

## Proposed Bylaws of First Lutheran Church of Watford City

Adapted from existing bylaws to fit within structure of proposed constitution.

### **Chapter 8. MEMBERSHIP**

#### **Communion**

- C8.02.01. Worthy participation by a communicant requires sincere repentance, faith in Jesus Christ as Savior and an earnest desire to amend his or her sinful life, together with an acceptance of the Scriptural teaching regarding the real presence of Christ with his Body and Blood in the Sacrament. Registration forms or oral announcements shall be so devised as to make prospective participants aware of these requirements.
- C8.02.02. Records of the communication participation shall be entered upon the books of this congregation and notice regarding members of other congregations sent to the respective pastors of the congregations of which they are members. Non-members who desire to commune regularly should counsel with the Pastor.

#### **Baptized Members**

- C8.02.11. Children, one or both of whose parents or guardians are members of this congregation, shall upon receiving Christian Baptism, be thereby received as baptized members of this congregation.
- C8.02.12. Children, neither of whose parents or guardians are members of this congregation shall, upon Christian baptism duly recorded as a ministerial act performed under the auspices of this congregation, thereby be received as baptized members of this congregation unless there is understanding that, for good reason, they will be enrolled as baptized members of another congregation, in which case notice of the baptism shall be given to the congregation in which the child is to be enrolled as a baptized member.
- C8.02.13. Children baptized in other congregations and baptized adults mentally incompetent for confirmation shall be received as baptized members of this congregation upon admission of one or both parents or guardians to membership, or by consent of one or both parents or guardians, or by action of the Congregation Council.

C8.02.14. Unbaptized adults who have received instruction and given evidence of having an adequate understanding and acceptance of the teachings of the Word of God as confessed by the Lutheran Church shall, upon confession of faith and Christian Baptism duly recorded as a ministerial act performed under the auspices of this congregation, thereby be received as baptized members of this congregation.

### **Confirmed Members**

C8.02.21. Baptized adults, not previously members of this congregation, who have received instruction and given evidence of having understanding and acceptance of the teachings of the Word of God as confessed by the Lutheran Church shall be admitted to confirmed membership through the rite of confirmation.

C8.02.22. However, adults received as baptized members according to the provisions of C8.02.14. shall be recognized as confirmed members, whether or not, at the discretion of the pastor, they participate in the rite of confirmation.

C8.02.23. Children who are baptized members of this congregation shall be admitted to confirmed membership through preparation for and participation in the rite of confirmation.

C8.02.24. Applicants for membership presenting letters of transfer showing them to be confirmed members in good standing in other Lutheran Churches shall be admitted to confirmed membership upon acceptance of their letters of transfer by the Congregation Council and the report of their names to this congregation.

C8.02.25. Applicants for membership who present evidence of confirmation in a Lutheran Church but do not have letters of transfer shall be admitted to confirmed membership when the Congregation Council has determined that they meet the standards of Christian faith and life indicated in the constitution and bylaws, and when they have reaffirmed their faith before this congregation.

### **Voting Members**

C8.02.31. The church council shall be responsible for determining the voting membership in accordance with the qualifications specified in the constitution and bylaws. Any doubtful cases shall be decided by this congregation.

## **Termination of Membership**

- C8.02.41. Members who move away shall be encouraged to transfer. Any confirmed member in good standing, desiring to change membership to another Lutheran Church shall, upon request, be entitled to a letter of transfer.
- C8.02.42. Any confirmed member who in the judgment of the Congregation Council shows no interest in attending church services, or fails to partake of communion, and fails to contribute to this congregational treasure according to the congregation's records, for a period of two years, shall be presumed no longer to desire membership, shall lose the right to vote, and shall not be counted in the membership statistics of the congregation. However, his or her name and record shall be kept in the files for a period of five years thereafter. Such a person shall be encouraged to participate in this congregation's life, or to transfer elsewhere, as the situation may indicate to be advisable. If that person resumes activity within the five-year period, that person shall be restored to the active membership list. If not, that person shall be dismissed from this congregation and notified accordingly, where possible.
- C8.02.43. Children neither of whose parents or guardians are active members of this congregation, shall be dropped from the baptized membership roll if they fail to participate in the Christian education program of the congregation.
- C8.02.44. Members who have been excommunicated, dismissed, or who have resigned and members who have transferred to other Lutheran congregations or who are definitely known to have become members of other congregations without transfer shall thereby have lost membership in this congregation and all rights pertaining thereto.

## **Chapter 9.**

### **ROSTERED MINISTER**

#### **The Pastoral Call**

- C9.01.01. A desire for a change in pastorage, either by congregation or pastor, shall be brought to the attention of the Synod Bishop, who shall advise in the matter according to C9.01. and the established procedure of the church.

## **Loyalty of Pastor**

- C9.03.01. Every pastor serving this congregation shall have an undivided loyalty to the faith and purpose of the church. Any question concerning such loyalty shall be adjudicated to the recommended procedure of the church.
- C9.03.02. Since the pastor ministers to this congregation primarily in the public preaching of the Word and in the administration of the Sacraments, and since both pastors and congregation are parties to the call, no pastor shall announce his or her decision on any subsequent call without first having consulted with this congregation or the Congregation Council. Should the pastor thereupon resign to accept another call, his or her resignation shall be presented to this congregation and mutually satisfactory arrangements sought for terminating his or her services, normally within 30 days.

## **Compensation of Pastor**

- C9.04.01. Adjustments in the salary of the pastor shall be the responsibility of the Congregation Council, subject to this congregation's approval of the budget.

## **Call for Specific Term**

- C9.11.01. The call shall be for an indefinite time, except that calls for a limited time may be issued to pastors who are qualified for emeritus status and are otherwise eligible for call.

## **Visiting Pastors**

- C9.15.01. Clergy qualified according to the constitution may occasionally perform pastoral functions in this congregation with the approval of the congregation and its pastor or, in the case of vacancy in the pastorate, with the approval of this congregation and the Synod Bishop.

## **Chapter 10. CONGREGATION MEETING**

### **Annual Meeting**

- C10.01.01. The date for the annual meeting of this congregation shall be set by the Congregation Council. Announcements of time and place of the annual meeting of this congregation shall be made at two public

services immediately preceding the meeting, said services to be at least a week apart, and in such publications as this congregation or the pastor may periodically issue, or by special written notice to the voting members mailed at least ten days in advance.

- C10.01.02. The order of business at the annual meeting shall be:
- a. Opening devotions
  - b. Approval of the minutes
  - c. Reports of the pastor, the Congregation Council, the Treasurer, Committees, and others
  - d. Elections
  - e. Approval of the budget
  - f. Unfinished business
  - g. New business
  - h. Closing prayer

### **Conduct of Meetings**

- C10.02.01. If neither the President nor Vice President is present at a regular or special meeting of the congregation, provided there is a quorum of members present, the pastor shall call the meeting to order and must immediately entertain a motion to appoint a member who is willing and able to preside over the meeting to do so. If no member is willing and able to preside over the meeting, the pastor shall preside over the meeting. If the pastor is not present, any member may call the meeting to order and must immediately entertain a motion to appoint a member who is willing and able to preside over the meeting to do so.
- C10.02.02. Any matter as to which a written ballot is required may nevertheless be decided by voice vote if there is a motion to pass a unanimous ballot and the same carries unanimously.

### **Special Meetings**

- C10.02.11. In the case of a written request of members of the congregation to hold a special Congregation Meeting, the President shall review the request and, within 7 days after receiving it, make a determination as to whether the request was made by the required number of members of the congregation.
- C10.02.12. If the President determines that a request for a special Congregation Meeting was made by at least one member of the congregation but not by the required number to call the meeting, the President shall nevertheless prayerfully consider whether to exercise the President's

power to call a special Congregation Meeting. If the President does not call the meeting, he or she shall report his or her decision at the next regular meeting of the Congregation Council and the same shall be entered on the minutes.

- C10.02.13. If the President determines that a request for a special Congregation Meeting was made by the required number of members of the congregation, the President shall call the special Congregation Meeting to take place immediately after the first scheduled worship service of this congregation on the first Sunday that is at least 21 days after the President received the request.
- C10.02.14. If the President is unwilling or unable to review a request by one or more members of the congregation to call a special Congregation Meeting, the members of the congregation may present it to the Vice President, who shall fulfill the President's responsibilities in calling the meeting. If the Vice President is unwilling or unable to review the request, the members of the congregation may present it to the pastor, who shall fulfill the President's responsibilities in calling the meeting. If the pastor is unwilling or unable to review the request, any member of the congregation may review the request. If the member who reviews the request determines that an insufficient number of members supported the request to call the special Congregation Meeting, he or she shall report the same to the President, who shall report the same at the next regular Congregation Council meeting for entry in the minutes. If the member determines that the request is supported by a sufficient number of members, the member shall fulfill the responsibilities of the President under C10.02.03. No member of the congregation, member of the Congregation Council, or pastor shall interfere with the calling or conduct of the special Congregation Meeting.

### **Method of Voting**

- C10.06.01. In the following cases, voting shall be by secret ballot:
- a. To elect the Congregation Council
  - b. To adopt or amend the articles of incorporation, constitution, or bylaws
  - c. To call a pastor or to request his or her resignation
  - d. To excommunicate a member from the congregation or remove a member from office in the congregation
  - e. To sever membership in the Evangelical Lutheran Church in America
  - f. To dispose of, encumber, or purchase real property

g. When requested by ten or more voting members present

C10.06.02. No one shall be declared elected unless they have received a majority of the votes cast.

C10.06.03. If more than one ballot is required in an election, it shall be in order by proper motion to limit the balloting after the first ballot to the three candidates receiving the highest number of votes on the first ballot and after the second ballot limit the balloting to the two candidates receiving the highest number of votes.

## **Chapter 11. OFFICERS**

### **Duties of Officers**

C11.01.01. The Secretary shall keep the minutes of the Congregation Council and of the congregation and shall preserve its archives. Within 30 days of selection of a new Secretary, the preceding Secretary shall deliver to the new Secretary all of his or her records.

C11.01.02. The Treasurer shall be bonded if required by the Congregation Council or the congregation and shall be custodian of all funds of this congregation. The Treasurer shall disburse all such funds in accordance with the decisions of this congregation or the Congregation Council. The Treasurer shall present an audited report to the annual congregational meeting and such other reports to the Congregation Council as may be required.

## **Chapter 12. CONGREGATION COUNCIL**

### **Stewardship of Budget**

C12.05.01. The Congregation Council shall as far as possible operate within the limits of the approved budget of this congregation. Any expenditures in excess of the total voted budget must be approved by this congregation.

### **Records of Membership**

C12.07.01. The current roster of voting, confirmed, and baptized members shall be determined prior to each annual meeting.

### **Supervision of Staff**

- C12.08.01. The Congregation Council shall be empowered to secure help as is needed to carry out the work of this congregation, such as organist, choir director, parish worker, staff secretaries, interns, custodians, etc., and shall fix their salaries.

### **Conduct of Meetings**

- C12.11.01. The first portion of each Congregation Council meeting is a time set aside for mutual concerns with pastors and staff not present. A record of such discussion shall be kept by the Secretary.
- C12.11.02. The Congregation Council may enter an executive session and exclude members of the congregation only for the purpose of consulting with an attorney who does represent this congregation or who the Congregation Council desires to retain to represent this congregation. A record of executive sessions shall be kept by the Secretary.
- C12.11.03. All decisions of the Congregation Council shall be entered in the minutes. All documents generated or received by the Congregation Council shall be kept with the minutes. All minutes and documents kept with the minutes shall be available at the church office after approval by the Congregation Council.
- C12.11.04. The President shall preside over meetings of the Congregation Council and of the congregation except as provided herein. The Vice President shall preside in the absence of the President except as provided herein. If either of them is unable or unwilling to preside over a meeting, he or she shall be deemed absent from such meeting.
- C12.11.05. If neither the President nor Vice President is present at a meeting of the Congregation Council, provided there is a quorum of members present, the pastor shall call the meeting to order and must immediately entertain a motion to appoint a member who is willing and able to preside over the meeting to do so. If no member is willing and able to preside over the meeting, the pastor shall preside over the meeting. If the pastor is not present, any member may call the meeting to order and must immediately entertain a motion to appoint a member who is willing and able to preside over the meeting to do so.

### **Open Meetings**

- C12.13.01. All Congregation Council meetings shall be open for all members of this congregation to attend. If a Congregation Council meeting is held



by remote communication or at any location other than the church building, the location and means of holding the meeting shall be announced at the regular worship service on the Sunday preceding the meeting and specific instructions for how members of this congregation may attend the meeting shall be made available at the church office.

- C12.13.02. The presiding officer of each Congregation Council meeting shall endeavor to ensure that the wishes and concerns of each member of the congregation are heard and considered by the Congregation Council. However, no member of the congregation may disrupt the conduct of business at a meeting of the Congregation Council and the presiding officer may exclude members of the congregation who, having been warned at the meeting, continue to disrupt the meeting.

## **Chapter 13.** **CONGREGATION COMMITTEES**

### **Nominating Committee**

- C13.02.01. The pastor shall convene and advise the nominating committee as required. Prior to the congregation meeting at which the nominating committee will be elected, the Congregation Council shall nominate two of its outgoing members to serve on the nominating committee. Candidates of the nominating committee shall be made known to this congregation in conjunction with the announcement of the special or annual meeting at which the election is to take place. A vacancy in the nominating committee shall be filled by election of the Congregation Council.

### **Standing Committees**

- C13.06.01. The Congregation Council shall elect from its own membership the following committees: Worship, Property, Stewardship and Evangelism, Youth and Education, and Finance.
- C13.06.02. The Congregation Council may elect confirmed members of the congregation who are not members of the Congregation Council to its committees.
- C13.06.03. Each committee meeting is open to members of the congregation. Notice of committee meetings must be published to the members of the congregation by announcement during a regular worship service, in the Clarion, or through social media.

- C13.06.04. The committee on Worship shall have special responsibility with the guidance of the pastor for all matters pertaining to this congregation's worship and for the general spiritual care of the congregation. They shall also have special responsibility with the guidance of the pastor to make recommendations for specific memorials and maintain a record of these memorials. They shall make recommendations thereon to the Congregation Council.
- C13.06.05. The committee on Property shall have special responsibility with the guidance of the pastor for the care and maintenance of all church properties, buildings, grounds, furnishings, and insurance and they shall make recommendations thereon to the church council.
- C13.06.06. The committee on Stewardship and Evangelism shall have special responsibility with the guidance of the pastor for developing a witness ministry program. This program strives to encourage one another to reach out to all people to bring them to faith in Jesus Christ and invite them to become members of our community of faith. They shall also be responsible for the care and nurture of the elderly, shut-ins, inactive members, and mission support. They shall also have special responsibility with the guidance of the pastor for this congregation's development in accordance with scriptural principles of stewardship. This program includes proper use of the gifts God has first given us: our selves, our time, and our possessions. They shall make recommendations thereon to the Congregation Council.
- C13.06.07. The committee on Youth and Education shall have special responsibility with the guidance of the pastor to plan a learning ministry program. This program, through the home and church, will nurture adults, youth, and children in Christian growth. The committee shall also be responsible for the supervision of all schools and training programs. They shall also have special responsibility with the guidance of the pastor for developing a ministry program to, with, by, and for the youth of the congregation. This program, through a variety of activities, assists the youth of our congregation and community to grow in Christian faith, hope, and love. They shall make recommendations thereon to the Congregation Council.
- C13.06.08. The committee on Finance shall have special responsibility with the guidance of the pastor to make recommendations to the treasurer as to which outstanding bills will be paid and they shall prepare a congregational budget for the annual meeting. They shall make recommendations thereon to the Congregation Council.

## **Chapter 14.**

### **ORGANIZATIONS WITHIN THIS CONGREGATION**

#### **Alignment of Organizations**

- C14.02.01. This congregation rejects all fellowship with organizations, secret or open, which are avowedly religious or practice forms of religion without confession of faith in the Triune God and in Jesus Christ as the eternal Son of God incarnate to be our only Savior from sin, and thus teach salvation by words.
- C14.02.02. Ceremonies of lodges or other such organizations shall not be permitted in the church or on the church premises of this congregation.
- C14.02.03. The pastor of this congregation shall take no part in any such ceremonies even if conducted outside of the church premises.

#### **Use of Church Property**

- C14.02.11. The property of this congregation shall be for the use of this congregation in its normal function as a Lutheran church and shall not be used in any way not in harmony with the purpose of this congregation.
- C14.02.12. Buildings which are the property of this congregation shall not be lent or rented to any group or individual not affiliated with this congregation or with the Evangelical Lutheran Church in America, unless application for such use has been approved by the Congregation Council.

#### **Food Pantry**

- C14.02.21. The church building is host to the food pantry for the Watford City area. The food pantry is an important part of the congregation's outreach and service within the local community. The relationship between this congregation and the food pantry may not be terminated except by a vote of two-thirds of voting members present at a meeting lawfully called for that purpose.

## **Chapter 19.**

### **INDEMNIFICATION**

- C19.01.01. The congregation shall defend and indemnify each current and former Congregation Council member, officer, employee, agent, pastor, or

other member of any committee of this congregation, for all threatened, pending, or completed civil, criminal, administrative, arbitration, or investigative proceeding when and to the extent that such proceeding arises from such person's conduct within the scope of his or her duties to this congregation.

## **Chapter 20. PARISH AUTHORIZATION**

### **Watford City Area Lutheran Parish**

- C20.01.01. This congregation ratifies and reaffirms the agreement governing the Watford City Area Lutheran Parish.
- C20.01.02. The Congregation Council shall elect the requisite number of its members to serve on the Area Parish Council from the date of election until the next annual Congregation Meeting.
- C20.01.03. The Congregation Council shall elect those of its members who are necessary to fulfill its responsibilities to joint parish committees.

### **Call of Ministers**

- C20.02.01. When a vacancy occurs in a position for which the parish calls a rostered minister, the Congregation Council shall elect the requisite number of its members to serve on the Parish Call Committee from the date of election until the installation of the newly called rostered minister.

### **Termination of Parish Agreement**

- C20.06.01. This congregation may not withdraw from the parish agreement except by a vote of two-thirds of voting members present at a meeting legally called for that purpose.