



Black Forest Lutheran Church (BFLC)  
Colorado Springs, Colorado

**Constitution**

February 1, 2018

The congregation of Black Forest Lutheran Church, at a Special Meeting on February 27, 2011, affirmed the Constitution of the North American Lutheran Church, dated August 27, 2010. Note that this Black Forest

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Lutheran Church Constitution contains items in Chapters 2 and 6, in bold, which are required by the North American Lutheran Church.

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Listing of Changes

January 29, 2012	Congregation approved the Provisional Constitution.
January 27, 2013	Congregation ratified the Constitution with changes regarding retention of record copies of the Constitution (1.05), termination of membership sequence (8.05), the Church Council financial flexibility when suspending a Pastor (9.04b), election of the Treasurer to the Church Council (11.03), Church Council spending authority from the beginning of the calendar year until the congregation approves the new budget (12.05c), inclusion of salaried and hourly employees (12.08), referencing the Nominating Committee to the treasurer provisions (13.02), terms of office for Audit Committee members (13.03), inclusion of Pastor and Council President as members of all committees and organizations, with 1 exception (13.07), and the addition of provisions for removal of Church Council members (15.07).

- January 31, 2016 Congregation approved changes to the Constitution regarding Marriage and Wedding practices as they impact the role of the Pastor and use of the church facility (3.05) and added The Common Confession as an attachment.
- January 29, 2017 Congregation ratified the 2016 Constitution changes.
- January 28, 2018 Congregation approved changes regarding election of Council Members (12.02).

## **PREAMBLE**

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

## **Chapter 1 NAME AND INCORPORATION**

- 1.01** The name of this congregation shall be Black Forest Lutheran Church.
- 1.02** For the purpose of this constitution and any accompanying bylaws, the congregation of Black Forest Lutheran Church is hereinafter designated as "this congregation."
- 1.03** This congregation shall be incorporated under the laws of the State of Colorado.
- 1.04** The seal of this congregation is imprinted herein:
- 1.05** Record copies of the Constitution (with the seal imprinted) and Bylaws, and any Continuing Resolutions, shall be retained in the Church office and at an off-site location with the Secretary of the Church Council.

## **Chapter 2 CONFESSION OF FAITH**

This congregation incorporates Article 2 of the constitution of the North American Lutheran Church (the “NALC”), confessing:

**2.01 The Triune God – Father, Son, and Holy Spirit**

**2.02 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 the Holy Spirit speaking through their authors, they record and announce God’s revelation centering in Jesus Christ. Through them the Holy Spirit speaks to us to create and sustain Christian faith and fellowship for service in the world.**

**2.03 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, "according to which all doctrines should and must be judged." (Formula of Concord, Epitome, Part I)**

**2.04 The Apostles’, Nicene, and Athanasian Creeds as true declarations of the faith of the Church.**

**2.05 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.**

- 2.06 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.**
- 2.07 The Gospel, recorded in the Holy Scriptures and confessed in the ecumenical creeds and Lutheran confessional writings, as the power of God to create and sustain the Church for God’s mission in the world.**

### **Chapter 3 NATURE OF THE CHURCH**

- 3.01** The Church is the universal assembly of all believers among whom the Gospel is preached in its purity and the holy sacraments are administered according to the Gospel. (Augsburg Confession VII)
- 3.02** 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.
- 3.03** The Church exists both as an inclusive fellowship and as local congregations gathered for worship and Christian service. Congregations find their fulfillment in the universal community of the Church, and the universal Church exists in and through congregations.
- 3.04** This Congregation exercises ministry within the mission of the NALC. This Congregation embodies the Church in its community and, for the sake of mission, lives in cooperative partnership with other congregations and within the other structures of the NALC. This Congregation shall share responsibility for the decision-making processes of the NALC.

**3.05** This congregation endorses *The Common Confession*  
(The faith

statement of Lutheran CORE-Coalition for Renewal, Adopted November 2005 document), which is an attachment to this Constitution. This endorsement includes provision CC6, Marriage and Family, i.e., “We believe and confess that the marriage of male and female is an institution created and blessed by God. From marriage, God forms families to serve as the building blocks of all human civilization and community. We teach and practice that sexual activity belongs exclusively within the biblical boundaries of a faithful marriage between one man and one woman.”

Consistent with these beliefs, this congregation will only participate in, solemnize, and host weddings between one man and one woman.

**Chapter 4 STATEMENT OF PURPOSE**

**4.01** The hearers of the Gospel are a people, called and sent by God, Father, Son, and Holy Spirit, to be a community of faith, hope

and love, who witness to Christ and His coming Kingdom before all the world.

**4.02** To participate in God’s mission, this Congregation as a part of the Church shall:

- a. Give honor and glory to the Triune God, worshipping Him in proclamation of the Word and administration of the sacraments and through lives of prayer, praise, thanksgiving, witness, obedience and service.
- b. Carry out Christ’s Great Commission by proclaiming to all the world the Gospel of justification by grace through faith alone, according to the apostolic witness in Holy Scripture and in accordance with the Lutheran Confessions,

- c. Preserve and transmit the Gospel, as stated in the Holy Bible, faithfully to future generations, through reading and study of the Word.
- d. Foster Christian fellowship and love, and extend a helping hand to humans in need.
- e. Manifest the unity of our faith in Jesus Christ as God and Savior, and join with other Christians in prayer and action.
- f. Nurture its members in the Word of God so as to grow in faith and hope and love, and to develop a sense of Christian vocation in daily life.

**4.03** To fulfill these purposes, this Congregation shall:

- a. Provide services of worship at which the Word of God is rightly preached and the sacraments are rightly 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. Encourage its members to provide appropriate financial support for the Congregation's ministry and the ministry of other parts of the NALC.
- h. Foster and participate in relationships with other congregations and structures of the NALC.
- i. Foster and participate in ecumenical relations consistent with NALC policy.

**4.04** This Congregation shall develop an organizational structure to be described in the Bylaws. The Church Council shall approve descriptions of the responsibilities

of each committee, task force, or other organizational group and shall review their actions. Such descriptions shall be contained in Bylaws or Continuing Resolutions.

- 4.05** This Congregation shall, from time to time, adopt a mission statement which will provide specific direction for its programs. This mission statement shall be reviewed and affirmed by the Congregation at each annual meeting.

## **Chapter 5 POWERS OF THE CONGREGATION**

- 5.01** The powers of this Congregation are those necessary to fulfill its purpose.
- 5.02** The powers of this Congregation are vested in the Congregational Meeting called and conducted as provided in this Constitution and Bylaws.
- 5.03** Only such authority as is delegated to the Church 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. appoint or terminate the service of commissioned lay leaders.
- d. approve the annual budget;
- e. acquire real property (land, buildings, etc.) and personal property (vehicles, equipment, etc.) by gift, devise, purchase, or other lawful means. The Congregation delegates limited authority to acquire real property, in Chapter 12 of this document, to the Church Council.
- f. hold title to and use its property for any and all activities consistent with its purpose;

- g. sell, mortgage, lease, transfer, or otherwise dispose of its property, consistent with the value thresholds in Chapter 12, by any lawful means;
- h. adopt amendments to this Constitution as provided in Chapter 17, and amendments to the Bylaws, as specified in Chapter 16.
- i. establish or terminate membership in another Church body.
  - 5.04** This Congregation and/or the Church Council may select voting members of this Congregation to serve as lay delegates and alternates to represent it at meetings of any conferences, convocations, and other meetings where this Congregation is entitled to such representation.
  - 5.05** 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.

## **Chapter 6 CHURCH AFFILIATION**

**6.01** This Congregation is an interdependent part of the NALC or any successor and is subject to the disciplinary rules of the NALC. **6.02**

**This congregation subscribes to the Constitution of the NALC and will act in accordance with it.**

**6.03** This Congregation will conduct its ministry in a manner consistent with its membership in the NALC:

- a. This Congregation is responsible for its life as a Christian community.
- b. This Congregation pledges its participation in the life and mission of the NALC, including the prayerful consideration of appropriate financial support.
- c. **This Congregation shall call only pastors who are members of the NALC or otherwise are authorized by the NALC to serve.**

- d. **This Congregation shall appoint only commissioned lay leaders who are members of the NALC or otherwise are authorized by the NALC to serve.**

**6.04** Affiliation with the NALC 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 NALC according to the procedures for discipline of the NALC.
- d. This Congregation, at legally called and conducted special meetings, approves by at least a two-thirds majority of those voting a resolution directing that this Congregation withdraw from the NALC. There will be two special meetings with at least 60 days in between meetings. The Congregation will be advised of the purpose for the meetings per the instructions in Chapter

10, Congregation meetings. If this Congregation adopts a resolution withdrawing from the NALC at both special meetings, all provisions of this constitution binding this Congregation to the NALC shall be immediately ineffective. The Congregation shall promptly deliver a copy of the withdrawal resolution to the NALC general secretary upon approval of the second vote.

## **Chapter 7 PROPERTY OWNERSHIP**

**7.01** This Congregation is an independent legal entity with rights to purchase, hold, and convey real and personal property in accord with applicable law. The NALC shall have no right to or interest in the property of this Congregation unless this Congregation expressly conveys such a right or interest to the NALC. If this Congregation dissolves, its property shall be distributed in accord with applicable law and with the Congregation's governing documents.

- 7.02** In the event that the Congregation takes action to dissolve or otherwise ceases to exist, and no merger is involved, the officers of the Congregation shall be responsible for, on behalf of the Congregation, the sale of all Church assets, and the payment of remaining liabilities, with any remaining funds to be provided to the NALC to support mission starts. Action to dissolve the Congregation must be approved by the congregation by a two-thirds majority vote at a Special Meeting of the Congregation.
- 7.03** In the event that the Congregation takes action to dissolve or otherwise ceases to exist, and a merger is involved, the officers of the Congregation shall be responsible for carrying out the provisions of the merger agreement. Action to dissolve and merger agreements must be approved by the Congregation by a two-thirds majority vote at a Special Meeting of the Congregation.

## **Chapter 8 MEMBERSHIP**

- 8.01** Members of this Congregation shall be those baptized persons
- a.** who are on the roll of this Congregation at the time that this Constitution is adopted or who are admitted thereafter, and
  - b.** who have declared and maintain their membership in accordance with the provisions of this Constitution and its Bylaws.
- 8.02** 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 who have communed and/or made a contribution of record (e.g. time, talents, and/or treasures) during the current or preceding calendar year. Members of this congregation who have satisfied these basic standards shall have the privilege of voice and vote at every annual and special meeting of the congregation.
- d. Associate members are persons holding membership in other NALC congregations who wish to retain such membership but desire to participate in the life and mission of this Congregation.

They have all the privileges and duties of membership including voice privileges at Congregation meetings except voting rights and eligibility for elected offices or membership on the Church Council of this Congregation.

**8.03** All applications for confirmed membership shall be submitted to and shall require the approval of the Church Council.

**8.04** 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 NALC, and their ministries through contributions of time, talents and treasures as biblical stewards.

**8.05** Membership in this Congregation shall be terminated by any of the following:

- a. transfer or release
- b. removal from the roll due to inactivity as defined in this Constitution and its Bylaws. Such persons who have been removed from the roll of members shall remain persons for whom the Church has a continuing pastoral concern.
- c. resignation.

- d. disciplinary action by the Church Council; or
- e. death.

## **Chapter 9 THE PASTOR**

**9.01** Authority to call a Pastor shall be in this Congregation by at least a

two-thirds majority vote of members voting at a meeting legally called for that purpose. This Congregation shall call only pastors who are members of the NALC or otherwise are authorized by the NALC to serve.

**9.02** Consistent with the faith and practice of the NALC,

- a. Every ordained minister shall:
  - 1) preach the Word;
  - 2) administer the sacraments;
  - 3) conduct public worship;
  - 4) provide pastoral care;
  - 5) serve as the chief evangelist in his or her ministry, and
  - 6) proclaim God's love to 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 lay the dead to rest;
  - 2) supervise all schools and organizations of this Congregation;
  - 3) install elected members of the Church Council; and
  - 4) with the Church 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; and
- 3) impart knowledge of the NALC and its wider ministry through public provision of information, distribution of publications and other appropriate means.

**9.03** 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. Formation of a Call Committee is addressed in paragraph 13.04.

- 9.04** 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 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 is 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; or
  - 6) the dissolution of the Congregation.
  - 7) In the event of this Church merging with another Church, the Pastor will be released from the call to this Church and, if appropriate, offered a new call upon the two-thirds vote of the new Congregation.
- b. If the Church Council determines that it may be appropriate to

end a call for one of the reasons set out in paragraph 9.04a, the Council shall consult with the Pastor regarding the matter in accord with Biblical principles. If the Church Council and Pastor do not reach agreement, the Congregation shall inform the Bishop of the NALC, who shall consult with the Church Council and the Pastor and shall attempt to reach an agreed resolution. If the Bishop fails to facilitate an agreed resolution, the Congregation may terminate the Pastor's call by a vote of two-

thirds of all members of the Congregation voting. In any event, the Church Council can suspend a Pastor, for up to 60 days, with or without pay, by majority vote if the Church Council determines that such suspension is necessary to protect the Congregation and all whom it serves.

- 9.05** At a time of pastoral vacancy, an interim Pastor may be appointed by the Church Council.
- 9.06** 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 Church Council. The interim Pastor and any ordained Pastor providing assistance shall refrain from exerting influence in the selection of a Pastor.
- 9.07** This Congregation shall make provisions for satisfactory settlement of all financial obligations to a former Pastor before calling a successor. Likewise, a Pastor shall make provisions for the satisfactory settlement of all financial obligations to this Congregation. The Council will send a written notice to the Pastor detailing provisions for settlement of financial obligations of each party.
- 9.08** 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 and the Church Council. As occasion requires, the documents may be revised through the same consultation process.

**9.09** The Congregation may depart from the requirements in section 9.04a by calling a Pastor for a term of years. Details of such a call shall be in a writing that sets forth the purpose and conditions involved. Such call may be terminated before its expiration in accordance with the provisions in section 9.04a and 9.04b.

**9.10** The Pastor of this Congregation:

- a. shall keep accurate parochial records of all baptisms, confirmations, marriages, deaths, members received, members dismissed, or members excluded from the Congregation;
- b. shall submit a summary of such statistics in the annual report to the Congregation.
- 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.

**9.11** The parochial records of this Congregation shall be maintained by the Pastor and shall remain the property of the Congregation.

## **Chapter 10 CONGREGATIONAL MEETING**

**10.01** The Annual Meeting and any other regular meetings of this Congregation shall be held at times set by the Congregation in Bylaws or in Continuing Resolutions. In virtually all cases, prior to the meeting of the Congregation, the Council will provide a recommendation on all matters put before the Congregation for a vote.

- 10.02** A Special Congregational Meeting may be called by the Pastor, the Church Council, or the President of this Congregation, and shall be called by the President of the Congregation upon the written request of 15% of the voting members. The notice for each Special Meeting shall specify the purpose for which it is to be held and no other business shall be transacted.
- 10.03** Notice of all meetings of this congregation shall be given at the services of worship on the preceding two consecutive Sundays and by mail or e-mail to all voting members, at least 10 days in advance of the date of the meeting. The posting of such notice in
- the regular mail, with the regular postage affixed or paid, sent to the last known address of such members, or sent to the last known e-mail address of such members, shall be sufficient. In the event e-mail is rejected, then notice will be sent through regular mail. In this case, the 10 day notice requirement does not apply.
- 10.04** Fifteen percent of voting members present constitute a quorum.
- 10.05** A Congregational Meeting is intended to be a “deliberative assembly” both to discuss and to vote on concerns of the Church. Therefore, voting by proxy or by absentee ballot is not encouraged and will only be permitted under special circumstances. In the event of a major congregational concern, the Council may approve voting by proxy or absentee ballot provided they determine and publish the parameters and methodology on how notice is made to the Congregation and the procedures for the implementation of this provision. If this

provision is implemented for a particular Annual or Special Meeting of the Congregation, this would override other provisions of the Constitution which call for members “present and voting”. Individuals voting by proxy or absentee are considered “present” and “voting” for that meeting.

- 10.06** All actions approved by the Congregation shall be by majority vote of those members voting, except as otherwise provided in this Constitution or by applicable law.
- 10.07** “Robert’s Rules of Order”, latest edition, shall govern parliamentary procedure of all meetings of this Congregation, except that individuals designated as “Friends of the Congregation” in the current Church Directory may attend Congregation meetings and will have voice but not voting privileges.

## **Chapter 11 OFFICERS OF THE CONGREGATION**

- 11.01** The officers of this Congregation, elected by the Church Council from its members, shall be a President, Vice President, Secretary, and Treasurer.
- a. Duties of the officers shall be specified in the Bylaws.
  - b. The officers shall be voting members of the Congregation.
  - c. Officers of this Congregation shall serve the same offices on the Church Council.
  - d. The Church Council elects its officers from the elected membership of the Church Council by either written ballot or agreed to voice vote immediately after the Annual Meeting at which the Council is approved by the Congregation. Terms of office shall begin at the close of the meeting at which they are elected. If the Treasurer is not elected from the elected membership of the Church Council, the Treasurer

shall have voice privileges but not vote privileges at the meetings of the Church Council.

**11.02** The officers identified in this Chapter 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.

**11.03** No officer shall hold more than one office at a time. No elected officer, other than the Treasurer, shall be eligible to serve more

than two consecutive terms in the same office. There are no term limits for the Treasurer position. When the Church Treasurer chooses to be nominated to serve beyond the nominal Church Council maximum of two three year terms, election to the Church Council and the Treasurer position will be by the congregation at the same meeting that Council members are elected.

**11.04** If any elected office enumerated in this Chapter 11 becomes vacant, the Church Council shall elect a replacement as soon as

practicable to serve the remainder of the unexpired term. The time served under this provision shall not count for purposes of term limits.

## **Chapter 12 CHURCH COUNCIL**

**12.01** The voting membership of the Church Council shall consist of the Pastor(s) and not more than 12 members nor fewer than 8

members of the congregation, including the officers. Any voting member of the Congregation may be elected, subject only to the limitation on the length of continuous service permitted in that office. A member's place on the Church Council shall be declared vacant if the member a) ceases to be a voting member of this congregation or b) is absent from four regular meetings

of the Church Council, as reflected in the minutes, within a calendar year, without cause. Consistent with the laws of the state in which this Congregation is incorporated, the Congregation may adopt procedures for the removal of a member of the Church Council in other circumstances as addressed in Chapter 15.

- 12.02** The members of the Church Council, except the Pastor(s), shall be elected by majority vote by written ballot or voice vote at the annual meeting of the congregation as described in the Bylaws and/or Continuing Resolution(s). They shall serve terms of 3 years or until their successors are elected. If a council member desires to serve a second term, they shall stand for re-election at the completion of their first term. Their terms shall begin at the close of the Annual Meeting at which they were elected. All elected members of the Congregation Council shall be installed by the Pastor at the next public service following their election or as soon thereafter as convenient but no later than the next Council meeting after the Annual Meeting. Members, except the Treasurer, shall be eligible to serve no more than two full terms consecutively, unless they fall under the provisions of paragraph 12.03.
- 12.03** Should a member's place on the Church Council be declared vacant, the Church Council may elect, by majority vote, a successor until the next Annual Meeting. Individuals who have served less than one-half of a regular term shall be eligible for nomination and possible election to a full term and may serve two consecutive full terms.
- 12.04** The Church 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, the Lutheran Confessions and the faith and practice of the NALC. The duties of the Church Council shall include the following:

- a. To lead this congregation in stating its mission, to do longrange 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 (this is accomplished in coordination with the Mutual Ministry Committee, as described in the Bylaws).
- 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 foster resolution of such conflicts according to Biblical principles.
- g. To arrange for pastoral service during the sickness or absence of the Pastor.
- h. To emphasize partnership with the NALC as well as cooperation with other Christian congregations, both Lutheran and non-Lutheran.
- i. To seek out and encourage qualified persons to prepare for the ministry of the Gospel.

**12.05** The Church Council shall be responsible for the financial and property matters of this Congregation.

- a. The Church Council shall be the board of directors of this Congregation, and as such shall be responsible for maintaining and protecting its property and the management of its business and fiscal

affairs. It shall have the powers and be subject to the obligations that pertain to such boards under the laws of the State of Colorado, except as otherwise provided herein.

- b. The Church Council shall have limited authority, consistent with paragraph 5.03e, to buy, sell, or encumber real property. The Council may acquire property which value does not exceed a value equivalent to 20% of the annual budget without having to obtain Congregation approval. The Congregation, in its Bylaws, may further delegate select authorities to the Mission Endowment Committee.
- c. The Church 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 of no more than 5% in excess of the approved budget unless approved at a Congregational Meeting. During the period from January 1 of each year, until such time as the Congregation approves the new annual budget, budget and spending levels will stay within the previous year's line item budgets unless the Council approves exceptions. Council also has the authority to curtail spending levels during this period.
- d. The Church 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 designated recipients.

- e. The Church Council shall be responsible for the oversight of this Congregation's investments and its total insurance program.

**12.06** The Church Council shall see that the provisions of this Constitution and of the Congregation's Bylaws and Continuing Resolutions are carried out.

**12.07** The Church Council shall provide for an annual review (Not later than 1 December of each year) of the membership roster as specified in Bylaw 8.05.01.

**12.08** The Church Council shall be responsible, through the Mutual

Ministry Committee, for the employment and supervision of the salaried and hourly lay workers of this congregation.

**12.09** The Church Council shall submit a comprehensive report to this Congregation at the annual meeting.

**12.10** The Church Council shall normally meet once a month. Special meetings may be called by the President, or in the President's absence, by the Vice President, at the request of at least one-half of its members. Notice of each meeting shall be given to all elected Council members. Notice shall be given for all Council meetings, as specified in the Bylaws, at which a vote is taken. Council working sessions may be called and conducted without notice to the congregation provided that no vote is taken at these sessions.

**12.11** A quorum for the transaction of business shall consist of a majority of the members of the Church Council. In addition, the Pastor or interim Pastor must be present, except when the Pastor or interim Pastor requests or consents to be absent and has given prior approval to the agenda for a particular regular or special meeting, or with the consent of the Bishop or Dean. In such a

circumstance, the Church Council may not conduct any business beyond that which was included on the agenda as approved by the Pastor, interim Pastor, Bishop or Dean, as applicable.

## **Chapter 13 COMMITTEES OF THE CONGREGATION**

**13.01** The officers of this Congregation and the Pastor shall constitute the Executive Committee.

- 13.02** A Nominating Committee of three voting members of this Congregation, one of whom, if possible, shall be an outgoing member of the Church Council, shall be elected by the Church Council. Members shall be eligible for reelection provided there is at least a one year period of not serving on the committee. Members of the Nominating Committee shall serve until the close of the Congregation meeting at which the nominees for Council provided by the committee are voted upon. Note the special provision to the nominating process for the Treasurer position described in paragraph 11.01 and 11.03 of this Constitution.
- 13.03** An Audit Committee of three voting members shall be elected by the Church Council. Audit Committee members shall not be members of the Church Council. Term of office shall be three years, with one member elected each year, if possible. Members shall be eligible for reelection provided there is at least a one year period of not serving on the committee, unless the Congregation waives the one year gap provision.
- 13.04** When a pastoral vacancy occurs, a Call Committee of no fewer than five and not more than nine voting members shall be elected by the Church Council. Term of office will terminate upon installation of the newly called pastor.
- 13.05** Other committees of this congregation may be formed, as the need arises, by decision of the Church Council.
- 13.06** Duties of committees of this Congregation shall be specified in the Bylaws and/or Continuing Resolutions.
- 13.07** The senior Pastor of this Congregation shall be an ex officio member of all committees and boards of the Congregation, including organizations conducting

business in the name of the Church. The President of this Congregation shall be an ex officio member of all committees and boards of the Congregation, including organizations conducting business in the name of the Church, except the Nominating Committee.

## **Chapter 14 ORGANIZATIONS WITHIN THE CONGREGATION**

**14.01** 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 the oversight and direction of the Church. This Congregation, through the Church Council, has the authority to determine their policies, guide their activities, and receive reports concerning their membership, work, and finances.

## **Chapter 15 DISCIPLINE OF MEMBERS AND ADJUDICATION**

**15.01** Denial of the Christian faith as described in this Constitution or the Constitution of the NALC, conduct grossly unbecoming a member of the Church of Christ, or persistent disruption 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 by the Church Council to appear before the Church Council.

If, for any reason, the Pastor is unable to administer the admonitions required by a. and b. hereof, the President or Vice President shall administer such admonitions.

**15.02** If discipline against a member proceeds beyond the process in 15.01 above, 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 Church 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 Church 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 Church Council and requests the presence of a member charged with an 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 Church Council may proceed with the hearing and may pass judgment in the

members' absence.

**15.03** Members of the Church Council who participate in the preparation of the written charges or who present evidence or testimony in the hearing before the Church 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 Church Council who are not disqualified but who are present and voting, and renewed

admonition prove ineffectual, the Church 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.

**15.04** The member against whom disciplinary action has been taken by the Church Council shall have the right to

appeal to a Congregational Meeting, which may revise or overturn the Church Council's decision by a majority vote. Any such vote will be by secret ballot.

- 15.05** Disciplinary actions may be reconsidered and revoked by the Church Council upon receipt of (a) evidence that injustice has been done or (b) evidence of repentance and amendment of their actions/activities.
- 15.06** With regard to chronic absences by a Church Council member at Council meetings, as described in paragraph 12.01, and consistent with Matthew 18:15-17, the provisions of a), b), and c) in 15.01 above will be invoked after three absences without cause. The provisions of paragraph 15.02 will be implemented upon the fourth absence without cause. Votes taken regarding removal from Church Council will be taken with the member charged not present for the vote.
- 15.07** In addition to the removal of Church Council members beyond the provisions of paragraph 15.06 above, members may be removed from their Council position in any case where the responsibilities described in Chapters 11 and 12 of this document, and the attendant Bylaws, are not being carried out effectively and/or do not reflect the best interests of the  
Congregation. With a quorum of the Council achieved, removal

will be by a two-thirds majority vote of those present and voting. Removal actions must be subsequently presented to the Congregation at the next Special or Annual meeting for ratification or reversal via a two-thirds majority vote.

## **Chapter 16 BYLAWS**

- 16.01** This Congregation may adopt Bylaws. No Bylaw may conflict with this Constitution.
- 16.02** Bylaws may be adopted or amended at any legally called meeting of this Congregation with a quorum present by a majority vote.
- 16.03** Changes to the Bylaws may be proposed by any voting member provided, however, (a) that such additions or amendments be submitted in writing to the Church Council at least 60 days before a regular meeting of the Congregation or a Special Meeting called for that purpose. and (b) that the Church Council notify the members of the proposal with any recommendations regarding the disposition of the proposal at least 30 days in advance of the Congregational Meeting.

## **Chapter 17 AMENDMENTS**

- 17.01** Amendments to this Constitution may be proposed by at least 15% of the voting members or by the Church Council. Proposals must be filed in writing with the Church Council 60 days before a regular meeting of the Congregation or a Special Meeting called for that purpose. The Church Council shall notify the members of the proposal with the council's recommendations regarding disposition of the proposal at least 30 days in advance of the meeting.
- 17.02** An amendment to this Constitution, shall:
- a. be approved at a legally called Congregational Meeting according to this Constitution by a majority vote,;
  - b. be ratified without change at the next Congregational Meeting by a two-thirds majority vote; and
  - c. have the effective date included in the resolution and noted in the Constitution.

- 17.03** The Church Council shall notify the members of proposed changes to the NALC Constitution with the council's recommendations regarding disposition of the proposal at least 30 days in advance of a legally called meeting of the Congregation.
- 17.04** Approval of a NALC Constitution, any amendments, and other NALC matters brought before the Congregation for a vote, requires a two-thirds majority vote at a Congregation meeting.

## **Chapter 18 CONTINUING RESOLUTIONS**

- 18.01** This congregation, in a legally called Congregational Meeting, or the Church Council, may enact Continuing Resolutions. Such Continuing Resolutions may not conflict with the Constitution or Bylaws of this Congregation.
- 18.02** Continuing Resolutions shall be enacted or amended by a majority vote of a Congregational Meeting or a two-thirds vote of all voting members of the Church Council.

## **Chapter 19 INDEMNIFICATION**

- 19.01** 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 Church 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.

## **ATTACHMENT**

### ***The Common Confession***

(The faith statement of Lutheran CORE – Coalition for Renewal.  
Adopted: November 2005)

#### CC1) The Lord Jesus Christ

We are people who believe and confess our faith in the Triune God – Father, Son, and Holy Spirit. We trust and believe in Jesus Christ as our Savior and Lord.

#### CC2) The Gospel of Salvation

We believe and confess that all human beings are sinners, and that sinners are redeemed by the death and resurrection of Jesus Christ. God alone justifies human beings by faith in Christ – a faith that God creates through the message of the Gospel. As ambassadors for Christ, God uses us to speak his Word and build his kingdom.

#### CC3) The Authority of Scripture

We believe and confess that the Bible is God’s revealed Word to us, spoken in Law and Gospel. The Bible is the final authority for us in all matters of our faith and life.

#### CC4) The Common Confession of Faith

We accept and uphold that the Lutheran Confessions reliably guide us as faithful interpretations of Scripture, and that we share a unity and fellowship in faith with others among whom the Gospel of Jesus Christ is

preached and the sacraments are administered in accordance with the Gospel.

#### CC5) The Priesthood of All Believers

We believe and confess that the Holy Spirit makes all who believe in Jesus Christ to be priests for service to others in Jesus' name, and that God desires to make use of the spiritual gifts he has given through the priesthood of all believers.

#### CC6) Marriage and Family

We believe and confess that the marriage of male and female is an institution created and blessed by God. From marriage, God forms families to serve as the building blocks of all human civilization and community. We teach and practice that sexual activity belongs exclusively within the biblical boundaries of a faithful marriage between one man and one woman.

#### CC7) The Mission and Ministry of the Congregation

We believe and confess that the church is the assembly of believers called and gathered by God around Word and Sacrament, and that the mission and ministry of the church is carried out within the context of individual congregations, which are able to work together locally and globally.