

**THE BY-LAWS  
OF  
TRINITY  
ENGLISH EVANGELICAL  
LUTHERAN CHURCH**

**Lindstrom MN**

Updated February 16, 2014

**TRINITY ENGLISH EVANGELICAL LUTHERAN CHURCH  
BY-LAWS**

**SECTION I**

**COMMUNION PARTICIPATION**

[See Chapter 2 of Constitution]

1.1 Trinity English Lutheran Church, Lindstrom, Minnesota [hereinafter "The Congregation"] invites all of its members and visitors who have been prepared to receive the Sacrament, to participate regularly in Holy Communion.

1.2 It shall be made known to prospective participants that the belief of this Congregation is: Participation in the Lord's Supper is the reception of "the body and blood of our Lord Jesus Christ given with bread and wine, instituted by Christ Himself for us to eat and drink."

We hold that a "person is well prepared and worthy who believes these words, given and shed for you for the forgiveness of sins. But anyone who does not believe these words, or doubts them, is neither prepared nor worthy, for the words 'for you' require simply a believing heart."

1.3 Records of participation in Holy Communion shall be maintained.

**SECTION II**

**MEMBERSHIP**

[See Chapter 8 of Constitution]

**2.1 BAPTIZED MEMBERS**

2.1.1 A child, one or both of whose parents or guardians are members of the Congregation, shall, upon receiving Baptism, become a baptized member.

2.1.2 A child, neither of whose parents or guardians is a member of the Congregation, shall, upon receiving Baptism, become a member of the Congregation, unless for good reason the child is to be a baptized member of another congregation, in which case his/her membership shall be transferred to that congregation.

2.1.3 A child baptized in another congregation shall be received as a baptized member in the Congregation when a transfer has been received.

2.1.4 An unbaptized adult who has received instruction and has given evidence of an adequate understanding and acceptance of the teaching of the Word of God as confessed by the Lutheran Church, shall, upon confession of faith and Baptism, become a baptized, confirmed and voting member of the Congregation.

2.1.5 When one or both parents of baptized children are received into the membership of the Congregation, such children should be received as baptized members with the consent of the member parent or parents.

2.1.6 When a baptized child is an orphan or a ward of someone and these people move into the area served by the Congregation, the child may be received as a baptized member when it is commended to the care of the Congregation by the congregation which baptized the child.

2.1.7 When the parent or parents of a baptized child are not themselves members of the Lutheran Church but move in the area served by the Congregation, and desire to have their child within the pastoral care of the Congregation, the child may be received as a baptized member.

## 2.2 CONFIRMED AND VOTING MEMBERS

2.2.1 A baptized adult, not previously a confirmed member of a Lutheran congregation, shall become a confirmed and voting member of the Congregation after having received instruction, having given evidence of adequate understanding of the teachings of the Word of God as confessed by the Lutheran Church and having publicly affirmed his/her faith.

2.2.2 A baptized member of the Congregation shall become a confirmed member of the Congregation after having received instruction, having given evidence of adequate understanding of the teachings of the Word of God as confessed by the Lutheran Church and having publicly affirmed his/her faith.

2.2.3 An applicant for membership who presents to the Church Council a Letter of Transfer which certifies that he/she is a confirmed member in good standing of a Lutheran congregation shall become a confirmed member of the Congregation. The acceptance of the applicant shall be reported to the Congregation.

2.2.4 An applicant for membership who presents evidence of confirmation in a Lutheran congregation but does not have a Letter of Transfer shall become a confirmed member when the Church Council has determined that he/she meets the standards of Christian faith and life indicated in the Constitution and By-Laws and when the applicant has reaffirmed that faith before the Congregation.

2.2.5 The Church Council shall determine the roster of confirmed and voting members of the Congregation in accordance with the provisions of the Constitution and By-Laws. The roster of voting members shall be available at all regularly called meetings of the Congregation.

2.2.6 Voting members are those confirmed members in good standing.

## 2.3 DISCONTINUANCE OF MEMBERSHIP

2.3.1 Whenever a member moves from the community the Congregation serves, the Church Council shall encourage the member to request a transfer to a Lutheran congregation which can serve him/her effectively.

2.3.2 A confirmed member in good standing desiring to change his/her membership to another Lutheran congregation shall, upon request, receive a Letter of Transfer.

2.3.3 A confirmed member who, in the judgment of the Church Council, does not partake of Holy Communion for a period of two years; and who does not contribute to the congregational treasury according to the Congregation's records for a period of two years, shall be classified as inactive. A confirmed member who has been classified as inactive shall be requested in writing by letter from the President of the Congregation to reaffirm his/her desire to retain membership. Those who fail to reply within ninety [90] days shall be presumed to no longer desire membership and shall lose the right to vote, and membership shall be terminated in Trinity Lutheran Church. Those who reaffirm their desire to retain membership shall be reclassified as active members

2.3.4 Members who have been dismissed, or who have resigned; and members who have transferred to other Lutheran congregations; or who are definitely known to have become members of other congregations without transfer, have thereby terminated their membership in the Congregation and have surrendered all membership rights.

2.3.5 A child, neither of whose parents or guardians is a member of the Congregation, may be removed from the roster of the baptized members if the child fails to participate in the life and worship of the Congregation.

### **SECTION III**

#### **THE PASTORS AND PROFESSIONAL STAFF**

[See Chapter 9 of Constitution]

##### **3.1 CALL TO SENIOR PASTOR**

3.1.1 In the event of a vacancy in the position of Senior Pastor, the Church Council after soliciting input from the Congregation shall elect a Call Committee of not less than seven [7] members. The Call Committee shall be ratified by the Congregation. This committee shall screen candidates and make recommendations to the Congregation. When the Call has been issued and accepted, the term of the Call Committee shall be ended.

##### **3.2 CALL TO ASSOCIATE PASTOR(S)**

3.2.1 In the event of a vacancy in the position of associate or assistant pastor, the Church Council shall designate a Call Committee of not less than seven [7] members which shall include the Senior Pastor to screen candidates and to make recommendations to the Congregation. When the Call has been issued and accepted, the term of the Call Committee shall be ended.

##### **3.3 LETTER OF CALL**

3.3.1 When the Congregation has voted to call a pastor, it shall issue a Letter of Call to the pastor-elect, in the form approved by the Evangelical Lutheran Church in America. It shall be signed by the President and the Secretary at the time the Call was voted and shall be attested by the signatures of the remaining members of the Executive Committee and by the signature of the Bishop of the Synod.

### 3.4 CALL TO OTHER STAFF POSITIONS

3.4.1 Call to other staff positions shall be made and ratified by the Church Council.

### 3.5 CLERGY NOTICE OF TERMINATION

3.5.1 If a pastor receives a Call to another ministry, the pastor shall consult the Church Council, or if he/she desires, the Congregation, before reaching a decision. The pastor shall announce his/her decision as quickly as possible, normally within three weeks. The pastor shall notify the Bishop of the Synod of the decision. When a call has been accepted, the pastor shall terminate his/her call as soon as feasible, normally thirty [30] days after the date on which the resignation was submitted.

## SECTION IV

### MEETINGS OF THE CONGREGATION

[See Chapter 10 of Constitution]

#### 4.1 ANNOUNCEMENT OF MEETINGS

4.1.1 Announcements of the time and place of all meetings of the Congregation shall be made at worship services of the Congregation on the preceding two consecutive Sundays of the meeting, and in such publications as the Congregation or the pastor may periodically issue, or by written notice to the voting members mailed not less than ten [10] days in advance of the meeting, provided that a meeting called to consider the purchase, disposition, or encumbrance of real property must be called and held in conformity with such provision of civil law as may be applicable.

#### 4.2 VOTING MEMBER ROSTER

4.2.1 The current roster of voting members shall be available at each meeting of the congregation.

#### 4.3 ANNUAL MEETING OF THE CONGREGATION (amendment approved February, 2009)

4.3.1 The annual meeting of the Congregation will be held on the first, second or third Sunday in February.

4.3.2 At the annual meeting of the Congregation, Nominating Committee members will be elected.

4.3.3 At a special meeting to be held in October, new Council members will be elected.

4.3.4 At least thirty (30) days prior to the October meeting, the Nominating Committee shall submit a slate of nominees together with the biographical information of each nominee, which shall be posted in the narthex board and mailed to all members of the Congregation.

4.3.5 Printed ballots shall be used for elections.

4.3.6 The annual meeting of the Congregation shall receive reports from all the organizations of the Congregation. Such reports, including a financial statement, shall be submitted in writing to the Church Office not less than fourteen (14) days before each meeting. The Congregation shall also vote on the proposed budget for the new fiscal year. The annual reports and the proposed budget shall be available in the church narthex at least ten (10) days prior to the annual meeting.

#### 4.4 PARLIAMENTARY PROCEDURES

4.4.1 Unless otherwise ordered, parliamentary procedures shall be in accordance with Robert's Rule of Order, including the order of business.

4.4.2 Written Ballot shall be used:

- 4.4.2.1 to adopt or amend the Articles of Incorporation, Constitution, or By-Laws of the congregation.
- 4.4.2.2 to request the resignation of a pastor.
- 4.4.2.3 to excommunicate a member from the Congregation or to remove a member from office in the Congregation.
- 4.4.2.4 to sever membership in the Evangelical Lutheran Church of America
- 4.4.2.5 to dispose of, encumber, improve, or purchase real property.
- 4.4.2.6 to elect Church Council members and Nominating Committee members.
- 4.4.2.7 to call a pastor
- 4.4.2.8 whenever so requested by ten [10] or more voting members present.

### **SECTION V**

#### **OFFICERS**

[See Chapter 11 of Constitution]

#### 5.1 EXECUTIVE COMMITTEE

5.1.1 The officers of the congregation and the pastors shall constitute the Executive Committee.

5.1.2 The Congregation Council shall elect its Officers at the January Council meeting with the previous year's President presiding until the President is elected. (Addition approved October 9, 2005)

5.1.3 Special meetings of the Executive Committee may be called by the President or any two of its members. The duties and functions of the Executive Committee shall be:

5.1.3.1 To conduct the business of the Congregation between Council meetings

5.1.3.2 To review the agenda for the Council meetings and make recommendations to the Council.

5.1.3.3 To function as the Personnel Committee of the Congregation and have charge of the preparation, maintenance and updating of the Personnel Manual and of implementing personnel policies, procedures, compensation and benefits.

#### 5.2 DUTIES AND FUNCTIONS OF OFFICERS

5.2.1 The President shall prepare the agenda for, and preside over, the business meetings of the Congregation, the Executive Committee, and the Church Council. The President shall be a voting member of the Church Council (amendment approved October 9, 2005) and shall be an ex-officio non-voting member of all committees and organizations of the Congregation.

5.2.2 The Vice President shall assume the duties of the President during the absence or disqualification of the President, shall be Chair of the Nominating Committee, and shall assist the President in preparing the agenda for Council meetings and in carrying out the President's duties, together with such other duties as the President may assign. The Vice President shall attend the meetings of the Council as a voting member including while serving in place of the President (amendment approved October 9, 2005).

5.2.3 The Secretary shall be responsible for the minutes of the Congregational, Executive Committee, and Council business meetings and shall be a voting member of the Council. Copies of the Council meeting minutes shall be made available for distribution to the Congregation following each meeting.

## **SECTION VI**

### **CONGREGATION COMMITTEES**

*The Council needs to determine the duties of the individual committees*

## **SECTION VII**

### **DISCIPLINE**

[See Chapter 15 of Constitution]

#### **7.1 DISCIPLINE OF MEMBERS**

7.1.1 A person who is requested to appear before the Church Council for possible disciplinary action, shall be advised in writing no less than ten [10] days prior to the hearing. The written notice shall include the time and place of the hearing and shall specify the exact reason for the possible disciplinary action. If a person fails to appear at the time and place without valid excuse, the Church Council may proceed with the hearing and may reach its conclusions in his/her absence.

7. 1.1.1 Should the person be found guilty by at least two-thirds [2/3] vote of the members of the Church Council, the Council may impose one of the following:

- [1] censure before the Church Council or the Congregation
- [2] suspension from membership until proof is given of sufficient repentance and amendment of life
- [3] exclusion from membership

7.1.1.2 In the event of the imposition of [2] or [3], the action of the Church Council shall be in writing.

# TRINITY ENGLISH EVANGELICAL LUTHERAN CHURCH

## SECTION VIII OF BYLAWS

### MISSION ENDOWMENT FUND

Resolution approved February 4, 2001

Revisions approved February 24, 2008

Revisions approved February 16, 2014

#### **8.1 ESTABLISHMENT**

**8.1.1** A Mission Endowment Fund, whose purpose, governance and operational procedures shall be defined by special resolution adopted by the congregation, is established.

#### **8.2 COMMITTEE MEMBERSHIP**

**8.2.1** The committee shall consist of five members, all of whom shall be voting members of Trinity English Evangelical Lutheran Church. Except as herein limited, the term of each member shall be three (3) years. The initial Committee shall consist of five (5) voting members whose term consists of: two (2) for a term of three (3) years; two (2) for a term of two (2) years; and one (1) for a term of one (1) year. Thereafter, at each special meeting, the congregation shall elect the necessary number for a term of three (3) years. No member shall serve more than two consecutive three (3) year terms. After a lapse of one (1) year, former COMMITTEE members may be re-elected. A pastor of Trinity and a designated member of the church council shall be non-voting advisory members of the COMMITTEE. The church council of the congregation shall report at the annual congregational meeting in the same manner as for other offices and committees. In the event of a vacancy on the COMMITTEE, the church council shall appoint a member to fill the vacancy until the next special meeting of the congregation, at which time the congregation shall elect a member to fill the term of the vacancy.

**8.2.2** The Committee shall meet at least quarterly, or more frequently as deemed by it in the best interest of the Fund.

**8.2.3** A quorum shall consist of three (3) members. When only three (3) members are present a unanimous vote shall be required to carry any motion or resolution.

**8.2.4** The Committee shall elect from its membership a chairperson, recording secretary, financial secretary, first vice chairperson and a second vice chairperson. The chair person, or member designated by the chairperson, shall preside at all Committee meetings.

**8.2.4.1** The chair person shall preside at all meetings, prepare agendas for meetings, prepare annual reports, sign and finalize award letters.

**8.2.4.2** The recording secretary of the Committee shall maintain complete and accurate minutes of all meetings and supply a copy thereof to each member of the committee. The recording secretary shall also supply a copy of the minutes to the Church Council. Other responsibilities include coordinating with Administrative Assistant at church and chair person to get award letters and rejection letters written and ready for chair person to sign and be mailed to recipients.



**8.2.4.3** The financial secretary of the Committee shall work with the Congregation's treasurer in maintaining and coordinating complete and accurate accounts for the Fund and provide a quarterly report to the committee. The books shall be audited annually by a certified public accountant or other appropriate person who is not a member of the Committee.

**8.2.4.4** The 1<sup>st</sup> vice chair responsibilities include developing and implementing ideas to sustain and potentially increase the Fund through congregational support.

**8.2.4.5** The 2<sup>nd</sup> vice chair responsibilities include coordinating with the Pastor for Award Recognition and assisting in this service.

**8.2.5** The Committee shall report on a quarterly basis to the Church Council and, at each annual or duly called special meeting of the congregation, shall render a full and complete audited account of the administration of the Fund during the preceding year.

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

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

### **8.3 Fund Objective**

**8.3.1** The objective of the Fund is: 1) Provide a device for the receipt of gifts including cash, securities, real estate, life insurance, bequests and other types of endowments; 2) Encourage bequests and gifts promoting faithful Christian stewardship; 3) Distribute the income of the Fund annually to include:

**8.3.1.1** Mission and outreach at large (global outreach)

**8.3.1.2** Community outreach and ministry (local outreach)

**8.3.1.3** Educational and scholarship outreach (for religious career opportunities)

**8.3.1.4** Capital or building fund needs of Trinity Lutheran Church (may include prepayment of mortgage)

**8.3.2** Priority shall be given to new applications over repeat recipients.

## **8.4 RECEIPT OF GIFTS**

**8.4.1** Undesignated bequests and gifts of less than \$5,000 will not be placed in the Fund. If an immediate and urgent need for an undesignated bequest or gift does not exist, the gift shall be directed to the Fund. However, for any undesignated gift over \$5,000, at least fifty percent (50%) shall be placed in the Fund. The Church Council can place additional bequests and gifts in the Fund. Designated gifts and bequests will always be placed as directed by the giver.

## **8.5 INVESTMENT POLICY**

**8.5.1** The investment policy of the Fund will follow the guidelines established by the ELCA and will place the Fund moneys in the ELCA Endowment Fund Pool. All assets are to be held in the name of the Evangelical Lutheran Church in America, for the benefit of Trinity English Evangelical Lutheran Church Mission Endowment Fund. The Fund will have an initial minimum balance of \$25,000.

## **8.6 DISTRIBUTION OF FUNDS**

**8.6.1** Yearly Fund Income shall not be distributed until the Fund reaches the sum of \$100,000. When the Fund has moneys at or above \$100,000, the Yearly Fund Income and two percent (2%) of the principal balance will be distributed annually. Distributions will be based on the fourth quarter ELCA Investment Report of Principal Balance and Yearly Fund Income. (See paragraph 8.6.2 below). No distribution shall be made which will reduce the value of the Fund below \$100,000. The distributions of the Fund will be directed to each of the four (4) designated categories of Paragraph 8.3.1 in 20% increments each. The remaining 20% of Fund annual distributions will be directed to one or more of the four (4) designated categories, in a ratio determined by the Committee.

**8.6.2** The percentage of the principal to be distributed will be determined after the Yearly Fund Income is subtracted. Yearly Fund Income is defined as the sum of 'Income Distributed' and any positive 'Change in Market Value' as stated in the ELCA Mission Endowment Fund Pooled Trust quarterly reports.

**8.6.3** The total amount to be distributed annually shall be rounded to the nearest one-hundred (\$100) dollars.

## **8.7 FUND STRUCTURE REVIEW**

**8.7.1** The Fund structure will be reviewed once each five years. The purpose of the review will be to ensure bequests and gifts, distribution and distribution categories meet the purposes and goals of the Endowment Fund and Trinity Lutheran Church. The Committee will conduct the review.