and control the assets of the FUND, including stocks, bonds, debentures, mortgages, notes, or other securities, as in their judgment and discretion they deem wise and prudent, are to be made by the COMMITTEE. The Church Council may, with a two-thirds majority, override the decisions of the COMMITTEE. The Church Council will have been advised of the COMMITTEE's intended actions by the Council representative(s) who sit(s) as an advisory member(s) on the COMMITTEE. In the event that no Council member is present at the COMMITTEE meeting, the COMMITTEE's president shall advise the Council president of the COMMITTEE's intended actions at least seven (7) days prior to their implementation.

The Church Council has responsibility for the regular budget and the ongoing program of the constitution. Management and administration of the FUND is placed with an elected committee apart from, but responsible to the Church Council as defined above.

In accepting the responsibility for the management and administration of the FUND, the COMMITTEE pledges to act in cooperation and with mutual respect and harmony with the Church Council, making every reasonable effort to insure that solicitations for the FUND do not interfere with other Council directed solicitations for funds needed for the normal operating and benevolence obligations incurred by Holy Trinity Lutheran Church.

The COMMITTEE shall prepare informational and promotional materials to motivate and assist congregational members and others to make on-going contributions to the FUND and to include the FUND in their financial and estate planning.

The COMMITTEE may, at its discretion, refuse a gift to the FUND due either to the characteristics of the gift or the usage stipulation accompanying the gift. No expenditure of FUND assets will be made for purposes that are: 1) not within the mission or policies of the Holy Trinity Lutheran Church of Mercer Island, Washington; or 2) not permissible by law.

The COMMITTEE shall provide written, personal letters of appreciation, either directly to the donor or to the surviving family as the case may be, for all contributions made to the FUND.

The COMMITTEE shall provide a Book of Registry, displayed in a prominent location in the church building, identifying the donors and the intended usage of the contribution, unless anonymity is requested by the donor.

The COMMITTEE shall report regularly in the congregation's newsletter all gifts received by the FUND and their intended usage along with the donor's name unless anonymity is requested.

The COMMITTEE shall promote educational programs to inform the congregation members on the large variety of forms of trusts, wills, bequests, annuities and gifts that can be adapted to a specific individual's needs, desires and resources.

The COMMITTEE shall on an on-going basis, encourage congregation members who are members of the legal and accounting professions to offer a modicum of gratis advice and counseling to prospective FUND donors, if requested.

The COMMITTEE shall allocate all costs related to COMMITTEE responsibilities to the FUND.

If necessary, the COMMITTEE shall file for tax exempt status and receive approval by the Internal Revenue Service exempt status before taking receipt of any assets. In addition, the COMMITTEE will file any and all reports in a timely manner that are now, or become required by Internal Revenue Service, or any regulatory body.

2. DISTRIBUTION OF INCOME

All assets are to be held in the name of the Holy Trinity Lutheran Church Endowment Fund.

The COMMITTEE shall determine what is principal and income according to accepted accounting procedures. **All principal amounts will be retained and only the income expended; unless otherwise stipulated by the donor.**

Gifts and bequests to the FUND shall accumulate until principal amount of \$100,000.00 is achieved, or the FUND shall accumulate for seven (7) years, which ever comes first, after which the income generated from the investment of the principal may be expended.

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

DISTRIBUTION OF ENDOWMENT FUND INCOME

The COMMITTEE shall present an annual plan of disbursements at the Annual Congregational Meeting. The COMMITTEE shall solicit advice, comments, and suggestions from the Church Council and the congregation on potential areas of disbursements before writing the plan. Barring any unforeseen needs for disbursements in other areas, the COMMITTEE shall make every reasonable effort to adhere to the annual plan of disbursements.

The COMMITTEE shall disburse the ENDOWMENT FUND income, in so far as possible, in accordance with any instructions of the contributors to the FUND. Lacking any specific instructions, the COMMITTEE will be guided in disbursing the income consistent with Holy Trinity's mission and policies in the following manner:

1. Internal enrichment and growth. This shall include scholarships or grants to members of Holy Trinity for the purpose of attending church-related college, seminary or nurse training schools; for church-related camping or leadership conferences; for music, lectureship, educational programs and resources that will enable members of the congregation and local community to grow in Christian faith and service to God's people.
2. Outreach into the community including but not limited to grants to colleges, seminaries and social service agencies to which Holy Trinity relates.
3. Support of the Evangelical Lutheran Church in America or any successor thereto for financing of new mission development.
4. Capital improvements or building program of Holy Trinity Lutheran Church congregation.

Specific programs in each of the above categories may be recommended to the COMMITTEE by the Church Council or the congregation as a result of congregational action.

No part of the principal or any net earnings of the assets of the ENDOWMENT FUND shall inure to the benefit of any individual (except in furtherance of charitable or educational purposes).

The COMMITTEE is prohibited from engaging in activity or making any distribution that would jeopardize or cause the loss of tax exempt status or violate any regulatory requirements.

3. AMENDING THE RESOLUTION

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

4. DISPOSITION OR TRANSFER OF FUND

BE IT FURTHER RESOLVED, that in the event Holy Trinity Lutheran Church of Mercer Island, Washington ceases to exist either through merger or dissolution, disposition or transfer of the FUND shall be at the discretion of the Church Council in conformity with the approved congregational constitution and by-laws and in consultation with the bishop of the synod to which this congregation belongs at such time. Consultation with the Evangelical Lutheran Church in America may be desirable for continuation of Endowment Fund obligations.

5. ADOPTION OF RESOLUTION

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

HOLY TRINITY LUTHERAN CHURCH

By /s/ _____
President

and

By /s/ _____
Secretary

Dated this 18th day of October 1987
Accepted: Oct 18, 1987

ATTACHMENT TWO

HOLY TRINITY LUTHERAN CHURCH CONGREGATIONAL COVENANT

As Adopted by the Congregation on September 23, 2007

GUIDELINES FOR OUR CONGREGATIONAL COVENANT AT HOLY TRINITY LUTHERAN CHURCH

We, baptized members of the Christian Church, responding in faith to the call of the Holy Spirit through the Gospel, desiring to unite together to proclaim the Word, offer the sacraments, and carry out God's mission, do hereby adopt this Congregational Covenant. We solemnly pledge ourselves to act in accordance with this Covenant and its promises. In the name of the Father and of the Son and of the Holy Spirit.

I

OUR RELATIONSHIP AS MEMBERS TO ONE ANOTHER

- A. We will treat one another with courtesy and kindness. We will endeavor to maintain an attitude of Christian love in all our relationships. We will live by the Golden Rule: Do unto others as you would have them do unto you.
- B. We will welcome the expression of all viewpoints and will seek to create an atmosphere of trust and confidence that will encourage free and open discussion led by the Holy Spirit.
- C. We will seek to keep the Eighth Commandment: You shall not bear false witness against your neighbor. We will remember what Luther said in the Small Catechism: "We are to fear and love God, so that we do not tell lies about our neighbors, betray or slander them, or destroy their reputations. Instead we are to come to their defense, speak well of them, and interpret everything they do in the best possible light."
- D. We will remember that our personal conduct gives evidence of our repentance and reflects on ourselves and our community of faith.
- E. We will review and reaffirm this document at least annually at the Annual Meeting.
- F. We will abide by the constitution and by-laws of this congregation. These guidelines will not supersede our own church's constitution and bylaws but may be helpful in implementing and interpreting them.

II

OUR RELATIONSHIP AS MEMBERS TO OUR STAFF, CHURCH OFFICERS, AND LEADERS

- A. We will select our officers prayerfully and intentionally on the basis of their commitment, competence, compassion and maturity in the faith. We are committed to having men, women, and youth serve in the various responsibilities of the congregation. We will endeavor to distribute our offices among many persons and be appreciative of their services.
- B. We will appreciate each staff member and their gifts.

C. We will provide staff, church officers, and leaders opportunities for faith formation, training, and leadership development. We will provide the resources needed for each to be an effective leader.

D. We will support our staff, officers, committees, classes, auxiliary groups, and the church council of the congregation through prayer and encouragement.

E. We will expect our staff, church officers, and leaders to execute their roles faithfully and consistently.

III

OUR RELATIONSHIP AS MEMBERS TO OUR PASTOR(S)

A. When seeking pastors, we will follow ELCA guidelines, work through the Synod office, and will conduct all negotiations with integrity, courtesy, and orderly procedure, without discrimination with regard to marital status, sex, age, or race.

B. We, as a congregation, are committed to be informed on how pastors are compensated in our denomination through information supplied by the Board of Pensions, the ELCA, and by the Northwest Washington Synod office. We will support our pastors with salary, housing allowance, pension contributions, health insurance, necessary expense funds, vacation, and the time and financial means for continuing education consistent with the demands and resources of our congregation as stated in the Letter of Call to the Pastor.

C. We will provide our pastors with necessary facilities for his or her work and will respect study hours. We will encourage time for rest and relaxation and will be mindful of the need for time with family as stated in the Letter of Call.

D. We will respect the time and talents of members of the pastors' family and will have no greater expectations of them than of other members of the church.

E. The pastors will have the freedom of the pulpit and the right to present his or her Christian convictions without fear.

F. We will respect our pastors' spiritual and intellectual leadership. We will encourage and assist our pastors through constant prayer, faithful participation, and constructive feedback with him or her in ministry. We, as a congregation, will love and care for our pastors in times of personal crisis.

G. We will cooperate with our pastors to best utilize our congregation's talents in fulfilling the mission of the church.

H. We will keep our pastors informed when pastoral services are needed.

I. We will support our pastors' reasonable participation in cluster, synod, and church-wide activities of the ELCA, as well as, civic and ecumenical activities as consistent with the mission of our congregation and the ELCA.

J. Because the congregation is a priesthood of believers that minister to one another (pastors to the congregation and congregation to the pastors), our relationships in the church will be covenantal as well as contractual, and we will maintain and conclude all pastoral relationships in a spirit of Christian love.

K. We will have a Mutual Ministries Committee to continually monitor the relationship between our pastors and the congregation. We will call on the assistance of the Synod before a conflict between the pastor and the congregation grows into a crisis. And, we will keep the congregation informed.

IV

OUR RELATIONSHIP TO OUR COMMUNITY AND/OR COUNTRY

- A. We agree to live in a manner consistent with our Christian convictions. Because our Christian convictions set the standard for our citizenship, our faith will lead us to be informed, to vote our conscience and to influence government officials in working toward a just and morally responsible community.
- B. We will be attentive to the moral and ethical implications of every project we are asked to support.
- C. We will maintain a good credit standing in the community.
- D. We will respect the rights and privileges of persons living near the church and will endeavor not to inconvenience our neighbors nor harm their property.
- E. We will be an inclusive congregation and welcome all to worship at HTLC.
- F. We will work in a complementary way with community service agencies and organizations to most effectively serve and improve our community.