

**THE CONSTITUTION
OF
TRINITY LUTHERAN CHURCH
ONEKAMA, MICHIGAN**

"In Nomine Jesu"

PREAMBLE

Whereas Christians should practice fellowship with those who profess the true faith (Acts 2:42; Hebrews 10:23-24); and

Whereas they should endeavor to keep the unity of the faith (Ephesians 4:1-6; 1Corinthians 1:10); and

Whereas they, as a body, should administer the office of the keys (John 20:21-23; Matthew 18:15-20); and

Whereas in such body all things should be done decently and in order (1Corinthians 14-40);

Therefore, we, the members of Trinity Lutheran Church of Onekama, herewith adopt the following Constitution according to which all affairs of this congregation, both spiritual and material shall be governed.

1.0 NAME

The name of this congregation shall be TRINITY LUTHERAN CHURCH OF ONEKAMA

2.0 MISSION

The purpose of this congregation shall be to give honor and glory to the Triune God, to carry out His will, to proclaim the Gospel of Jesus Christ to all the world, to manifest the unity of our faith in Jesus Christ as God and Savior, to foster Christian fellowship and love, to extend a helping hand in human need, and to achieve our objectives by the preaching of the Word of God, by the administration of the sacraments, and by the religious instruction of all its members according to the confessional standard of the Evangelical Lutheran Church.

3.0 CONFESSIONAL STANDARD

This Congregation accepts without reservation:

3.1 The Scriptures of the Old and the New Testament as the written Word of God and the only rule and norm of faith and practice.

3.2 All the Symbolical Books of the Evangelical Lutheran Church as a true and unadulterated statement and exposition of the Word of God, to wit: the three Ecumenical Creeds (the Apostles' Creed, the Nicene Creed, the Athanasian Creed), the Unaltered Augsburg Confession, the Apology of the Augsburg Confession, the Smalcald Articles, the Large Catechism of Luther, the Small Catechism of Luther, and the Formula of Concord. All of which are found in the Book of Concord.

3.3 **Doctrinal conformity will be such that only hymns, prayers, and liturgies shall be used in the public services of the congregation and in all ministerial acts as conform to the confessional standard as named in 3.2 of this constitution. Likewise, in all classes for instruction in Christian doctrine, only such books shall be used as conform to its purpose.**

4.0 SYNODICAL MEMBERSHIP

This congregation shall be a member of The Lutheran Church-Missouri Synod as long as the Synod conforms to the congregation's confessional standards as set forth in this constitution as determined by a majority vote of the congregation at a meeting called for that purpose.

5.0 MEMBERSHIP

5.1 Membership

The membership of this congregation includes the following:

5.1.1 *Baptized* members are all who have been baptized in the name of the Triune God and who are under the spiritual care of the pastor of this congregation, including the children who have not yet been confirmed.

5.1.2 *Communicant* members are those baptized members who have been instructed in the Lutheran faith, accept the confessional standard of Section 3.0 of this constitution, are familiar with the contents of *Luther's Small Catechism*, and are not members of organizations whose principles and conduct conflict with the Word of God.

5.1.3 *Associate* members are communicant members who hold membership in a sister congregation(LCMS) elsewhere but who spend part of each year in the area of this congregation and profess the same faith as outlined in Section 3 of this constitution.

5.1.4 *Voting* members are communicant or associate members who have reached the age of 18 years and have been received by the voters' assembly.

5.2 Reception

The members of this congregation are received in the following manner:

- 5.2.1 Baptized members are received through the Sacrament of Holy Baptism or through the consent of one or both parents in the case of children who have been baptized in another Christian congregation.
- 5.2.2 Adult members are received through the rite of confirmation and Sacrament of Holy Baptism as appropriate, through transfer from a sister congregation, or through profession of faith or reaffirmation of faith.
- 5.2.3 Eligible communicant members may be received as voting members upon application for such privilege upon approval of the voters assembly.

5.3 Duties

Member of the congregation shall conform their entire lives to the rule of God's Word and to that end make diligent use of the means of grace, exercise faithful stewardship of God's many gifts and talents, impart and accept fraternal admonition as the need of such admonition becomes apparent, and be readily available for service in the kingdom of Christ within and beyond the congregation.

5.4 Termination

- 5.4.1 Membership shall be terminated by transfer to a sister congregation, by death, by joining a congregation outside the fellowship of this congregation, by excommunication or by self-exclusion. In cases of excommunication, or self-exclusion, each case shall be presented individually by the Board of Elders to the voters' assembly for a decision.
- 5.4.2 Communicant members who conduct themselves in an un-Christian manner shall be admonished according to Matthew 18: 15-20. If they remain impenitent after proper admonition, they shall be excommunicated. In all disciplinary cases, the congregation will follow its stated and adopted guidelines.

6.0 Called Church Workers

- 6.1 This congregation has the exclusive right to call ordained and commissioned ministers. (The terminology "ordained and commissioned ministers" is used to include all church workers rostered by the Synod. In addition to Pastors and Teachers, Directors of Christian Education, Directors of Christian Outreach, Deaconesses, Parish Assistants and Certified Lay Ministers are also included.) The pastoral office shall be conferred only on such a pastor or candidate who professes and adheres to the confessional standard set forth in this constitution, who is qualified for his work, who has been endorsed by the Synod, and who is a member of the Synod.
- 6.2 Any ordained or commissioned minister may be removed from office by the voters' assembly by a two-thirds ballot vote, in Christian and lawful order, for one of the following reasons: persistent adherence to false doctrine, scandalous life, willful neglect, or inability to perform the duties of the office.
- 6.3 In case of a vacancy in the office of an ordained or commissioned minister, the congregation shall notify the President of the District so that he may assist in temporarily filling the vacancy and also give assistance in regard to the calling of a new pastor or teacher.

7.0 Authority of the Congregation

- 7.1 The voters' assembly is the final authority of the congregation and has the sole responsibility for amending the Constitution and By-Laws, purchase or sale of real property, approval of the annual operating budget and any revisions, election of officers, erection of facilities, hiring or release of called staff or the borrowing of funds. Other responsibilities may be delegated to the church council or to members of the church staff.
- 7.2 Matters of doctrine and conscience shall be decided by the Word of God; other matters shall be decided by the voters' assembly by a majority vote of the members present at a legally called meeting unless otherwise specified by the Constitution or By-Laws.
- 7.3 The right of calling ordained or commissioned ministers shall be vested in the voters' assembly and shall not be delegated otherwise.

8.0 Officers and Boards

This congregation shall have the following officers and boards in addition to any which the congregation shall authorize from time to time:

8.1 Officers

- 8.1.1 A chairperson, who shall conduct the meetings of the voters' assembly and the church council.
- 8.1.2 A vice-chairperson, who is to fill the role in the chairman's absence or inability to act.
- 8.1.3 A secretary, who shall keep the minutes of the voters' and church council meetings.
- 8.1.4 A treasurer, who shall be responsible for the financial transactions and records of the congregation.
- 8.1.5 A financial secretary who shall oversee the receipt and depositing of all monies in an account established in the name of the congregation.

8.2 Boards

- 8.2.1 A board of elders, which shall assist the pastor in the spiritual life of the congregation.
- 8.2.2 A board of trustees, which shall be responsible for the physical properties of the congregation and to be the legal representative of the congregation.
- 8.2.3 A board for Christian Education, which shall be responsible for the nurture and Christian growth of the members of the congregation.
- 8.2.4 A board for evangelism, which shall lead the members of the congregation in outreach to others in the community.
- 8.2.5 A board for stewardship, which shall be charged with the stimulation of the people to proper stewardship of time, talents and treasures.
- 8.2.6 A board of finance which shall be responsible for preparing and monitoring the annual budget.
- 8.2.7 A board for the Trinity Lutheran Church Endowment Fund which shall be responsible for the management and disbursements of these funds according to the Endowment Fund Agreement.

8.3 Removal from office

- 8.3.1 Any officer or board member may be removed from office by the voters' assembly by a two-thirds majority ballot vote, in Christian and lawful order, for one of the following reasons; persistent adherence to false doctrine, scandalous life, willful neglect or inability to perform the duties of the office.

8.4 Limited Congregational Liability

- 8.4.1 Those individuals duly elected or appointed to or by the Voters Assembly or Church Council who do not receive anything of value from this congregation for such service (other than reasonable per diem compensation and /or reimbursement for actual and necessary expenses incurred) shall be deemed a "volunteer director" or "volunteer officer" for all purposes hereunder.
- 8.4.2 A volunteer director or officer shall not be personally liable to the congregation or its member for monetary damages for any breach of their fiduciary duty except for liability arising from or relating to:
 - 1. a breach of the required duties to the congregation or it's members;
 - 2. acts or omissions not in good faith or the involvement of intentional misconduct or a knowing violation of law (i.e. Michigan law, specifically MCLA 450.2551(1))
 - 3. any transaction from which a director or officer derives an improper personal benefit;
 - 4. any act or omission resulting in liability occurring before the date of the adoption and filing of this provision;
 - 5. any act or omission that is grossly negligent.
- 8.4.3 The congregation shall assume all liability for all acts or omission of a volunteer director or officer occurring on or after the date of adoption and filing of this provision.
- 8.4.4 By adoption of a resolution in accordance with its Articles of Incorporation and By-laws and pursuant to the provisions of Public Act 170 of the Michigan Public Acts of 1987 the congregation shall:
 - 1. have the power to indemnify those persons serving in the position of, or at the request of the corporation, as director, officer, trustee, non-director volunteer, employee or agent against expenses, including attorney fees, judgments, penalties, fines and amounts paid in settlement actually and reasonably incurred by a person in connection with any actions, suits or proceedings, formal or informal, relating to the service of said individual on behalf of the congregation if such person acted in good faith and in a manner that the person reasonably believed to be in or not opposed to the best interest of the congregation of it's members or other respect to any criminal action or proceeding if the person had no reasonable cause to believe that the conduct engaged in was unlawful;
 - 2. through it's Voters Assembly shall have such further or other authority to indemnify directors, officers, employees or agents consistent with the provisions of Michigan Law and specifically consistent with the provisions of Public Act 170, Michigan Public Acts of 1987, as amended.

9.0 Division

- 9.1 If at any time a division should take place for any reason, the property of the congregation and all benefits connected therewith shall remain with those communicant members who continue to adhere in confession and practice to the confessional standards set forth in this constitution, as determined by the dispute resolution process described in the By-Laws of the District or Synod.
- 9.2 In the event that the congregation dissolves, all property shall be disposed of by the final voters assembly for the payment of debts and all just claims against the congregation, and any and all surplus and all rights connected therewith shall be conveyed to and become the property of the Michigan District of the Lutheran Church-Missouri Synod.

10.0 Meetings and Quorum

Regular meetings of the voters' assembly shall be held as determined in Section 1.0 of the bylaws. All members present at a properly called voters assembly shall constitute a quorum.

11.0 By-Laws

This congregation may adopt such By-Laws as required for the accomplishment of its purpose.

12.0 Amending the Constitution

- 12.1 Sections 3.0 and 6.0 of this constitution shall not be subject to repeal or change in any manner that alters the provision's essential meaning.
- 12.2 Amendments to this constitution may be adopted at a regular voters' assembly, provided:
 - 12.2.1 they do not conflict with the provisions laid down in Section 3.0, or with any other section that pertains to a Scriptural doctrine and practice.
 - 12.2.2 that the proposed amendment has been published and copies made available to all communicant members at least two weeks prior to the meeting at which the proposed amendment is to be acted upon.
 - 12.2.3 that an affirmative vote of a two-thirds majority of the voters present is secured by cast ballot.
 - 12.2.4 the amended constitution shall, as a condition of continued membership in the Lutheran Church-Missouri Synod, be submitted the President of the District for review by the District's Constitution Committee and favorable action by the District's Board of Directors before being implemented by the congregation.

Trinity Lutheran Church of Onekama was organized December 26, 1887

Amended Constitution March 16, 1964

Amended Constitution June 10, 1987

Amended Constitution June 5, 2005

Amended Constitution Voter approved July 14, 2009

District approved September 11, 2009

Amended Constitution Voter approved July 21, 2013

District approved