MINUTES
COMMISSION ON HANDBOOK
St. Louis Airport Hilton
October 18–19, 2019

1. Call to Order
The meeting was called to order by Chairman Dr. Dale Sattgast on October 18 at 12:30 p.m. with voting members Ms. Heidi Abegg, Mr. David Hawk, Dr. Dale Sattgast, and the Rev. David Totsky attending. Advisory members Dr. George Gude, representative of the Commission on Constitutional Matters (CCM), Dr. John Sias, Secretary of the Synod, and Mr. Frank Simek, Chief Administrative Officer of the Synod were also in attendance.

The Rev. Roger Carlisle, newly appointed to the commission in September, was unable to attend due to parish obligations.

2. Welcome
Chairman Sattgast welcomed all and thanked them for their attendance.

3. Opening Devotion
The Reverend Dr. Dale Sattgast served as meeting chaplain and led the commission in praying Responsive Prayer 2. His devotion was based on 2 Tim. 1:8–14. The hymn, “Lord, Keep Us Steadfast in Your Word.”

4. Review /Adoption of the Agenda
The agenda was adopted as presented.

5. Approval of Minutes
Ratification of the previously electronically approved minutes of the April 12–13, 2019, meeting was moved and carried. Approval of the minutes of the May 3, 2019, internet conference meeting of the commission also was moved and carried.

6. Unfinished Business
Chairman Sattgast noted two items of business that remained tabled at the conclusion of the 2016–19 triennium. The commission reviewed both, determining to carry them over as action items for consideration in the 2019–22 triennium:

a. COH Issue 19-003: (Formerly COH Issues 16-015 and 16-016): Bylaws 1.10.10, 12 have an unworkable timeline for appointment of replacement reconcilers. The Council of Presidents, invited to appoint a committee to propose a solution, was not interested in doing so and the item was therefore tabled in the previous triennium. Infeasible bylaws remain. Possible solutions include simply deleting the impossible portion of Bylaw 1.10.12 (a) (“...appropriate district presidents in time for resulting vacancies on district rosters of reconcilers to be filled by appointment by district boards of directors.”) or proposing a revision to the appointment and training process for reconcilers and selection process for hearing facilitators. By consensus, this was reassigned as COH Issue 19-003. John Sias and David Totsky were assigned.

b. COH Issue 19-004: (Formerly COH Issue 16-023): Bylaw 3.10.5.5 (e)(2) & 3.10.6.4 need clarity or definition of “surplus funds.” This item was tabled during the last triennium to allow CAO Frank Simek to pursue discussion with the Synod Board of Directors Governance Committee before further COH consideration, a discussion that has been continuing intermittently as that committee’s work dictates. This was assigned as COH Issue 19-004, with Frank Simek remaining lead.
7. New Business / Other Matters

a. Election of COH Officers for 2019–2022 Triennium

It was moved and seconded for Dale Sattgast to serve as chairman. With no other nominees presented, it was moved and carried to close nominations and elect by a unanimous ballot.

It was moved and seconded for Heidi Abegg to serve as vice-chairman. With no other nominees presented, it was moved and carried to close nominations and elect by a unanimous ballot.

Following the historic precedent, it was moved and seconded for John Sias, Secretary, to serve as secretary. It was moved and carried to close nominations and elect by a unanimous ballot.

It was moved and seconded for David Totsky to serve as assistant secretary / secretary pro tempore. With no other nominees presented, it was moved and carried to close nominations and elect by a unanimous ballot.

The chairman and members spoke appreciatively of the leadership and service of those who had served, as well as the contributions of all the commission members, in the past triennium. The members especially noted with appreciation the now-concluded service of Rev. Richard Nuffer.

b. COH Issue 19-001: Bylaw 3.10.5.7 (a) includes “graduate assistant” as part of the “faculty” of the seminaries. This issue, identified in the previous triennium and assigned to this one, presents (on a literal reading, if “graduate assistants” are, as is typically the case, students) an apparent conflict of interest with Bylaw 2.7.1 dealing with certification by the “faculty” for first calls (cf., however, Bylaw 2.8.2 [a]), as well as confusion with Bylaws 3.10.5.7.6 and following when dealing with appointments, ecclesiastical supervision, conflict resolution, and other matters concerning “faculty”. The solution may be as simple as removing the words “or the term ‘graduate assistant.’” Sias will follow up with the seminaries and make recommendation at next meeting.


The remainder of the meeting consisted of a sequential review of all changes in the Secretary’s 2019 Handbook draft resulting from the 2019 convention of the Synod, a draft previously circulated electronically and reviewed in detail by Commission on Constitutional Matters Chairman Gude. Sias noted that his intention is again to publish an electronic, “blacklined,” update edition of the Handbook, indicating changes by the convention and commission relative to 2016.

Regarding the Constitution and the amendment of Res. 9-05, Sias noted that, as is customary, the Handbook will be printed with the amendment incorporated into the text and footnotes indicating how, should the amendment fail of ratification in March 2020, the Constitution (and a few related bylaws) would continue to read.

While the whole draft was reviewed, for the minutes, only those passages are noted where the commission was presented with a need to determine the text to be integrated to “bring [the Handbook] into harmony with resolutions and changes adopted by the convention” (Bylaw 3.9.4.2 [d]). These are as follows:

Const. XII 10: Secretary Sias reported that for the sake of clarity, a formatting change was implemented in Const. Art. XII 10, to print the two categories of district meeting delegates more clearly as subordinate to Const. Art. XII 10 and no longer in the fashion of the two categories under Const. V. This formatting change is intended to reduce incorrect citation of passages from Const. Art. XII.
Bylaw 1.2.1 (i): By consensus it was accepted to adjust the language of the definition of “ecclesiastical oversight” to treat the district president in a uniform singular, “primarily of the district presidents”.

Bylaw 1.9.3: By consensus it was agreed to add a comma following “After publication.”

Bylaw 2.5.1: It was noted that two instances of “school association” had been rendered consistent with the language “association school” elsewhere in the bylaws.

Bylaw 2.5.5: It was noted that the reference “as used in Const. V A” should only be included in a footnote indicating the text upon the failure of ratification of the constitutional amendment of 2019 Res. 9-05.

Bylaw 2.5.6: The Secretary’s proposal of language to accommodate the constitutional amendment of 2019 Res. 9-05, changing the sentence:

“A pastor serving in an assisting capacity is not in charge of that congregation (Const. Art. V B 2, XII 10 B b) and is a pastor but not “the pastor” of that congregation (Const. Art. V A, XII 10 A).”

was accepted as non-substantive.

Bylaw 2.6.4: It was determined, for clarity’s sake, to render the second sentence using the perfect participle: “A former member of the Synod who, having transferred to a partner church, applies for re-rostering with the Synod…”

Bylaws 2.11.1 (i) and 3.6.5.1: It was determined, by consensus, to strike “other” from before “recognized service organizations” as confusing.

Bylaw 2.11.2 (c): By consensus, the language “shall have candidate status” was rendered, as consistency with the sense of the entire section requires, as “shall be retained on the roster as if holding candidate status.”

Bylaw 3.1.2.1 (d): The Secretary’s emendation of the language to accord with the constitutional amendment of Res. 9-05, to remove “not an advisory member under Article V B of the Constitution,” was adopted by consensus as non-substantive.

Bylaw 3.1.3: It was adopted by consensus to remove reference to advisory members of the district, in accordance with the constitutional change of Res. 9-05, simply replacing the words with the following parenthetical (“all commissioned ministers and those ordained ministers not eligible for election as a voting delegate under Bylaw 3.1.2.1 (d)”).

Bylaw 3.2.5 (d): After discussion of an unclear reference to the list identified in (a) and the relevant floor committee’s work from the recollection of commission members present, it was moved and carried to render, for clarity’s sake, the language as: “The appointing board may not amend the list of candidates identified in (b) using the list of nominees identified in (a).”

Bylaw 3.3.4.6 (e): In order to account within its own bylaw section for the Board of Directors’ new involvement in appointing non-voting members of the Concordia University System Board of Directors (Bylaw 3.6.6.3), it was moved and carried to add Bylaw 3.3.4.6(e): “The Board shall have the right to appoint up to two persons as nonvoting advisory members of the Concordia University System board of directors.”
Bylaw 3.4.1.3 (e): It was moved and carried to strike “the Concordia University System” to harmonize the bylaw with convention action under 2019 Res. 7-01A. Motion carried.

Bylaw 3.6.6.3: It was noted that “/her” was struck from the reference to the Chief Mission Officer’s (CMO) representative as “his/her representative,” as the CMO is required to be ordained.

Bylaw 3.6.6.4: The addition of a colon after “one of” was noted to the commission.

Bylaw 3.10.6.2 (2): Reference to a now-past effective date was noted as having been removed.

Bylaw 6.1.4 (b): To harmonize Bylaw section 6.1, dealing with auxiliaries, with the changes adopted to Bylaw 1.10.2 (Res. 4-06A), it was by consensus adopted to add “(b) Auxiliaries that have agreed to address call-related disputes through Synod’s dispute resolution process, and their called workers, have access to the process (Bylaw section 1.10) in regard to such disputes.” Subsequent subparagraphs were noted as re-lettered sequentially.

With the commission’s review of the 2019 Handbook draft completed, it was moved and carried to authorize the Secretary of Synod to prepare the 2019 Handbook for dissemination through the Synod website and for print publication. Secretary Sias noted that he would circulate a final “proof” draft of the Handbook containing the commission’s changes and that the commission members were still welcome to suggest any necessary improvements to the Index or Preface. He also noted the upcoming meeting of the Commission on Constitutional Matters, November 1–2, 2019, and that, should this meeting require any of the text adopted to be revisited, the Commission on Handbook would be notified promptly.

d. Identification of New Action Items

In the course of reviewing the Handbook draft, two new action items were identified, for follow-up later in subsequent meetings:

COH Issue 19-005: Extension of call and service regulations to recognized service organizations (RSO): Bylaws 2.5.2–3 were discussed, relative to changes adopted in Res. 10-02A (B) and the report of the 2016 RSO Task Force, concerning the meaning and extent of prohibition of “service of” non-LCMS-rostered ordained ministers in recognized service organizations. The item was assigned as COH Issue 19-005 and assigned to George Gude and John Sias, for presentation at a future meeting.

COH Issue 19-006: Other professional church workers (Bylaws 3.6.6.1; 3.7.1.2 (a); and 3.10.1.3): The Secretary noted that the language “other professional church workers,” while once historically justifiable, is now inconsistent with other bylaws, which treat of only ordained and commissioned ministers as categories of “professional church workers” dealt with by the Synod. This was assigned as COH Issue 19-006, with David Hawk and John Sias to research and bring a recommendation.

The commission also briefly discussed, relative to Bylaw 4.4.3 (a), the practice of installing workers without call but serving in endorsed specialized ministry positions (Bylaw 2.11.1 [i]), determining that it was not necessary to make specific reference to such workers here.

e. Updating of Handbook Index

Secretary Sias reported on an expansion of the index as included in the preliminary draft distributed, including the addition of an explanatory paragraph.


The Secretary noted the use of the commission’s SharePoint portal to track action items and that he would update the site to reflect the progress and assignments of the current meeting.
9. **Upcoming Meeting(s):**

With the *Handbook* completed and only a few items of business identified for the current triennium, it was determined not to set a definite next meeting date, but to allow Chairman Sattgast and Secretary Sias to consult on the best timing for the next meeting, either by internet conference or in person.

10. **Adjournment**

The commission’s scheduled work having been completed, it was moved and carried to adjourn at 4:40 p.m. on Friday.

11. **Closing Prayer**

Chairman Sattgast closed the meeting with prayer.

Reverend David W. Totsky  
*Secretary Pro Tem, Commission on Handbook*