

THE BY-LAWS OF BETHEL LUTHERAN CHURCH ROCHESTER, MINNESOTA

Adopted by Bethel Lutheran Congregation on 1/30/94. Amended at the Annual Meeting of Bethel Lutheran Church, 1/31/99 and accepted at the Annual Meeting, 1/30/00. Amended at the Annual Meeting of Bethel Lutheran Church, 1/28/2018 and accepted at the Annual Meeting of Bethel Lutheran Church, 1/27/2019 and updated at the Annual Meeting of Bethel Lutheran Church, 1/26/2020 and updated at the Annual Meeting of Bethel Lutheran Church, 1/30/2022.

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PART I - COMMUNION PARTICIPATION
(Cf. Chapter IV)

1. This congregation invites all its members, who have received instruction in Holy Communion, to participate regularly in the Sacrament.
2. The Congregation will provide instruction in Holy Communion for its members prior to receiving their first Communion.
3. It shall be made known to other Christian communicants that the belief of this congregation is:
 - 3.1 "Participation in the Lord's Supper is the reception of the body and blood of our Lord Jesus Christ given with bread and wine, instituted by Christ Himself for us to eat and drink." (Luther's Small Catechism)
 - 3.2 "We hold that a person is well-prepared and worthy who believes these words, 'given and shed for you for the remission of sins.' But anyone who does not believe these words is neither prepared nor worthy, for the words 'for you' require simply a believing heart." (Luther's Small Catechism)
4. Record of participation in Holy Communion shall be maintained. If a member of another congregation communes, notice shall be sent to his/her pastor upon request.

PART II: CONFLICTING LOYALTIES
(Cf. Chapters II and III)

1. While the buildings of the congregation shall be open to all people to share in its worship, instruction, pastoral care, and fellowship, the Congregation rejects all fellowship with organizations, secret or open, which practice rituals which are religious in nature without confessing faith in the Triune God and in Jesus Christ as God incarnate, to be our only Savior from sin, and which thus teach salvation by works. Such ceremonies shall not be permitted in the buildings or on the premises of the Congregation, nor shall its Pastor(s) take part in such ceremonies wherever they are conducted.

PART III - MEMBERSHIP
(Cf. Chapter VIII)

1. APPLICATION FOR MEMBERSHIP -- PROCEDURES
 - 1.1 Applicants for confirmed membership in this Congregation shall consult with a pastor of Bethel Lutheran Church. Non-Lutheran applicants shall be expected to attend a course of instruction which will be in accordance with Chapter II of this constitution, and to make profession of their faith before the Congregation.
 - 1.2 Applicants from other Lutheran churches shall submit a letter of transfer (if a release can be obtained) from their former congregation to establish their eligibility for membership. Transfer applicants shall be expected to attend an orientation which will be in accordance with

Chapter II of this constitution, and to make profession of their faith before the Congregation at a service of worship.

- 1.3 The roster of the new members shall be published in the parish paper.

2. BAPTIZED MEMBERSHIP

- 2.1 Children whose parent(s) or guardian(s) are members of this congregation, shall, upon receiving Christian baptism, be received as baptized members of this congregation.
- 2.2 The baptism of children, neither of whose parent(s) or guardian(s) is a member of this congregation, shall, upon Christian baptism, become baptized members of the congregation; unless, for good reasons, the child is to be a baptized member of another congregation, in which case the memberships shall be transferred to that congregation.
- 2.3 Children baptized in another congregation shall be received as a baptized member of this congregation upon the membership of their parent(s) or guardian(s).
- 2.4 Unbaptized adults who have received instruction shall be baptized and shall be received as confirmed members of this congregation.

3. VOTING MEMBERSHIP

It shall be the privilege and duty of a voting member of this congregation to conscientiously and prayerfully attend meetings and exercise the right to vote on all measures that will advance the work of Christ's Kingdom both locally and in the church-at-large. A confirmed member of this congregation shall be considered a voting member.

4. TERMINATION OF MEMBERSHIP

The following procedure shall be followed under the direction of the Pastor(s) and the Church Council.

4.1 TERMINATION OF CONFIRMED MEMBERSHIP

- a. A member desiring transfer to another Lutheran congregation shall request a letter of transfer which shall then be issued by a pastor.
- b. In cases where confirmed members of this congregation join a non-Lutheran congregation, they shall be deemed to have terminated their membership in this congregation.
- c. The names of members whose whereabouts are unknown and cannot be established within a period of one year shall be removed from the active membership list of the congregation and placed in a file designated as "whereabouts unknown."
- d. At the beginning of each year, any confirmed member whose records show that they have not received Holy Communion or contributed to the financial support of the congregation for a period of one year will be contacted and encouraged to become involved.
A second contact shall be made at the end of a second year of inactivity outlining the procedure whereby their name will be removed from the active roll of the congregation. (There will be no voting privileges and they will not be counted in the membership statistics of the congregation.)

If there is no record of communion attendance or a financial contribution at the end of a total of five years, they will be removed from the membership and notified of the procedure for being reinstated. Any confirmed member will be restored to the active roll with communion attendance or a financial contribution.

PART IV - THE PASTORAL CALL (Cf. Chapter IX)

1. When the congregation has voted to call a pastor, it shall issue a Letter of Call to the pastor-elect, in a form approved by The Evangelical Lutheran Church in America. It shall be signed by the chairperson and secretary of the congregational meeting at which the call was voted, and shall be attested by the signature of the Synod bishop.
2. The call shall normally be for an indefinite time.
3. A desire for a change by a pastor shall be brought to the attention of the Synod Bishop who shall advise in the matter in accordance with Chapter 9 and with the established procedures of The Evangelical Lutheran Church in America.
4. Clergy not qualified according to C9.03 may occasionally perform pastoral functions in this congregation with the approval of the Church Council.
5. PROVISIONS PERTAINING TO DISCIPLINE OR TERMINATION OF A PASTOR
 - a. A pastor shall be subject to discipline for:
 1. Preaching and teaching in conflict with the faith confessed by this congregation
 2. Conduct incompatible with the character of the ministerial office
 3. Willfully disregarding or violating the functions and standards established by this congregation for the office of Word and Sacrament, or
 4. Willfully disregarding the provisions of the Constitution or bylaws of this congregation.
 - b. Action for any of the above shall proceed as follows:
 1. Specific charges will be presented in writing to the Synod Bishop
 2. Charges must be made by one or more of the following:
 - A. At least two-thirds (2/3) of the Church Council
 - B. By petition of at least one-third (1/3) of the voting membership of the congregation
 - C. The decision of the Synod Committee on Discipline on the charges shall be final unless appeal is made, then the decision of the Synod's Committee on Appeals shall be final
 - D. Regardless of the decision of any Synod Committee, if it becomes apparent that the pastor is no longer able to conduct the pastoral office effectively in this congregation, the following procedure shall be implemented:
 1. The Synod Bishop's guidance and consultation shall be requested for the following procedures:
 - a. The Congregation shall be properly notified of the situation by mail
 - b. A Congregational meeting shall be called in accordance with the procedures outlined in this Constitution

2. When the pastor's resignation has been requested in the manner here specified, he/she shall vacate the office at the discretion of the Church Council.

PART V - ASSOCIATES IN MINISTRY and LAY STAFF **(cf. Chapter V)**

The calling, hiring, and terminating of Associates in Ministry and Lay Staff shall be carried out in accordance with the Personnel Policy Manual.

PART VI - CONGREGATIONAL and ANNUAL MEETINGS **(cf. Chapter X)**

1. The annual meeting of the congregation shall be held within 40 days from the closing of the church fiscal year, which is December 31. The exact date of the meeting shall be set by the Church Council.
2. Announcement of the time and place of the annual meeting of the congregation shall be made at all Sunday morning worship services two weeks preceding the meeting. In addition, the announcement shall appear in a mailed publication or announcement issued by the congregation to be received by the membership at least ten (10) days in advance of the meeting.
3. For the annual meeting, the Lead Pastor shall be responsible for insuring that the roster of the voting, confirmed, and baptized members is up to date.
4. A quorum for the conduct of business at annual and special congregational meetings shall consist of 100 voting members.
5. The order of business at the annual meeting may be:
 - Opening devotions
 - Approval of the minutes of the previous meeting
 - Elections
 - Reports of pastors, Church Council, treasurer, committees, and others
 - Approval of budget
 - Unfinished business
 - New business
 - Closing prayer
6. In the following cases voting shall be by written ballot:
 - 6.1 To elect officers and members of the Church Council; if all persons are running for election unopposed, the President may entertain a motion for the Secretary of the Congregation to accept the slate of candidates as presented.
 - 6.2 To adopt or amend the Constitution, or By-laws of the Congregation;
 - 6.3 To call a pastor or to request a pastor's resignation;
 - 6.4 To sever membership in the Evangelical Lutheran Church in America;
 - 6.5 To dispose of, encumber, or purchase real property;
 - 6.6 When requested by ten (10) or more voting members present.
7. Except as otherwise provided in the Chapters and By-laws, all matters shall be decided by majority

vote of those present and voting.

8. Any resolution to be considered at the Annual Meeting shall be presented to the Church Council at least 30 days in advance of the Annual Meeting. This rule may be suspended at the Annual Meeting by a majority of the votes cast.
9. No one shall be declared elected unless having received a majority of the votes cast. If more than one ballot is required in an election, the second ballot shall be limited to three candidates receiving the highest number of votes on the first ballot; and after the second ballot, if no candidate has a majority, the ballot shall be limited to the two candidates with the highest number of votes.
10. All meetings of the congregation shall be governed by the Parliamentary procedures as detailed in ROBERT'S RULES OF ORDER (current edition).
11. This congregation may hold meetings by remote communication, including electronically and by telephone conference, as long as there is an opportunity for simultaneous aural communication. To the extent permitted by state law, notice of all meetings may be provided electronically. Voting in these congregational meetings may be done electronically given the voting process meets all other voting requirements in the constitution and by-laws.

PART VII – OFFICERS OF THE CONGREGATION

1. The officers of the congregation shall be president, vice-president, secretary, and treasurer. To be elected to the office, the officers shall have been a member of Bethel for two years and be an active participant in the life of Bethel.
2. The president shall preside over all meetings of the congregation and of the church council and carry out other duties appropriate to a chief executive officer.
3. The vice-president shall preside over meetings of the congregation and church council in the absence of the president. The vice-president shall assume the duties of the president in case of incapacity or resignation of the president until the next annual meeting of the congregation.
4. The secretary shall keep the minutes of all meetings of the congregation and the church council.
5. The treasurer shall be the custodian of all funds of the congregation and shall disburse those funds in accordance with the decisions of the congregation and the church council with the exception of the funds of various authorized auxiliary organizations of the congregation. They shall present an audited report the annual congregational meeting and such other reports to the church council as may be required. The business administrator shall assist the treasurer in the daily business affairs of the congregation. The financial secretary shall assist in the counting and depositing weekly offerings.

PART VIII - CHURCH COUNCIL (Cf. Chapters XII)

1. MEMBERSHIP AND MEETINGS OF THE CHURCH COUNCIL

- 1.1 A quorum for the conduct of the Church council business shall be fifty-one percent (51 %) of the council. Council members may participate in any meeting of the council by any means of communication through which such members may simultaneously hear each other during such meeting.
For purposes of establishing a quorum and taking any action at the meeting members of the Church Council participating pursuant to this section shall be deemed present in person at the meeting; and the place of the meeting shall be the place of origination of the conference telephone conversation or other comparable communication technique. All quorum requirements in this by-law shall apply to all meetings of the committees, ministry boards, ministry teams and task forces authorized or appointed by the Church Council.
- 1.2 Meetings of the Church Council shall be held monthly at a date determined by the Church Council. Special meetings of the Church Council shall be called by a pastor(s), Chairperson, or by any three members of the Church Council.
- 1.3 A member of the Church Council who is absent from three consecutive regular meetings without an excuse acceptable to the Council has forfeited Council membership. A member having two consecutive unexcused absences from regular meetings shall be notified thereof by the secretary.
- 1.4 All officers and employees of the congregation shall be bonded.

2. Voting by Church Council Members

- 2.1 All action before the Church council shall be decided by a majority vote of those present, unless otherwise specified in these by-laws or the church constitution. The Church Council may vote by authenticated electronic communication. Action may be taken by a majority vote of council members by means of authenticated electronic communication. Any action taken outside of a meeting shall be entered into the minutes of the next Church Council meeting. All voting procedures allowed in this by-law shall apply to all committees, ministry boards, ministry teams and task forces authorized and appointed by the Church Council.

PART IX - COMMITTEES OF THE CONGREGATION (Cf. Chapter XIII)

1. STANDING MINISTRY BOARDS

- 1.1 The congregation shall be organized to provide ministry through ministry boards, temporary ministry teams and special focus task forces. All such units shall report to and be responsible to the elected Church Council and shall ultimately be responsible to the congregation.
- 1.2 Ministry Boards shall be created and empowered by the action of the Church Council. Ministry Boards shall be composed of staff, lay leaders, and volunteers and others who work to provide service for that mission. Ministry Boards are intended to be long term teams, but may be disbanded or started at any time by action of the Council. Boards started or disbanded by the Council shall require subsequent congregational approval. Ministry Boards initially shall be:
 - a. Worship and Music
 - b. Christian Education
 - c. Congregational Growth and Outreach
 - d. Resources
- 1.3 Ministry Board responsibilities shall be reviewed and goals for the year set at the first meeting of the board following the annual meeting and be placed on file with the chairperson of the Council;

- 1.4 Ministry Boards shall:
 - a. prepare an annual budget for presentation to the Finance Chairperson/Treasurer to include appropriate ministry teams;
 - b. prepare an annual report for submission to the annual meeting of the congregation;
 - c. appoint a secretary, who will prepare meeting reports to be submitted to the Church Council;
 - d. involve and train those members who have volunteered to serve.
- 1.5 Temporary ministry teams may also be created by action of the Church Council to complete a specific ministry objective. The life span of temporary teams shall be determined by the need and are intended to be shorter term teams.
- 1.6 Special task forces may be created by action of the Church Council to assist the council in completing its responsibilities. The recommendations or conclusions of the task force process may include opportunities for the council to create ministry boards. Task forces are intended to be short term for specific projects.
- 1.7 Creation of ministry teams shall be reported to the Church Council through the respective Ministry Board. The report shall include the ministry task the team hopes to accomplish.
- 1.8 The Church Council shall be the sole arbitrator of any conflict among task assignments and shall assign all duties for ministry boards as well as special task forces.
- 1.9 A ministry team that feels there is a necessity to present their mission task directly to the council may do so. Access shall be accomplished by the team leader contacting the President or the Lead Pastor so the presentation can be placed on the agenda.
- 1.10 The standing ministry boards of the congregation at this time are:
 - a. Worship and Music
 - b. Christian Education
 - c. Congregational Growth and Outreach
 - d. Resources
- 1.11 The following ministry teams will function under the appropriate Ministry Board at this time:
 - a. Worship and Music Board
 1. Communications
 2. Worship and Music
 - b. Christian Education Board
 1. Adult Education
 2. Youth Ministry
 3. Children's Ministry
 - c. Congregational Growth and Outreach
 1. Social Missions
 2. Fellowship
 3. Women of the ELCA
 - d. Resources Board
 1. Finance
 2. Properties
 3. Stewardship
 4. Endowment
 5. Personnel

2. AD HOC COMMITTEES

- 2.1 It shall be the responsibility of the church council to determine the need for "ad hoc" committees. Written goals and objectives shall be established before forming the committee.

3. NOMINATING COMMITTEE

- 3.1 A Nominating Committee of six voting members of this congregation, two of whom shall be appointed by the Congregational Council, elected by their peers, and four who shall be elected at the annual meeting for a term of two years with terms staggered so that two are elected each year. Members of the Nominating Committee are not eligible for consecutive re-election. The Lead Pastor shall serve as an advisory member.
- 3.2 The Chairperson of the Committee shall be elected from the membership of the Nominating Committee at its first meeting.
- 3.3 The Committee shall nominate one or more candidates for each office to be filled and shall secure the consent of each candidate to serve if elected.
- 3.4 The candidates placed in nomination shall be made known to the congregation in conjunction with the announcements of the special or annual meeting at which the election is to take place.
- 3.5 In addition to the candidates submitted from the Nominating Committee, additional nominations shall be accepted from the floor if previous consent by the nominee has been given. The requirement regarding previous consent shall be announced in conjunction with the listing of nominees put forth by the Nominating Committee.
- 3.6 A vacancy in the Nominating Committee shall be filled by appointment of the Church Council.

4. AUDITING COMMITTEE

- 4.1 Shall audit all financial records of the congregation including all special funds and accounts (Youth, Bethel WELCA, Sunday School, etc.)
- 4.2 Shall present its report to the congregation in the Annual Report.

5. CALL COMMITTEE

- 5.1 In addition to five voting members appointed by the Church Council, the Lead Pastor shall represent the staff as an ex-officio, non-voting member.
- 5.2 At such time that a pastoral vacancy occurs, the Bishop shall be notified and the assistance of the Synod Call Committee requested.
- 5.3 The call of a pastor(s) to this congregation shall be recommended after consultation with the incumbent pastoral staff.

6. ENDOWMENT TEAM

- 6.1 The Endowment Team is an elected board of trustees that work together with Bethel's investment portfolio manager to oversee and properly invest the funds which come to Bethel through endowment gifts.
- 6.2. The Endowment Team shall be composed of six lay voting members and the Lead Pastor and Business Administrator who shall be an ex-officio, non-voting members:
 - a. lay members to be elected by the congregation to three year terms and shall be eligible for a maximum of two successive terms;
 - b. two members to be elected at each Annual meeting;
 - c. vacancies to be filled by the Council until the next Annual Meeting.
 - d. The Endowment Team shall elect from their membership a chairperson.

7. PERSONNEL TEAM

- 7.1 The Personnel Team is responsible for formulating personnel policies and recommending their approval to the Church Council, establishing salaries and benefits, and providing support

for all staff members.

7.2 The Personnel Team shall be composed of six lay members and the Lead Pastor who shall be an ex-officio, non-voting member:

- a. lay members to be elected by the congregation to three year terms and shall be eligible for a maximum of two successive terms;
- b. two members to be elected at each Annual meeting;
- c. vacancies to be filled by the Council until the next Annual Meeting.
- d. The Personnel Team shall elect from their membership a chairperson.

8. COLUMBARIUM TEAM

8.1 The Columbarium Team manage the Bethel Columbarium as described in the Bethel Columbarium by-laws. The Columbarium Team shall be composed of six lay members and a Pastor who shall be an ex-officio, non-voting member:

- a. lay members to be elected by the congregation to three year terms and shall be eligible for a maximum of two successive terms;
- b. two members to be elected at each Annual meeting;
- c. vacancies to be filled by the Council until the next Annual Meeting.
- d. The Columbarium Team shall elect from their membership a chairperson

9. OTHER TEAMS

9.1 This list of team descriptions is not meant to be all inclusive of all the Bethel teams that could be active. It also does not include sub-teams that can be created by the teams listed.

Recommended team sizes are listed. Teams may have more members. Teams may operate with fewer members for short periods of time.

9.2 The Adult Education Team shall consist of five (5) members. It shall have the responsibility to administer the educational ministry to the adults of the congregation.

9.3 The Bethel Lutheran Church Women of the ELCA (WELCA) shall encourage and promote the participation of women members of the church in activities involving Bible study and service projects.

9.4 The Communications Team shall consist of six (6) members. The basic objective of this team is to present to the public a Christian image which will reflect favorably on the work of Christ and of the congregation as His instrument. Also, it will publicize the work and services of the congregation through various channels. It will set the policies of the parish newsletter.

9.5 The Fellowship Team shall consist of six (6) members. The basic objective of this team is the strengthening of the fellowship between congregation members spiritually and socially, and promote mutual cooperation, trust, and enjoyment among the members of the congregation.

9.6 The Finance Team shall consist of five (5) members. It shall prepare the annual congregational budget and oversee the expenditure of funds in conformity with the approved budget and in cooperation with the Council teams. It is responsible for making recommendations to the Council on matters pertaining to investment and insurance.

9.7 The Children's Ministry Team shall consist of seven (7) members and may form sub-teams as determined by the team. The responsibility of the team will be for students up to and including 4th grade. The team shall set policies, establish budget requests and plan ministry programs. There will be an annual review of the budget and ministry programs.

9.8 The Properties Team shall consist of six (6) members. The basic responsibility of this team shall be to maintain the church property, to recommend to the Council appropriate loss and liability insurance coverage, and oversee the properties for the protection of the congregation

against loss or damage.

- 9.9 The Social Missions Team shall consist of five (5) members. It shall provide methods of ministering to current social problems.
- 9.10 The Stewardship Team shall consist of five (5) members. The basic objective of this team is to encourage faith development expressed in generosity and commitment to Christ's work in church and beyond.
- 9.11 The Worship and Music Team shall consist of ten (10) members. This team oversees and supports multiple aspects of worship life at Bethel in cooperation with the Bethel Lead Pastor, Minister of Music and Gate of Life Director. The members include, but are not limited to, representatives from ushers, lectors, altar guild and communication and musical components of the worship service.
- 9.12 The Youth Team shall consist of eight (8) members. The basic objectives of this team are to involve the young people of the congregation in the work of Christ, to provide for their spiritual growth, and to promote genuine Christian fellowship among the youth of the congregation. Youth shall be defined as those in grades 5-12.
- 9.13 The Bethel Health Cabinet promotes wellness of body, mind, and spirit to all members of Bethel Lutheran Church and the community. The team shall consist of the Bethel Parish Nurse (when staffed) and lay members.

PART X - REPORTS OF ORGANIZATIONS

1. All teams and organizations handling funds within the congregation shall submit accounts to the Finance Team at least 15 days prior to the annual meeting. After the approval of the Finance Team, the report shall be referred to the treasurer to be included in the annual meeting report.

PART XI- PARISH RECORDS

1. It shall be the responsibility of each member of the congregation to keep the church office informed of changes in address. This address shall be used for all mailing purposes.
2. The Executive Pastor shall be responsible for keeping accurate records of membership and of all ministerial acts on forms provided by the congregation and which shall remain the property of the congregation. The Executive Pastor shall report the statistics to the congregation annually, and when required, to the secretary of The Evangelical Lutheran Church in America. Upon leaving the congregation, the Executive Pastor shall complete the records of the ministry up to the time of his or her departure.

PART XII - CONTINUING RESOLUTIONS (cf. Chapter XXII)