

MISSION STATEMENT: To love and serve God by proclaiming Christ's gospel, strengthening worship, deepening discipleship, and serving our congregation, community and world.

CONSTITUTION, BYLAWS AND CONTINUING RESOLUTIONS
Of
CHRIST THE KING LUTHERAN CHURCH
Durango, Colorado
(Adopted 6-5-88, Last Constitution Ratification 11-15-2020)

Required and recommended provisions: Sections of this constitution marked by an asterisk [*] are required when a congregation amends its governing documents. These sections must be used without alteration or amendment of the text in any manner (i.e. neither additions nor deletions are permissible). This requirement is based on provision 9.52 in the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*, which requires that when a congregation of this church "wishes to amend any provision of its governing documents, the governing documents of that congregation shall be so amended to conform to 9.25b." in the ELCA constitution. Provisions in the *Model Constitution for Congregations* identified by [*] are those required under ELCA constitutional provision 9.25.b.

The other provisions in the *Model Constitution for Congregations* (those that are not marked by [*] are **recommended provisions**. These provisions provide suggested wording that congregations may find useful. They may be included, omitted, or altered at the discretion of the individual congregation.

Codification explanation: The *Model Constitution for Congregations*, like the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America* is organized into chapters by general subject matter and codified as follows:

- a. **Constitutional provisions** in the *Model Constitution for Congregations* are codified with two sets of numbers, preceded by a "C": the chapter number, followed by a period and a two-digit sequence number also followed by a period.
 1. Required constitutional provisions, as explained above are preceded by [*]. For example, *C5.02. is a required constitutional provision in Chapter 5, the chapter on Powers of the Congregation.
 2. **Recommended constitutional provisions**, as explained above, are not preceded by [*]. For example, C5.05. is a recommended provision in Chapter 5, the chapter on Powers of the Congregation.
 3. **Other constitutional provisions**, including modified versions of the recommended provisions, may be proposed and adopted by individual congregations. Such provisions may not conflict with the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America* and are adopted and become effective in accordance with Chapter 16 of the *Model Constitution for Congregations*
- b. The *Model Constitution for Congregations* contains no required or recommended **bylaws**. If a congregation chooses to adopt bylaws, they should be codified with three sets of numbers, each followed by a period: the chapter number (preceded by a "C"), the related constitutional provision number, and a two-digit bylaw number. For example, a bylaw could be codified as "C5.03.01." Bylaws are adopted and amended in accordance with Chapter 17 of the *Model Constitution for Congregations*. Congregations may adopt bylaws related to each congregation's organization, operation, and life. Bylaws should be incorporated following the constitutional provisions to which they apply. They should not be organized in a separate section or document.
- c. The *Model Constitution for Congregations* does not contain any suggested **continuing resolutions** of the congregation. If congregations adopt continuing resolutions, those also are codified with three sets of numbers, except that the third set is preceded by a capital letter indicating sequence and a two-digit number indicating the year of its adoption. For example, if a congregation adopted one or more continuing resolutions in 2022 related to the Powers of the Congregation, the first continuing resolution adopted could be numbered "C5.03.A22." Continuing resolutions are adopted and amended in accordance with Chapter 18 of the *Model Constitution for Congregations*. They are intended to provide descriptions of operational patterns and practices of the congregation. They should be incorporated following the constitutional provisions and/or bylaws to which they apply. They should not be organized in a separate section or document. Unlike constitutional provisions and bylaws which are adopted by the congregation

at a legally called and conducted meeting, continuing resolutions may be adopted either by a congregational meeting or by the Congregation Council.

Each congregation has discretion and may develop its own constitutional provisions, bylaws, and continuing resolutions (including bylaws and continuing resolutions related to required constitutional provisions) as long as they do not conflict with the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America* or required constitutional provisions in the *Model Constitution for Congregations*.

Note: In some chapters, you will see certain numbers are missing from the numbering sequence. These omissions are intentional in order to provide options for future additions.

Additional Considerations

- Alternatives are provided in some places within the *Model Constitution for Congregations*. Alternatives are noted by brackets or blank lines. For example, constitutional provision *C9.01. offers the alternative of election of a call committee by the congregation or by the Congregation Council. Only one alternative should be chosen in each instance where brackets appear in the text. In other provisions, entire alternative provisions are provided. For example, in C11.02., options are provided separated by the word “or.” Each congregation should select one of those options. Where a blank line appears, such as in C12.01., the appropriate word, phrase, or number determined by the individual congregation should be inserted.
- “Church” with a capital letter is used in references to the one, holy, catholic, and apostolic Church. In references to the Evangelical Lutheran Church in America, the words “church” and “this church” in lower case letters are employed.

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*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

- C1.01. The name of this congregation shall be Christ the King Lutheran Church, Durango, Colorado.
- C1.02. For the purpose of this constitution and the accompanying bylaws, the congregation of Christ the King Lutheran Church is hereinafter designated as "this congregation."
- C1.03. The seal of this congregation presents a CROSS WITHIN A CROWN as a symbol of Christ the King, with the words "Durango, Colorado" inscribed.
- C1.11. This congregation shall be incorporated under the laws of the State of Colorado.

Chapter 2. CONFESSION OF FAITH

- *C2.01. This congregation confesses the Triune God, Father, Son, and Holy Spirit.
- *C2.02. This congregation confesses Jesus Christ as Lord and Savior and the Gospel as the power of God for the salvation of all who believe.
 - a. Jesus Christ is the Word of God incarnate, through whom everything was made and through whose life, death, and resurrection God fashions a new creation.
 - b. The proclamation of God's message to us as both Law and Gospel is the Word of God, revealing judgment and mercy through word and deed, beginning with the Word in creation, continuing in the history of Israel, and centering in all its fullness in the person and work of Jesus Christ.
 - c. The canonical Scriptures of the Old and New Testaments are the written Word of God. Inspired by God's Spirit speaking through their authors, they record and announce God's revelation centering in Jesus Christ. Through them God's Spirit speaks to us to create and sustain Christian faith and fellowship for service in the world.
- *C2.03. This congregation accepts the canonical Scriptures of the Old and New Testaments as the inspired Word of God and the authoritative source and norm of its proclamation, faith, and life.
- *C2.04. This congregation accepts the Apostles', Nicene, and Athanasian Creeds as true declarations of the faith of this congregation.
- *C2.05. This congregation accepts the Unaltered Augsburg Confession as a true witness to the Gospel, acknowledging as one with it in faith and doctrine all churches that likewise accept the teachings of the Unaltered Augsburg Confession.
- *C2.06. This congregation accepts the other confessional writings in the Book of Concord, namely, the Apology of the Augsburg Confession, the Smalcald Articles and the Treatise, the Small Catechism, the Large Catechism, and the Formula of Concord, as further valid interpretations of the faith of the Church.
- *C2.07. This congregation confesses the Gospel, recorded in the Holy 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

- *C3.01. All power in the Church belongs to our Lord Jesus Christ, its head. All actions of this congregation are to be carried out under his rule and authority.
- *C3.02. This church confesses the one, holy, catholic, and apostolic Church and is resolved to serve Christian Unity throughout the world.
- *C3.03. 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. The Evangelical Lutheran Church in America, therefore, derives its character and powers both from the sanction and representation of its congregations and from its inherent nature as an expression of the broader fellowship of the faithful. In length, it acknowledges itself to be in the historic continuity of the communion of saints; in breadth, it expresses the fellowship of believers and congregations in our day.
- *C3.04. This church, inspired and led by the Holy Spirit, participates in the Lutheran World Federation as a global communion of churches, engaging in faithful witness to the gospel of Jesus Christ and in service for the sake of God's mission in the world
- *C3.05. The name Evangelical Lutheran Church in America (ELCA or "this church") as used herein refers in general references to this whole church, including its three expressions—congregations, synods, and the churchwide organization. The name Evangelical Lutheran Church in America is also the name of the corporation of the churchwide organization to which specific references may be made herein.

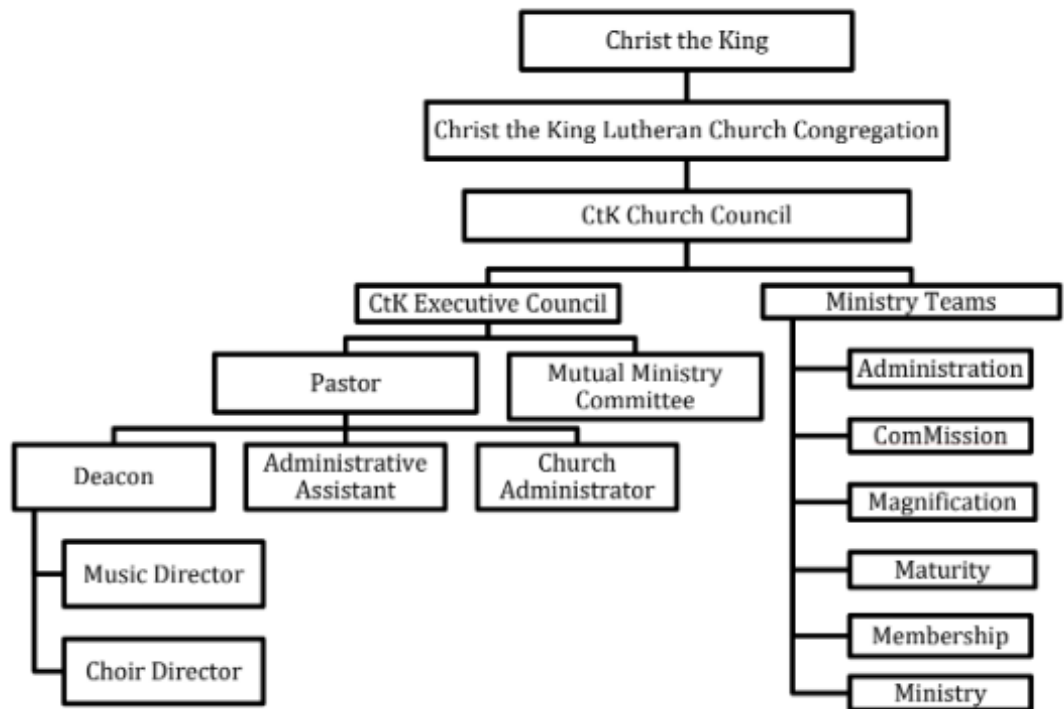
Chapter 4. STATEMENT OF PURPOSE

- *C4.01. The Church is a people created by God in Christ, empowered by the Holy Spirit, called, and sent to bear witness to God's creative, redeeming, and sanctifying activity in the world.
- *C4.02. To participate in God's mission, this congregation as a part of the Church shall:
 - a. Worship God in proclamation of the Word and administration of the sacraments and through lives of prayer, praise, thanksgiving, witness, and service.
 - b. Proclaim God's saving Gospel of justification by grace for Christ's sake through faith alone, according to the apostolic witness in the Holy Scripture, preserving and transmitting the Gospel faithfully to future generations.
 - c. Carry out Christ's Great Commission by reaching out to all people to bring them to faith in Christ and by doing all ministry with a global awareness consistent with the understanding of God as Creator, Redeemer, and Sanctifier of all.
 - d. Serve in response to God's love to meet human needs, caring for the sick and the aged, advocating dignity justice and equity for all people, working for peace and reconciliation among the nations, caring for the marginalized, embracing and welcoming racially and ethnically diverse populations, and standing in solidarity with the poor and oppressed, and committing itself to their needs.
 - e. Nurture its members in the Word of God so as to grow in faith and hope and love, to see daily life as the primary setting for the exercise of their Christian calling, and to use the gifts of the Spirit for their life together and for their calling in the world.
 - f. Manifest the unity given to the people of God by living together in the love of Christ and by joining with other Christians in prayer and action to express and preserve the unity which the Spirit gives.
- *C4.03. To fulfill these purposes, this congregation shall:
 - a. Provide services of worship at which the Word of God is preached and the sacraments are administered.

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

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

C4.04.01 *Christ the King Church Organization Structure*



C4.04A16 *Continuing Resolution regarding Ministry Teams:*
The Ministry Teams (M-Teams) of Christ the King Lutheran Church and their sub-teams are responsible for carrying out the various tasks, events and programs that are necessary to the life and ministry of this congregation. These teams are responsible for reporting their activities to the Congregation Council monthly, and for submitting an Annual Report of its activities for the Spring Annual Congregational Meeting. At times, it may be necessary for an M-Team to get Council's approval for a particular project or ministry, especially if it involves unbudgeted expenses or perhaps if it involves the coordination of two or more different M-Teams or groups of this congregation. Any interested person may participate in any M-Team or sub-team. The responsibilities of each M-Team are as follows:

a. AdMinistration

- 1. Description: Support to other congregation M-Teams and Groups*
- 2. Responsibilities include: Pastor and Pastoral Support; Administrator Support; Office Staff Support; Office Equipment; Facilities Team; Web Team; Offering Counters; Financial Secretarial Matters; Financial Oversight Committee; Members Services Directory; Time & Talent Database;*

b. ComMission

- 1. Description: Witness, Sharing God's Word, Evangelism, Marketing*
- 2. Responsibilities include: Visitor Outreach; New Member Activities; Neighborhood Programs; Church publicity for special events; Community outreach events; Support community events with Ministry Team; Follow-up support for CtK events*

c. Magnification

- 1. Description: Oversees the worship life of the congregation*
- 2. Responsibilities include: Recruiting worship assistants; Planning and implementing all worship services, including special services (Lent, Advent, Christmas, funerals, etc.)*

d. Maturity

- 1. Description: Growth, Growing in Faith and Stewardship, Faith Formation*
- 2. Responsibilities include: Library; Day Camp; Christian Education; Discipleship Groups; Sunday School; Youth Ministry; Study Groups; Book Club; Confirmation; First Communion; Adult Classes; Rainbow Trail.*

e. Membership

- 1. Description: Support, Enjoying Time Together, In-Reach*
- 2. Responsibilities Include: New Member Classes; New Member Sponsorship; Fellowship; CtK Outdoors; CtK PieceMakers; Stewardship*

f. Ministry

- 1. Description: Service, Serving Others, Mission*
- 2. Responsibilities Include: Love Fund; Congregation Care Team; Mission Endowment Fund; Benevolence distribution(non-Synod); Promotion and Support of local and non-local Service Organizations; Noisy Offering Designation; Yarn Ministry*

M-Team Representatives

Ideally, each At-Large Congregation Council member (not Officers) serves as a liaison on one of the M-Teams. Preferably, there are two Council members assigned to each M-Team. It is NOT expected that the Council representatives should be the chairperson(s) for the M-Team, but rather that they may act as liaisons between the M-Team and the Congregation Council. It is the responsibility of the Liaison to be in contact with their appointed committee prior to the Council meeting every month so that they may field any questions or concerns during the meeting.

- *C4.05. *This congregation shall, from time to time, adopt a mission statement which will provide specific direction for its programs.*
- *C4.06. *References herein to the nature of the relationship between the three expressions of this church—congregations, synods, and the churchwide organization—as being interdependent or as being in a partnership relationship describe the mutual responsibility of these expressions in God’s mission and the fulfillment of the purposes of this church as described in this chapter, and do not imply or describe the creation of partnerships, co-ventures, agencies, or other legal relationships recognized in civil law.*

Chapter 5. POWERS OF THE CONGREGATION

- *C5.01. The powers of this congregation are those necessary to fulfill its purpose.
- *C5.02. The powers of this congregation are vested in the Congregation Meeting called and conducted as provided in this constitution and bylaws.
- *C5.03. Only such authority as is delegated to the Congregation Council or other organizational units in this congregation's governing documents is recognized. All remaining authority is retained by the congregation. The congregation is authorized to:
 - a. call a pastor as provided in Chapter 9;
 - b. terminate the call of a pastor as provided in Chapter 9;
 - c. call a minister of Word and Service
 - d. terminate the call of a minister of Word and Service in conformity with the constitution of the Evangelical Lutheran Church in America;
 - e. adopt amendments to the constitution, as provided in Chapter 16, amendments to the bylaws, as specified in Chapter 17, and continuing resolutions, as provided in Chapter 18.
 - f. approve the annual budget;
 - g. acquire real and personal property by gift, devise, purchase, or other lawful means;
 - h. hold title to and use its property for any and all activities consistent with its purpose,
 - i. sell, mortgage, lease, transfer, or otherwise dispose of its property by any lawful means;
 - j. elect its Congregation Council, boards, and committees, and require them to carry out their duties in accordance with the constitution, bylaws and continuing resolutions; and
 - k. terminate its relationship with the Evangelical Lutheran Church in America as provided in Chapter 6.
- *C5.04. This congregation annually shall choose from among its voting members, laypersons to serve as voting members of the Synod Assembly as well as persons to represent it at meetings of any conference, cluster, coalition, or other area subdivision of which it is a member. The number of persons to be elected by the congregation and other qualifications shall be as prescribed in guidelines established by the Rocky Mountain Synod of the Evangelical Lutheran Church in America.
- C5.05. This congregation shall have a mission endowment fund which will operate under guidelines as specified in this congregation’s bylaws. The purpose of the mission endowment fund will be to provide for mission work beyond the operating budget of the congregation.

Chapter 6. CHURCH AFFILIATION

- *C6.01. This congregation shall be an interdependent part of the Evangelical Lutheran Church in America or its successor, and of the Rocky Mountain Synod of the Evangelical Lutheran Church in America. This congregation is subject to the

- discipline of the Evangelical Lutheran Church in America.
- *C6.02. This congregation accepts the Confession of Faith and agrees to the Purposes of the Evangelical Lutheran Church in America and shall act in accordance with them.
- *C6.03. This congregation acknowledges its relationship with the Evangelical Lutheran Church in America in which:
- a. This congregation agrees to be responsible for its life as a Christian community.
 - b. This congregation pledges its financial support and participation in the life and mission of the Evangelical Lutheran Church in America.
 - c. This congregation agrees to call pastoral leadership from the roster of ministers of Word and Sacrament of the Evangelical Lutheran Church in America in accordance with its call procedures except in special circumstances and with the approval of the bishop of the synod. These special circumstances are limited either to calling a candidate approved for the roster of ministers of Word and Sacrament of the Evangelical Lutheran Church in America or to contracting for pastoral services with a minister of Word and Sacrament of a church body with which the Evangelical Lutheran Church in America officially has established a relationship of full communion.
 - d. This congregation agrees to consider ministers of Word and Service for call to other staff positions in the congregation according to the procedures of the Evangelical Lutheran Church in America.
 - e. This congregation agrees to file this constitution and any subsequent changes to this constitution with the synod for review to ascertain that all of its provisions are in agreement with the constitution and bylaws of the Evangelical Lutheran Church in America and with the constitution of the synod.
- *C6.04. Affiliation with the Evangelical Lutheran Church in America may be terminated as follows:
- a. This congregation takes action to dissolve.
 - b. This congregation ceases to exist.
 - c. This congregation is removed from membership in the Evangelical Lutheran Church in America according to the procedures for discipline of the Evangelical Lutheran Church in America or in accordance with provision 9.23 of the constitution and bylaws of the Evangelical Lutheran Church in America.
 - d. The Rocky Mountain Synod takes charge and control of the property of this congregation to hold, manage and convey the same on behalf of the synod pursuant to S13.24 of the synod constitution. This congregation shall have the right to appeal the decision to the next Synod Assembly.
 - e. This congregation follows the procedures outlined in
- *C6.05. This congregation may terminate its relationship with the Evangelical Lutheran Church in America by the following procedure:
- a. A resolution indicating the intent to terminate its relationship must be adopted at a legally called and conducted special meeting of the congregation by a two-thirds vote of the voting members present. Such meeting may be held no sooner than 30 days after written notice of the meeting is received by the bishop of the synod, during which time the congregation shall consult with the bishop and the bishop's designees, if any. The times and manner of the consultation shall be determined by the bishop in consultation with the congregation council. Unless **the bishop and/or the bishop's designees are** voting members of the congregation, **they** shall have voice but not vote at the **first** meeting.
 - b. Within 10 days after the resolution has been voted upon at the first meeting, the secretary of this congregation shall submit a copy of the resolution to the bishop, attesting that the special meeting was legally called and conducted and

certifying the outcome of the vote, and shall send copies of the resolution and certification to voting members of the congregation.

- c. If the resolution was adopted by a two-thirds vote of the voting members present at the first meeting, the bishop of the synod and this congregation shall continue in consultation, as specified in paragraph a. above, during a period of at least 90 days after receipt by the bishop of the attestation and certification as specified in paragraph b. above.
- d. If this congregation, after such consultation, is still considering termination of its relationship with this church, such action may be taken at a legally called and conducted special meeting by a two-thirds vote of the voting members present. Notice of second meeting shall be sent to all voting members and to the bishop at least 10 days in advance of the meeting. Unless the bishop and/or the bishop's designees are voting members of this congregation, they shall have voice but not vote at the second meeting.
- e. Within 10 days after the resolution has been voted upon, the secretary of this congregation shall submit a copy of the resolution to the bishop, attesting that the second special meeting was legally called and conducted and certifying the outcome of the vote, and shall send copies of the resolution and certification to the voting members of the congregation. If the resolution was adopted by a two-thirds vote of the voting members present at the second meeting, the relationship between the congregation and this church shall be terminated subject to Synod Council approval as required by paragraphs f. and g. below.
- f. Unless this notification to the bishop also certifies that the congregation has voted to affiliate with another Lutheran denomination, this congregation shall be deemed an independent or non-Lutheran church, in which case *C7.04 shall apply.
- g. This congregation shall abide by these covenants by and among the three expressions of this church:
 - 1) Congregations seeking to terminate their relationship with this church which fail or refuse to comply with each of the foregoing provisions in *C6.05., shall be required to receive Synod Council approval before terminating their membership in this church.
 - 2) Congregations which had been members of the Lutheran Church in America shall be required, in addition to complying with the foregoing provisions in *C6.05., to receive synod approval before terminating their membership in this church
 - 3) Congregations established by the Evangelical Lutheran Church in America shall be required, in addition to complying with the foregoing provisions in *C6.05, to satisfy all financial obligations to this church and receive Synod Council approval before terminating their membership in this church.
- h. If this congregation fails to achieve the required two-thirds vote of voting members present at the congregation's first meeting as specified in paragraph a. above, another special meeting to consider termination of relationship with this church may be called no sooner than six months after that first meeting. If this congregation fails to achieve the required two-thirds vote of voting members present at the congregation's second meeting as specified in paragraph d. above, another attempt to consider termination of relationship with this church must follow all requirements of *C6.05. and may begin no sooner than six months after that second meeting.

*C6.06. If this congregation is considering relocation, it shall confer with the bishop of the synod in which it is territorially located and the appropriate program unit of the churchwide organization before any steps are taken leading to such action. The approval of the Synod Council shall be received before any such action is taken.

*C6.07. If this congregation considers developing an additional site to be used regularly for worship, it shall confer with the bishop of the synod in which it is territorially located

and the appropriate program unit of the church wide organization before any steps are taken leading to such action.

Chapter 7. PROPERTY OWNERSHIP

- *C7.01. If this congregation ceases to exist, title to undisposed property shall pass to the Rocky Mountain Synod of the Evangelical Lutheran Church in America.
- *C7.02. If this congregation is removed from membership in the Evangelical Lutheran Church in America according to its procedure for discipline, title to property shall continue to reside in this congregation.
- *C7.03. If the voting members of this congregation present at a legally called and conducted special meeting of this congregation vote to transfer to another Lutheran church body, title to property shall continue to reside in this congregation provided the process for termination of relationship in *C6.05. has been followed. Before this congregation takes action to transfer to another Lutheran church body, it shall consult with representatives of the Rocky Mountain Synod.
- *C7.04. If the voting members of this congregation present at a legally called and conducted special meeting of this congregation vote to become independent or relate to a non-Lutheran church body and have followed the process for termination of relationship in *C6.05., title to property of this congregation shall continue to reside in this congregation only with the consent of the Synod Council. The Synod Council, after consultation with this congregation by the process established by the synod, may give approval to the request to become independent or to relate to a non Lutheran church body, in which case title shall remain with the majority of this congregation. If the Synod Council fails to give such approval, title shall remain with those members who desire to continue as a congregation of the Evangelical Lutheran Church in America.
- *C7.05. Notwithstanding the provisions of *C7.02. and *C7.03. above, where this congregation has received property from the synod pursuant to a deed or other instrument containing restrictions under provision 9.71.a. of the Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America, this congregation accepts such restrictions and:
 - a. Shall not transfer, encumber, mortgage, or in any way burden or impair any right, title, or interest in the property without prior approval of the Synod Council.
 - b. Shall, upon written demand by the Synod Council, pursuant to S13.23. of the constitution of the Rocky Mountain Synod, re- convey and transfer all rights, title, and interest in the property to the synod.

Chapter 8. MEMBERSHIP

- *C8.01. Members of this congregation shall be those baptized persons on the roll of this congregation at the time that this constitution is adopted and those who are admitted thereafter and who have declared and maintain their membership in accordance with the provisions of this constitution and its bylaws.
- *C8.02. Members shall be classified as follows:
 - a. Baptized members are those persons who have been received by the Sacrament of Holy Baptism in this congregation, or, having been previously baptized in the name of the Triune God, have been received by certificate of transfer from other Lutheran congregations or by affirmation of faith.
 - b. Confirmed members are baptized persons who have been confirmed in this congregation, those who have been received by adult baptism or by transfer as confirmed members from other Lutheran congregations, or baptized persons received by affirmation of faith.
 - c. Voting members are confirmed members. Such confirmed members shall have communed and made a contribution of record during the current or preceding

year. Members of this congregation who have satisfied these basic standards shall have the privilege of voice and vote at every regular and special meeting of the congregation as well as the other rights and privileges ascribed to voting members by the provisions of this constitution and its bylaws. They shall not have voted as a seasonal member of another congregation of this church in the previous two calendar months.

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

*C8.03. All applications for confirmed membership shall be submitted to and shall require the approval of the Congregation Council.

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

- a. make regular use of the means of grace, both Word and sacraments;
- b. live a Christian life in accordance with the Word of God and the teachings of the Lutheran church; and
- c. support the work of this congregation, the synod, and the churchwide organization of the Evangelical Lutheran Church in America through contributions of their time, abilities, and financial support as biblical stewards.

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

- a. death;
- b. resignation;
- c. transfer or release;
- d. disciplinary action in accordance Chapter 20 of the constitution and bylaws of the Evangelical Lutheran Church in America, or;
- e. removal from the roll due to inactivity in accordance with the provisions of 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.

Chapter 9. ROSTERED MINISTER

- *C9.01. Authority to call a pastor shall be in this congregation by at least a two thirds vote of voting members present and voting at a meeting legally called for that purpose. Before a call is issued, the officers, or a committee elected by this congregation to recommend the call, shall seek the advice, and help of the bishop of the synod.
- *C9.02. Only a member of the roster of ministers of Word and Sacrament of the Evangelical Lutheran Church in America or a candidate for the roster of ministers of Word and Sacrament who has been recommended for the congregation by the synod bishop may be called as a pastor of this congregation.
- *C9.03. Consistent with the faith and practice of the Evangelical Lutheran Church in America,
- a. Every minister of Word and Sacrament shall:
 - 1) preach the Word;
 - 2) administer the sacraments;
 - 3) conduct public worship;
 - 4) provide pastoral care;
 - 5) seek out and encourage qualified persons to prepare for the ministry of the Gospel;
 - 6) impart knowledge of this church and its wider ministry through distribution of its communications and publications;
 - 7) witness to the Kingdom of God in the community, in the nation and abroad; and
 - 8) speak publicly to the world in solidarity with the poor and oppressed, **advocating dignity, justice, and equity for all people, working for peace and reconciliation among the nations, caring for the marginalized, and embracing and welcoming racially and ethnically diverse populations.**
 - b. Each pastor with a congregational call shall, within the congregation:
 - 1) offer instruction, confirm, marry, visit the sick and distressed, and bury the dead;
 - 2) relate to all schools and organizations of this congregation;
 - 3) install regularly elected members of the Congregation Council;
 - 4) with the council, administer discipline.
 - 5) endeavor to increase the support given by the congregation to the work of the ELCA churchwide organization and of the Rocky Mountain Synod of the ELCA.
 - 6) encourage adherence to covenantal relationship with this church as expressed in the Constitutions, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America.
- *C9.04. The specific duties of the pastor, compensation, and other matters pertaining to the service of the pastor shall be included in a letter of call, which shall be attested by the bishop of the synod.
- *C9.05. The provisions for termination of the mutual relationship between a minister of Word and Sacrament and this congregation shall be as follows:
- a. The call of this congregation, when accepted by a pastor, shall constitute a continuing mutual relationship and commitment, which shall be terminated only by the pastor's death or, following consultation with the synod bishop for **any of** 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, no later than 30 days after the date on which it was submitted;
 - 3) inability to conduct the pastoral office effectively in this congregation in view of local conditions;
 - 4) **inability to conduct the pastoral office effectively in view of** disability or incapacity of the pastor;

- 5) suspension of the pastor through discipline for more than three months;
 - 6) resignation or removal of the pastor from the roster of Ministers of Word and Sacrament of this church;
 - 7) termination of the relationship between this church and this congregation;
 - 8) dissolution of this congregation or the termination of a parish arrangement; or
 - 9) suspension of this congregation through discipline for more than six months.
- b. When allegations of **disability** or incapacity of the pastor under paragraph a.4) above, or ineffective conduct of the pastoral office under paragraph a.3) above, have come to the attention of the bishop of this synod,
- 1) the bishop **who has** sole discretion, may investigate such conditions personally together with a committee of two rostered ministers and one layperson, or
 - 2) when such allegations have been brought to the synod's attention by an official recital of allegations by the Congregation Council or by a petition signed by at least one-third of the voting members of the congregation, the bishop personally shall investigate such conditions together with a committee of two rostered ministers of Word and Sacrament and one layperson.
- c. In case of alleged **disability** or incapacity under paragraph a.4) above, the bishop's committee shall obtain and document competent medical opinion concerning the pastor's condition. When a disability or incapacity is evident to the committee, the bishop of this synod may declare the pastorate vacant. When the pastorate is declared vacant, the Synod Council shall list the pastor on the roster of ministers of Word and Sacrament with disability status. Upon **resumption** of the **ability to conduct the office effectively**, the bishop shall take steps to enable the pastor to resume the ministry, either in the congregation last served or in another appropriate call.
- d. In the case of alleged local difficulties that imperil the effective functioning of this congregation under paragraph a.3) above, the bishop's committee shall endeavor to hear from all concerned persons, after which the bishop together with the committee shall present their recommendations first to the pastor and then to this congregation. The recommendations of the bishop's committee must address whether the pastor's call should come to an end and, if so, may suggest appropriate severance arrangements. The committee may also propose other actions that should be undertaken by this congregation and by the pastor, if appropriate. If the pastor and congregation agree to carry out such recommendations, no further action need be taken by the synod.
- e. If either party fails to assent to the recommendations of the bishop's committee concerning the pastor's call, the congregation may dismiss the pastor only at a legally called meeting after consultation with the bishop, either (a) by a two-thirds vote of the voting members present and voting where the bishop and the committee did not recommend termination of the call, or (b) by a majority vote of the voting members present and voting where the bishop and the committee recommended termination of the call.
- f. If, in the course of proceedings described in paragraph c. or paragraph d. above, the bishop's committee concludes that there may be grounds for discipline, the committee shall make recommendations concerning disciplinary action in accordance with the provisions of this church's constitution, bylaws and continuing resolutions.

- *C9.06. At a time of pastoral vacancy, an interim pastor shall be appointed by the bishop of the synod with the consent of this congregation or the Congregation Council.
- *C9.07. During the period of service, an interim pastor shall have the rights and duties in the congregation of a regularly called pastor and may delegate the same in part

to a supply pastor with the consent of the bishop of the synod and this congregation or Congregation Council. The interim pastor and any rostered minister providing assistance shall refrain from exerting influence in the selection of a pastor. Unless previously agreed upon by the Synod Council, an interim pastor is not available for a regular call to the congregation served.

- *C9.08. This congregation shall make satisfactory settlement of all financial obligations to a former pastor before calling a successor. A pastor shall make satisfactory settlement of all financial obligations to this congregation before beginning service in a call to another congregation or employment in another ministry setting.
- *C9.09. When a pastor is called to serve in company with another pastor or pastors, the privileges and responsibilities of each pastor shall be specified in documents to accompany the call and to be drafted in consultation involving the pastors, the Congregation Council, and the bishop of the synod. As occasion requires, the documents may be revised through a similar consultation.
- *C9.11. With the approval of the bishop of the synod, the congregation may depart from *C9.05.a. and call a pastor for a specific term. Details of such calls shall be in writing setting forth the purpose and conditions involved. Prior to the completion of a term, the bishop or a designated representative of the bishop shall meet with the pastor and representatives of the congregation for a review of the call. Such a call may also be terminated before its expiration in accordance with the provisions of *C9.05.a.
- *C9.12. The pastor of this congregation:
a. shall keep accurate records of all baptisms, confirmations, marriages, burials, communicants, members received, members dismissed, or members excluded from the congregation;
b. shall submit a summary of such statistics annually to the synod; and
c. shall become a member of this congregation upon receipt and acceptance of the letter of call. In a parish of multiple congregations, the pastor shall hold membership in one of the congregations.
- *C9.13. The pastor(s) shall submit a report of ministry to the bishop of the synod at least 90 days prior to each regular meeting of the Synod Assembly.
- *C9.14. The records of this congregation shall be maintained by the pastor and shall remain the property of this congregation. The secretary of this congregation shall attest in writing to the bishop of this synod that such records have been placed in the secretary's hands in good order by a departing pastor before the installation of that pastor in another call or approval of a request for change in roster status.
- C9.15. Under special circumstances, subject to the approval of the synod bishop and the concurrence of this congregation, a minister of Word and Sacrament of a church body with which the Evangelical Lutheran Church in America officially has established a relationship of full communion may serve temporarily as pastor of this congregation under a contract between the congregation and the pastor in a form proposed by the synod bishop and approved by this congregation.
- *C9.21. Authority to call a deacon shall be in this congregation by at least a two thirds vote of voting members present and voting at a meeting legally called for that purpose. Before a call is issued, the officers, or a committee elected by the Congregation Council to recommend the call, shall seek the advice, and help of the bishop of the synod.
- *C9.22. Only a member of the roster of Ministers of Word and Service of the Evangelical Lutheran Church in America or a candidate for the roster of Ministers of Word and Service who has been recommended for this congregation by the synod bishop may be called as a deacon of this congregation.
- *C9.23. Consistent with the faith and practice of the Evangelical Lutheran Church in

America, every minister of Word and Service shall:

- a. Be rooted in the Word of God, for proclamation and service;
- b. Advocate a prophetic diakonia that commits itself to risk-taking and innovative service on the frontiers of the Church's outreach, giving particular attention to the suffering places in God's world;
- c. Speak publicly to the world in solidarity with the poor and oppressed, **advocating dignity, justice, and equity for all people, working for peace and reconciliation among the nations, caring for the marginalized, and embracing and welcoming racially and ethnically diverse populations;**
- d. Equip the baptized for ministry in God's world that affirms the gifts of all people;
- e. Encourage mutual relationships that invite participation and accompaniment of others in God's mission;
- f. Practice stewardship that respects God's gift of time, talents, and resources;
- g. Be grounded in a gathered community for ongoing diaconal formation;
- h. Share knowledge of the ELCA and its wider ministry of the gospel, and advocate for the work of all expressions of this church; and
- i. Identify and encourage qualified persons to prepare for ministry of the gospel.

*C9.24. The specific duties of the deacon, compensation, and other matters pertaining to the service of the deacon shall be included in a letter of call, which shall be attested by the bishop of the synod.

*C9.25. The provisions for termination of the mutual relationship between a minister of Word and Service and a congregation shall be as follows:

- a. The call of a congregation, when accepted by a deacon, shall constitute a continuing mutual relationship and commitment, which shall be terminated only by death or, following consultation with the synod bishop, for **any of** the following reasons:
 - 1) mutual agreement to terminate the call or the completion of a call for a specific term;
 - 2) resignation of the deacon, which shall become effective, unless otherwise agreed, no later than 30 days after the date on which it was submitted;
 - 3) inability to conduct the ministry of Word and Service effectively in this congregation in view of local conditions;
 - 4) **inability to conduct the office effectively in view of** disability or incapacity of the deacon;
 - 5) suspension of the deacon through discipline for more than three months;
 - 6) resignation or removal of the deacon from the roster of ministers of Word and Service of this church;
 - 7) termination of the relationship between this church and this congregation;
 - 8) dissolution of this congregation or the termination of a parish arrangement; or
 - 9) suspension of this congregation through discipline for more than six months.
- b. When allegations of disability or incapacity of the deacon under paragraph a.4) above, or ineffective conduct of the office of minister of Word and Service under paragraph a.3) above, have come to the attention of the bishop of this synod,
 - 1) the bishop **who has** sole discretion, may investigate such conditions personally together with a committee of two rostered ministers and one layperson, or
 - 2) when such allegations have been brought to the synod's attention by an official recital of allegations by the Congregation Council or by a petition

signed by at least one third of the voting members of this congregation, the bishop personally shall investigate such conditions together with a committee of two rostered ministers and one layperson.

- c. In case of alleged disability or incapacity under paragraph a.4) above, the bishop's committee shall obtain and document competent medical opinion concerning the deacon's condition. When a disability or incapacity is evident to the committee, the bishop of this synod may declare the office vacant and the deacon shall be listed on the roster of ministers of Word and Service as disabled. Upon **resumption of the ability to conduct the office effectively**, the bishop shall take steps to enable the deacon to resume the ministry, either in the congregation last served or in another appropriate call.
- d. In the case of alleged local difficulties that imperil the effective functioning of this congregation under paragraph a.3) above, the bishop's committee shall endeavor to hear from all concerned persons, after which the bishop together with the committee shall present their recommendations first to the deacon and then to this congregation. The recommendations of the bishop's committee must address whether the deacon's call should come to an end and, if so, may suggest appropriate severance arrangements. The committee may also propose other actions that should be undertaken by this congregation and by the deacon, if appropriate. If the deacon and congregation agree to carry out such recommendations, no further action need be taken by the synod.
- e. If either party fails to assent to the recommendations of the bishop's committee concerning the deacon's call, this congregation may dismiss the deacon only at a legally called meeting after consultation with the bishop, either (a) by a two-thirds majority vote of the voting members present and voting where the bishop and the committee did not recommend termination of the call, or (b) by a simple majority vote of the voting members present and voting where the bishop and the committee recommended termination of the call.
- f. If, in the course of proceedings described in paragraph c. or paragraph d. above, the bishop's committee concludes that there may be grounds for discipline, the committee shall make recommendations concerning disciplinary action in accordance with the provisions of this church's constitution, bylaws, and continuing resolutions.

*C9.26. The deacon shall make satisfactory settlement of all financial obligations to a former congregation before:

- a. installation in another field of labor, or
- b. the issuance of a certificate of dismissal or transfer.

*C9.27. When a deacon is called to serve in company with another rostered minister or other rostered ministers, the privileges and responsibilities of each rostered minister shall be specified in documents to accompany the call and to be drafted in consultation involving the rostered ministers, the Congregation Council, and the bishop of the synod. As occasion requires, the documents may be revised through a similar consultation.

*C9.28. With the approval of the bishop of the synod, this congregation may depart from *C9.25.a. and call a deacon for a specific term. Details of such calls shall be in writing setting forth the purpose and conditions involved. Prior to the completion of a term, the bishop or a designated representative of the bishop shall meet with the deacon and representatives of this congregation for a review of the call. Such a call may also be terminated before its expiration in accordance with the provisions of *C9.25.a.

*C9.29. The deacon shall become a member of this congregation upon receipt and acceptance of the letter of call. In a parish of multiple congregations, the deacon

- shall hold membership in one of the congregations.
- *C9.31. The deacon(s) shall submit a report of ministry to the bishop of the synod at least 90 days prior to each regular meeting of the Synod Assembly.

Chapter 10. CONGREGATION MEEETING

- C10.01. This congregation shall have at least one regular meeting per year. The regular meeting(s) of the congregation shall be held at the time(s) specified in the bylaws. Consistent with the laws of the State of Colorado, the bylaws shall designate one regular meeting per year as the annual meeting of this congregation
- C10.01.01 A semi-annual meeting shall be held in November to adopt a budget, objectives of the Congregation for the following year, and may include other items the Congregational council deems necessary.
- C10.01.02 A semi-annual meeting shall be held in May to elect members of the Congregation Council and the Endowment Board, to receive annual reports of committees and may include other items the Congregational council deems necessary.
- C10.02. A special Congregation Meeting may be called by the pastor, the Congregation Council, or the president¹ of this congregation, and shall be called by the president of this congregation upon the written request of 10 of the voting members. The call for each special meeting shall specify the purpose for which it is to be held and no other business shall be transacted.
- C10.03. Notice of all meetings of this congregation shall be given at the services of worship on the preceding two consecutive weekends and by mail or electronic means, as permitted by state law, to all voting members at least 10 days in advance of the date of the meeting
- C10.04. Twenty percent of the voting members who live within 50 miles of the church shall constitute a quorum.
- C10.05. Voting by proxy or by absentee ballot shall not be permitted.
- C10.06. All actions approved by the congregation shall be by majority vote of those voting members present and voting except as otherwise provided in this constitution or by state law.
- C10.07. Robert's Rules of Order, latest edition, shall govern parliamentary procedure of all meetings of this congregation.
- C10.08. 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 **or its equivalent**. To the extent permitted by state law, notice of all meetings may be provided electronically.
- C10.09 **"Ex officio" as used herin means membership with full rights of voice and vote unless otherwise expressly limited.**

Chapter 11. OFFICERS

- C11.01. The officers of this congregation shall be a president, vice president, secretary, and treasurer.
- a. Duties of the officers shall be specified in the bylaws.
- b. Officers of the Congregational Council shall serve similar offices of the congregation.
- C11.01.01 The president shall be responsible for carrying out the provisions of this constitution, these bylaws, and the continuing resolutions.
- C11.01.02 The president shall preside at meetings of the Council and of the Congregation. In consultation with the pastor, the president shall prepare the agenda for

¹ If the pastor is the president of the congregation, the congregation may consider giving the vice President the authority to call a special meeting.

- meetings, see that records of meetings are accurately and systematically kept for a suitable period of time and shall carry out special responsibilities as directed by the Council.
- C11.01.03 The secretary shall keep accurate minutes of all meetings of the Council and shall see that they are preserved safely in the archives for a suitable period of time.
- C11.01.04 The treasurer shall keep the books of account of the congregation. The treasurer shall keep the record of funds received from all sources, shall disburse them on proper orders of the Council, President, or Pastor, and shall provide a written report of all transactions to the Congregation Council monthly and to the Congregation annually.
Treasurer shall be selected from the Congregation Council or the voting membership of the congregation and shall serve for two years or until a successor is elected. A treasurer may not serve more than two, two-year terms consecutively.
If the treasurer is not selected from the Congregation Council, the treasurer shall have voice but not vote at the meetings of the Congregation Council.
- C11.01.05 The vice president is to serve as the second-in-command executive to the congregation and Council, and work with all elected and appointed officers, boards and committees to carry out their assigned duties and responsibilities. The vice president shall preside at all meetings of the church council and other assemblies in the absence of the President. The Vice President shall serve as a member of the Council Executive Committee and meet periodically with the Minister of Word and Sacrament and president to develop the Strategic Plan.
- C11.02. The Congregation Council shall elect the officers and they shall be officers of this congregation. The officers shall be elected by written ballot and shall serve for one year or until their successors are elected. Their terms shall begin at the close of the annual meeting at which they are elected.
- C11.03. No officer shall hold more than one office at a time. No elected officer shall be eligible to serve more than two consecutive terms in the same office.

Chapter 12. CONGREGATION COUNCIL

- C12.01. The voting membership of the Congregation Council shall consist of the pastor(s), the deacon(s), and not more than thirteen members of the congregation, with the endeavor to nominate at least one of whom shall be a youth and at least one of whom shall be a young adult. 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 Congregation Council shall be declared vacant if the member
- a. ceases to be a voting member of this congregation or
 - b. is absent from four successive regular meetings of the Congregation Council without cause. Consistent with the laws of the state in which this congregation is incorporated, this congregation may adopt procedures for the removal of a member of the Congregation Council in other circumstances.
- C12.02. The members of the Congregation Council except the pastor(s), and the deacon(s), shall be elected by written ballot to serve for two years or until their successors are elected. Such members shall be eligible to serve no more than two full terms consecutively. Their terms shall begin at the close of the annual meeting at which they are elected.
- C12.03. Should a member's place on the Congregation Council be declared vacant, the Congregation Council shall elect by majority vote, a successor until the next annual meeting.
- C12.04. The Congregation Council shall have general oversight of the life and activities of this congregation, and in particular its worship life, to the end that everything

be done in accordance with the Word of God and the faith and practice of the Evangelical Lutheran Church in America. The duties of the Congregation Council shall include the following:

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

C12.04A02 *Continuing Resolution regarding issues of sexuality:*

- a. *WHEREAS, this church recognizes that people who minister in the Spirit of God in Christ and honor the authority of scripture often differ on many issues, including issues of sexuality; and*
- b. *WHEREAS, in the priesthood of all believers we are witnesses to God's call into service individuals with diverse gifts and characteristics, including gays and lesbians in faithful relationships; and*
- c. *WHEREAS, the ELCA Church-wide Assembly in 1999 reaffirmed that "Gay and lesbian people, as individuals created by God, are welcome to participate fully in the life of the congregations of the ELCA"; and*
- d. *WHEREAS, the ELCA Church-wide Assembly in 2001, authorized a study and recommendation for action on these issues as well as the more general ethical issue of human sexuality; leaving opportunity for input across the church; therefore, be it*
- e. *RESOLVED, that this Council supports the position of the ELCA on gay and lesbian people and encourages all members of this congregation to participate in disciplined prayer, education programs, dialogue, and reconciliation on issues of human sexuality, and be it further*
- f. *RESOLVED, that this Council affirms and supports the ministry of our current called pastor to the congregation of Christ the King on issues of homosexuality.*

C12.05. The Congregation Council shall be responsible for the financial and property matters of this congregation.

- a. The Congregation Council shall be the board of directors of this congregation and, as such, shall be responsible for maintaining and protecting its property and managing 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 Congregation Council shall not have the authority to buy, sell, or encumber real property unless specifically authorized to do so by a meeting of the congregation.
- c. The Congregation Council may enter into contracts of up to ten percent of the congregation's annual budget for items not included in the budget.
- d. The Congregation Council shall prepare an annual budget for adoption by this congregation, shall supervise the expenditure of funds in accordance therewith following its adoption, and may incur obligations of more than ten percent of the congregation's annual budget only after approval by a Congregation Meeting. The budget shall include this congregation's full indicated share in support of the wider ministry being carried on in partnership with the synod and churchwide organization.
- e. The Congregation Council shall ascertain that the financial affairs of this congregation are being conducted efficiently, giving particular attention to the prompt payment of all obligations and to the regular forwarding of mission support monies to the synod.
- f. The Congregation Council shall be responsible for overseeing the work of the mission endowment fund, this congregation's investments, and its total insurance program.

C12.05A13

Continuing Resolutions regarding Policies and Guidelines for the CtK Columbarium and Memorial Garden: The following policies and guidelines have been developed to provide direction and support for our Memorial Garden and Columbarium Ministry. The ministry is a continuation of care for our members and provides the opportunity for our earthly remains and our names to remain near our church family. The garden is a witness to our faith and an important part of our ministry at Christ the King Lutheran Church.

a. **MANAGEMENT**

- 1) *Two members of the congregation appointed, by the Church Council, to the care and management of the Memorial Garden and Columbarium ("appointed members," thus forward) will oversee the operations of the Memorial Garden and Columbarium.*
- 2) *In the event of resignations or withdrawals the church council shall appoint church members as needed to fill the vacancy.*
- 3) *These appointed members are authorized to make all decisions regarding qualifications of applicants for the purchase of and utilization of the Columbarium Niche or Memorial Wall in line with the policies established.*
- 4) *The appointed members are ultimately responsible to the Church Council. It may not contract work or make purchases without prior approval of council.*
- 5) *The appointed members shall oversee the maintenance of all records including sale and niche assignments. When a death occurs, the pastor shall contact the appointed members and advise the intent to use a Columbarium Niche or the Memorial Wall. The person making application to utilize a niche shall also, if requested, present proof of authority to lay the deceased person to rest.*
- 6) *The appointed members shall maintain a permanent record of individuals whose cremains are placed within the Columbarium. The permanent record shall include: date niche was purchased, approval date of the placement of cremains within the niche, name of the person interned, dates of birth and death, and the name of the person to contact in the event of the member's death (i.e. family member, power of attorney, executor of estate, etc.) including complete address and phone numbers. One set of records will be maintained at the church, a duplicate set will be maintained off-site at a secured facility.*

- b. *ELIGIBILITY TO PURCHASE - All members of Christ the King Lutheran Church and their family members are eligible to purchase a niche or a name plate on the Memorial Wall. Family members as defined herein shall be any child of either member spouse by blood or legal adoption, as well as parents of members. In addition, past members and former clergy and their immediate families are eligible. All exceptions must be reviewed and approved by the appointed members and Church Council. The appointed members are empowered to waive or adjust the price of the Niche or Name Plate for a member only, with the approval of the Senior Pastor.*
- c. *PURCHASE OPTIONS - There is a series of options depending on the individual needs. The Columbarium Wall contains niches for up to 2 people. In addition, there is a Memorial Wall that will include an engraved nameplate of members whose cremains are scattered on the Memorial Garden Hillside. There is also an option for mounting an engraved nameplate for those whose remains are located elsewhere.*

| <u>WALL NICHE OPTIONS</u> | <u>MEMBER</u> | <u>NONMEMBER</u> |
|--------------------------------------------------------------------------------------------------------------|---------------|------------------|
| Wall Niche for 1 person includes engravings | \$650.00 | \$850.00 |
| Wall Niche for 2 persons includes engravings | \$900.00 | \$1,100.00 |
| | | |
| <u>MEMORIAL WALL OPTIONS</u> | <u>MEMBER</u> | <u>NONMEMBER</u> |
| Engraved nameplate on the Memorial Wall for those whose cremains are scattered in the common Memorial Garden | \$300.00 | \$400.00 |
| Engraved nameplate on the Memorial Wall for those whose remains are elsewhere | \$200.00 | \$300.00 |

- d. *OPERATIONAL GUIDELINES*
 - 1) *A separate purchase contract will be completed between the authorized buyer(s) and Christ the King Lutheran Church.*
 - 2) *During buyer's lifetime, buyer may, from time to time, change the designation of persons, whose cremated remains may be interred, by notice in writing delivered to and accepted by the appointed members. The right to designate names of persons whose cremated remains may be interred ceases with the death of the buyer.*
 - 3) *The authorized buyer or a legal personal representative of the deceased may administer the contract at time of death. Two individuals may qualify as a buyer of right to use, as joint tenants with right of survivorship and not as tenants in common. Their rights are exercisable jointly while both are living, or by the survivor.*
 - 4) *Except with written consent of appointed members, the buyer's rights of use may not be assigned, transferred, or inherited, and shall not be subject to claims of creditors. The buyer's rights are no longer assignable after the interment of the buyer in a niche.*
 - 5) *If the buyer decides not to be interred at Christ the King, he must sell his niche contract back to Christ the King. The buyer will be compensated at the price of the original purchase less ten percent (10%) for administrative cost.*
- e. *UPON PASSING OF A MEMBER - A religious service shall be held at each interment. A minister of Word and Sacrament from Christ the King Lutheran Church shall be present and shall supervise the service, except that such supervision may be delegated to another minister of Word and Sacrament if the Minister of Word and Sacrament of Christ the King is unavailable. Name, birth, and death dates of each person will be attached to their niche or on the Memorial Wall. The appointed members will determine size, type, and manner of lettering.*

- f. *CONCERNING FLOWERS AND DECORATIONS - Should a funeral be held at the church, flowers from the service may be placed at the Columbarium but will be removed within 48 hours. No candles or other decorations shall be displayed.*
- g. *REMOVAL OF INTERNED REMAINS AND TERMINATION OF RIGHT OF USE*
 - 1) *Cremaains in individual containers may be removed from the Columbarium with the written consent of the appointed members and the buyer and spouse of the person interred, or if neither of them is living, of the personal representative (if any) or the next of kin of the person interred. In any instance a receipt must be signed by the party so acting, indemnifying Christ the King against all liability. Such removal shall be affected in a manner which is respectful, and in the presence of a minister of Word and Sacrament. Any cost for removal of the cremaains is to be borne by the person/persons requesting same. The niche ownership will revert back to Christ the King Lutheran Church. No refunds will be granted.*
 - 2) *On default of valid use of niche, the buyer's rights of use shall lapse and all interest in the niche reverts to Christ the King. A reasonable determination by Christ the King that such default has occurred shall be binding on all parties. In addition to other grounds to making such decision, Christ the King may rely conclusively on the passage of seven (7) years after the date of death (or such date it may have cause to believe to be the date of death) of the last to survive the group consisting of the buyer and all persons designated as eligible for interment, with no interments having occurred.*
- h. *FINANCIAL ADMINISTRATION*
 - 1) *Income and expenses related to the Columbarium wall will be accounted for in separate accounts on the church's books within the Building Fund. Columbarium incomes in excess of expenses shall be used for maintaining and/or expanding the Memorial Garden and Columbarium facilities. These funds will reside with the Christ the King Lutheran Church main checking account.*
 - 2) *The appointed members may adjust the costs of niches and plaques with the approval of the Church Council. Written notification within 90 days shall be required to the members of the congregation.*
- i. *BUYER OBLIGATION - Any purchaser of a Columbarium Niche or Memorial Wall Name Plate shall receive a copy of these policies together with their contract. The contract agreement will acknowledge compliance with policies outlined in the document titled POLICIES AND GUIDELINES.*

C12.05A24 Continuing Resolution regarding financial recordkeeping: Investment income distributions and interest income will be recorded in restricted accounts

C.12.05B24 Continuing Resolution regarding restricted funds: Access to Restricted Funds requires an approved motion by the Church Council.

C12.06. The Congregation Council shall see that the provisions of this constitution and its bylaws and the continuing resolutions are carried out.

C12.07. The Congregation Council shall provide for a regular review of the membership roster. Efforts shall be made to include inactive members again in the fellowship, or encourage them to transfer to another Christian congregation, or to otherwise resolve their inactive membership.

C12.08. The Congregation Council shall be responsible for the employment and supervision of staff of this congregation. Nothing in this provision shall be deemed to affect the congregation's responsibility for the call, terms of call, or termination of call of any employees who are on a roster of this church.

C12.09. The Congregation Council shall submit a comprehensive report to this

- congregation at the annual meeting.
- C12.11. The Congregation Council shall normally meet once a month. Special meetings may be called by the minister of Word and Sacrament or the president² and shall be called by the president at the request of at least one half of its members. Notice of each special meeting shall be given to all who are entitled to be present.
- C12.12. A quorum for the transaction of business shall consist of a majority of the members of the Congregation Council, including the pastor or interim pastor, 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, which shall be the only business considered at that meeting. Chronic or repeated absence of the pastor or interim minister who has refused approval of the agenda of a subsequent regular or special meeting shall not preclude action by the Congregation Council, following consultation with the synod bishop.
- C12.13. The Congregation Council and its committees may hold meetings by remote communication, including electronically and by telephone conference, **as long as there is an opportunity for simultaneous aural communication or its equivalent** to the extent permitted by state law, notice of all meetings may be provided electronically.

Chapter 13. CONGREGATION COMMITTEES

- C13.01. The officers of this congregation and the pastor(s) shall constitute the Executive Committee.
- C13.02. A Nominating Committee of up to six voting members of this congregation, two of whom, if possible, shall be outgoing members of the Congregation Council, shall be appointed by the Congregational Council. Members of the Nominating Committee are not eligible for consecutive re- appointment to the Nominating Committee.
- C13.03. An Audit Committee of three voting members shall be appointed by the Congregation Council. The committee may consist of no more than two members of Council. The treasurer may not serve on the committee.
- C13.04. Mutual Ministry Committee(s) **(in the absence of a mutual ministry committee, the duties shall be fulfilled by the executive committee)** shall be **appointed** jointly by the president and the rostered minister(s) for appointment by the Congregation Council. **Term of office shall be two years, with three members to be appointed each successive year.**
- C13.05. When a vacancy occurs in a position for which this congregation calls a rostered minister, a Call Committee of six voting members shall be elected by the Congregation Council. Term of office will terminate upon installation of the newly called rostered minister.
- C13.06. Other committees of this congregation may be formed, as the need arises, by decision of the Congregation Council.
- C13.07. Duties of committees of this congregation shall be specified in the continuing resolutions.
- C13.08. The pastor of this congregation shall be ex officio a member of all committees and boards of the congregation. The president of this congregation shall be ex officio a member of all committees and boards of the congregation, except the Nominating Committee.

Chapter 14. ORGANIZATIONS WITHIN THE CONGREGATION

- C14.01. All organizations within this congregation shall exist to aid this congregation in

² **If the pastor is the president of the congregation, the congregation may consider giving the vice President the authority to call a special meeting.**

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 Congregation Council's oversight and direction. The Congregation Council shall approve the organizations' policies, guide their activities, and receive reports concerning their membership, work, and finances be formed, as the need arises, by decision of the Congregation Council.

C14.01.01. A Mission Endowment Fund Board of five voting members of this congregation shall be elected at the Congregation's annual meeting. The term of office will be three years with the first slate of members serving staggered terms. Each year following the initial elections two members will be elected with one elected every third year. In addition to the elected members, the senior pastor of the Congregation shall be an ex-officio, nonvoting member of the Board. The purpose of the board shall be to implement the guidelines of the mission endowment.

C14.01.01A12. Be it resolved: That when a Mission Endowment Fund Board vacancy occurs, the Mission Endowment Fund Board will give written notice within two weeks to the Church Council by letter and to the Congregation through the next publishing of the Scribe. It is the duty of the Mission Endowment Fund Board to announce the vacancy to the Congregation and request applications to fulfill the remainder of the vacated term. Interested members of the Congregation will submit letters to the Mission Endowment Fund Board, indicating why they would like to serve in this capacity and any other information that they feel is relevant. No sooner than two weeks after publication of the announcement in the Scribe, the Mission Endowment Fund Board will provide the Church Council with names of the applicants and give their recommendation for appointment by the Council at the next Church Council meeting.

C14.01.02. The duties of the Mission Endowment Fund Board shall include the following:

- a. To fulfill the purpose of the Mission Endowment Fund, that is, to provide annual distributions beyond the operating budget of this congregation to ministries as stated below:
 - 1) Minimum of 20% for congregational outreach as the Board determines;
 - 2) Minimum of 20% for community outreach as the Board determines;
 - 3) Minimum of 20% for world outreach as the Board determines;
 - 4) Remaining 40% distributed through any of the above categories.
- b. To determine how the Fund asset will be invested, including the asset allocation. The investment objective will be to provide long-term growth so the annual distribution will keep pace with inflation, i.e., the annual distribution will maintain its purchasing power. In any event, all investments shall be invested within the Endowment Fund A as managed by the ELCA Foundation and/or the ELCA Mission Investment Fund. No committee member shall invest the assets in a way that would bring private inurement to that individual. The committee shall report at least quarterly to the Congregation Council on any and all activity within the Fund. Current balance, additions, distributions, and any other activity should be included with the report. Annual accounting and a report of ministries supported through the fund shall be distributed to the Congregation at its annual meeting.
- c. To begin making annual distributions once the Fund reaches \$50,000. Annual distributions will be 5% of the value of the Fund balance as of December 31st each year.
- d. To encourage gifts to the Christ the King Mission Endowment Fund through education and promotion of the Fund.
- e. To receive and celebrate gifts given for ministry through the Christ the King Mission Endowment Fund and maintain a permanent book of remembrance of

donors to the Fund. Ten percent of each such gifts will be distributed immediately beyond the operating budget of the Congregation. The remaining portion will be added to the Christ the King Mission Endowment Fund. The board has the discretion to decline acceptance of a gift if deemed to be in the best interest of the Fund and Congregation.

- f. To respond to a Congregation Council request, under an unforeseen emergency situation, to use principal of the Fund to help the Congregation rectify an economically devastating situation.
- g. To accept undesignated gifts received by this Congregation, such as, but not limited to bequests, life insurance proceeds and remainders from life income agreements. Ten percent of each such gift will be distributed immediately beyond the operating budget of the Congregation. The remaining portion will be added to the Christ the King Mission Endowment Fund.

C14.01.02A10. Be it resolved: That all unrestricted end-of-life gifts and bequeaths (including but not limited to bequests in wills or living trusts, designations of retirement or pension plans, assignments of life insurance, charitable gift annuities, charitable remainder trusts, assignment of certificates of deposit, transfers of property such as cash, stocks, bonds, and real estate) which are made to Christ the King Lutheran Church be directed to the CtK Mission Endowment Fund.

C14.02. Special interest groups, other than those of the official organizations of the Evangelical Lutheran Church in America, may be organized only after authorization has been given by the Congregation Council and specified in a continuing resolution.

Chapter 15. DISCIPLINE OF MEMBERS AND ADJUDICATION

*C15.01. Denial of the Christian faith as described in this constitution, conduct grossly unbecoming a member of the Church of Christ, or persistent troublemaking 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) censure and admonition by the pastor in the presence of two or three witnesses, and c) written referral of the matter by the Congregation Council to the vice president of the synod, who will refer it to a consultation panel drawn from the Consultation Committee of the synod, and d) written referral of the matter by the consultation panel to the Committee on Discipline of the synod. If for any reason, the pastor is unable to administer the admonitions required by paragraphs a. and b. hereof, those steps may be performed by another pastor chosen by the Executive Committee of the Congregation Council.

*C15.02. The process for discipline of a member of the congregation shall be governed as prescribed by the chapter on discipline in the Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America. If the counseling, censure, and admonitions pursuant to *C15.01 do not result in repentance and amendment of life, charges against the accused member(s) that are specific and in writing may be prepared by the Congregation Council, signed, and submitted to the vice president of the synod. The vice president shall select from the synod's Consultation Committee a panel of five members (three lay persons and two **rostered** ministers). A copy of the written charges shall be provided to the consultation panel and the accused member(s). The consultation panel, after requesting a written reply to the charges from the accused member(s), shall consider the matter and seek a resolution by means of investigation, consultation, mediation, or whatever other means may seem appropriate. The panel's efforts to reach a mutually agreeable resolution shall continue for no more than 45 days after the matter is submitted to it.

*C15.03. If the consultation panel fails to resolve the matter, that panel shall refer the case

in writing, including the written charges and the accused member's reply, to the Committee on Discipline of the synod for a hearing. A copy of the panel's written referral shall be delivered to the vice president of the synod, the Congregation Council, and the accused member(s) at the same time it is sent to the Committee on Discipline of the synod. The Executive Committee of the Synod Council shall then select six members from the Committee on Discipline to decide the case and shall appoint a member of the Synod Council to preside as nonvoting chair. Those six members, plus the nonvoting chair, comprise the discipline hearing panel for deciding the case. The Congregation Council and the accused member(s) are the parties to the case.

- *C15.04. The discipline hearing panel shall commence and conduct the disciplinary hearing in accordance with the provisions governing discipline of congregation members prescribed in the Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America.
- *C15.05. By the vote of at least two-thirds of the members of the discipline hearing panel who are present and voting, one of the following disciplinary sanctions can be imposed:
 - a. suspension from the privileges of congregation membership for a designated period of time;
 - b. suspension from the privileges of congregation membership until the pastor and Congregation Council receive evidence, satisfactory to them, of repentance and amendment of life;
 - c. termination of membership in this congregation; or
 - d. termination of membership in this congregation and exclusion from the church property and from all congregation activities.
- *C15.06. The written decision of the discipline hearing panel shall be sent to the vice president of the synod, the accused member(s) and the Congregation Council as required by the Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America. The decision of the discipline hearing panel shall be implemented by the Congregation Council and recorded in the minutes of the next council meeting.
- *C15.07. No member of a congregation shall be subject to discipline a second time for offenses that a discipline hearing panel has heard previously and decided Pursuant to this chapter.
- *C15.10. Adjudication
- *C15.11. When there is disagreement between or among factions within this congregation on a substantive issue which cannot be resolved by the parties, members of this congregation may petition the synod bishop for consultation after informing the president of this congregation of their intent to do so. The synod bishop shall seek a timely resolution of the dispute. If the issue relates directly to the pastor, the bishop may begin the process in S14.18.d. In all other matters, if the bishop's consultation fails to resolve the issue, the bishop shall refer the matter to the Consultation Committee of the synod, which shall undertake efforts to find an appropriate solution. If the Consultation Committee's efforts fail to resolve the dispute, the entire matter shall be referred to the Synod Council for adjudication by whatever process the Council deems necessary. The Synod Council's decision shall be final.

Chapter 16. AMENDMENTS

- *C16.01. Unless provision *C16.04, is applicable, those sections of this constitution that are not required, in accord with the Model Constitution for Congregations of the Evangelical Lutheran Church in America, may be amended in the following manner. Amendments may be proposed by at least five voting members or by the Congregation Council. Proposals must be filed in writing with the Congregation Council 60 days before formal consideration by this congregation

at a regular or special Congregation Meeting called for that purpose. The Congregation Council shall notify the congregation's members by mail of the proposal together with the council's recommendations at least 30 days in advance of the meeting.

- *C16.02. An amendment to this constitution, proposed under *C16.01., shall:
 - a. be approved at a properly called Congregation Meeting according to this constitution by a majority vote of those voting members present and voting;
and
 - b. be ratified without change at the next annual meeting of this congregation by a two-thirds vote of those voting members present and voting.
- *C16.03. Any amendments to this constitution that result from the processes provided in *C16.01. and *C16.02. shall be sent by the secretary of this congregation to the synod. The amendment shall become effective within 120 days from the date of the receipt of the notice by the synod unless the synod informs this congregation that the amendment is in conflict with the constitution and bylaws of the Evangelical Lutheran Church in America or the constitution of the Rocky Mountain Synod of the ELCA.
- *C16.04. This constitution may be amended to bring any section into conformity with a section or sections, either required or not required, of the Model constitution for Congregations of the Evangelical Lutheran Church in America – as most recently amended by the Church wide Assembly. Such amendments may be approved by a majority vote of those voting members present and voting at any legally called meeting of the congregation without presentation at a prior meeting of the congregation, provided that the Congregation Council has submitted by mail notice to the congregation of such an amendment or amendments, together with the council's recommendations, at least 30 days prior to the meeting. Upon the request of at least two (2) voting members of the congregation, the Congregation Council shall submit such notice. Following the adoption of an amendment, the secretary of the congregation shall submit a copy thereof to the synod. Such provisions shall become effective immediately following the congregation's vote of approval.

Chapter 17. BYLAWS

- *C17.01. This congregation may adopt bylaws. No bylaw may conflict with this constitution.
- *C17.02. Bylaws may be adopted or amended at any legally called meeting of this congregation with a quorum present by a two-thirds vote of those voting members present and voting.
- *C17.03. Changes to the bylaws may be proposed by any voting member provided that such additions or amendments be submitted in writing to the Congregation Council at least 60 days before a regular or special Congregation Meeting called for that purpose. The Congregation Council shall notify the congregation's members by mail of the proposal with the council's recommendations at least 30 days in advance of the Congregation Meeting.
- *C17.04. Approved changes to the bylaws shall be sent by the secretary of this congregation to the synod.

Chapter 18. CONTINUING RESOLUTIONS

- *C18.01. The congregation in a legally called meeting or the Congregation Council may enact continuing resolutions. Such continuing resolutions may not conflict with the constitution or bylaws of this congregation.
- *C18.02. Continuing resolutions shall be enacted or amended by a majority vote of a meeting of the congregation or a two-thirds vote of all voting members of the Congregation Council.
- *C18.03. Adopted or amended continuing resolutions shall be sent by the secretary of this congregation to the synod.

Chapter 19. INDEMNIFICATION

*C19.01 Consistent with the provisions of the laws under which this congregation is incorporated, this congregation may adopt provisions providing indemnification for each person who, by reason of the fact that such person is or was a Congregation Council member, officer, employee, agent, or other party to any threatened, pending, or completed civil, criminal, administrative, arbitration, or investigative proceeding.