

**CONSTITUTION OF
RESURRECTION LUTHERAN CHURCH
SCOTTSDALE, ARIZONA**

APPROVED (3/19/2023)

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.

This church's mission shall be: We exist to build disciples by living out God's word, reaching out to the community and bringing people to Christ.

Chapter 1

NAME AND INCORPORATION

C1.01 The name of this congregation shall be Resurrection Lutheran Church (RLC).

C1.02 For the purpose of this constitution and the accompanying bylaws, the Resurrection Lutheran Church congregation is hereinafter designated as "congregation."

C1.03 This congregation shall be incorporated under the laws of the State of Arizona.

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 all the canonical books of the Old and New Testaments as a whole and in all their parts as the divinely inspired and revealed Word of God and submits to this as the only authority in all matters of 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 The Church exists both as an inclusive fellowship and as a local congregation 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.

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 ministries 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 and justice for all people, working for peace and reconciliation among the nations, and standing with the poor and powerless, 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.** Teach Biblical principles of tithing to encourage its members to provide financial support for the congregation's ministry, financial support to others and support for our association with Lutheran Congregations in Mission for Christ through benevolence giving.

C4.04 This congregation shall, from time to time, adopt a mission and vision statement which will provide specific direction for its programs.

Chapter 7.

PROPERTY OWNERSHIP

C7.01. If this congregation ceases to exist, title to undisposed property shall pass to an entity recommended by the Congregation Council and approved by a two-thirds majority of the voting members at a legally called meeting of the congregation.

C7.02. If this congregation is removed from membership in LCMC according to its procedure for discipline, title to property shall continue to reside in this congregation.

C7.03. If a two-thirds majority of 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, relate to a non-Lutheran church body, or become independent, title to property shall continue to reside with that two-thirds majority.

Chapter 8.

MEMBERSHIP

C8.01. Members of this congregation shall be classified as voting members or associate members as described below.

a. Voting Members meet the following requirements:

- 1.** Baptized 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.
- 2.** Persons who have completed new member classes and have been received into the family of faith at RLC.
- 3.** Regular attendance in worship.
- 4.** Confirmed members 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.

b. Associate Members are non-voting members who wish to participate in the life and mission of this congregation. They have all the privileges and duties of membership except voting rights and eligibility for elected offices or membership on the Congregation Council of RLC.

C8.02 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.
- c.** Support the work of this congregation through contribution of their time, abilities, and financial support as biblical stewards.
- d.** Participate in the Sacrament of Holy Communion.
 - 1.** This congregation invites all of its members, who have been prepared to receive the Sacrament, to participate regularly in Holy Communion.
 - 2.** Preparation for Holy Communion will be provided through the general communion program of the church.
 - 3.** Participation in Holy Communion shall be open to members of other congregations who accept the Lutheran teaching in regards to this Sacrament.

4. 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."

5. We hold that a "person is well prepared and worthy who believes these words, 'given and shed for you for the remission of sins'. But anyone who does not believe these words, 'for you' require simply a believing heart".

C8.03 Membership in this congregation shall be terminated by any of the following:

- a. death;
- b. resignation;
- c. transfer or release;
- d. disciplinary action by the Congregation Council; or
- e. removal from the roll due to inactivity as defined below.

Such persons who have been removed from the roll of members shall remain persons for whom the church has a continuing pastoral concern.

C8.04 Discontinuance of Membership

- a. Members who move away shall be encouraged to transfer. Any voting member in good standing desiring to change membership to another Lutheran Church shall, upon request, be entitled to a letter of transfer.
- b. Any voting member, who in the judgment of the Congregation Council shows no interest in attending church services, fails to contribute to the congregational treasury according to the congregation's records, for a period of one year, shall be presumed to no longer desire membership, shall lose the right to vote, and shall not be counted in the membership statistics of the congregation. However, their name and record shall be kept on file for a period of five years thereafter. Such a person shall be encouraged to participate in the congregational life as an associate member or to transfer elsewhere, as the situation may indicate to be advisable.

C8.05 Discipline of Members - Denial of the Christian faith as described in this constitution, conduct that is grossly unbecoming as a member of the Church of Christ, or persistent trouble-making in this congregation are sufficient cause for discipline of a voting member.

- a. Prior to disciplinary action, reconciliation will be attempted following Matthew 18:15-17, proceeding through these successive steps:
 - 1. private admonition by the lead pastor or his/her designee;
 - 2. admonition by the lead pastor or his/her designee in the presence of two or three witnesses; and
 - 3. citation to appear before the Congregation Council.
- b. If, for any reason, the lead pastor or his/her designee is unable to administer the admonitions required by a. above, the president or vice president shall administer such admonitions.
- c. A member charged with the offense shall appear before the Congregation Council having received a written notice, specifying the exact charges that have been made against the member, at least 10 days prior to the meeting.
- d. Should the allegations be sustained by a two-thirds majority vote of the Congregation Council, the council shall impose one of the following disciplinary actions:
 - 1. censure before the council or congregation;
 - 2. suspension from membership for a definite period of time; or

- 3. exclusion from membership in this congregation. Disciplinary actions 2. and 3. shall be delivered to the member in writing.
- e. The member against whom disciplinary action has been taken by the Congregation Council shall have the right to appeal the decision to the congregation.
- f. Disciplinary actions may be reconsidered and revoked by the Congregation Council upon receipt of:
 - 1. evidence that injustice has been done; or
 - 2. evidence of repentance and amendment.

Chapter 9.

THE PASTOR

C9.01 The pastor(s) of this congregation shall be a person whose soundness in the faith, aptness to teach, and educational qualifications have been examined and approved by this congregation and who has been properly ordained; who accepts and adheres to the Confession of Faith of LCMC and of this congregation; and who strives in life and conduct to be above reproach.

C9.02. Authority to call a pastor shall be in this congregation as outlined by the guidelines set forth in this constitution and through consultation with LCMC.

C9.03. The Congregation Council shall be free to set the specific requirements for individuals to be considered for call as pastor in this church. Candidates called as pastor shall be eligible to be included in the certified clergy roster of LCMC. A Call Committee, as outlined in Section C13.04., shall oversee the call process and make a candidate recommendation to the Congregation Council. If the Congregation Council affirms the Call Committee recommendation with a two-thirds vote, the president shall call a special Congregation Meeting to present the recommended candidate to the voting members of this congregation. If the members present affirm the recommended candidate by a majority ballot vote of at least two-thirds, this congregation shall extend an official call to the candidate.

C9.04. Consistent with the Scriptural mandates, as well as faith and practice of LCMC, the lead pastor shall perform and/or oversee with the assistance of his/her designee(s) to:

- a. preach the Word;
- b. administer the sacraments;
- c. conduct public worship;
- d. provide pastoral care;
- e. speak publicly to the world in solidarity with the poor and oppressed, calling for justice and proclaiming God's love for the world;
- f. offer instruction, disciple, marry, visit the sick and distressed, and bury the dead;
- g. supervise all organizations of this congregation;
- h. install regularly elected members of the Congregation Council;
- i. with the council, administer discipline;
- j. witness the Kingdom of God in the community, in the nation, and abroad;
- k. seek out and encourage qualified persons to prepare for the ministry of the Gospel.

C9.05. Consistent with the Scriptural mandates, as well as faith and practice of LCMC, any associate pastor shall assist the lead pastor with his duties as directed by the lead pastor. An associate pastor may also be called for specific duties which will be outlined in the call letter.

C9.06. 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, drafted and approved by the Congregation Council.

- a. The congregation, after it has voted to call a pastor by at least a two-thirds majority vote of those present and voting, shall issue a letter of call to the pastor elect, which shall bear the signatures of the president and secretary of the council.
- b. Since the pastor ministers to the congregation primarily in the public preaching of the Word and in the administration of the Sacraments, and since both pastor and congregation are parties to the call, no pastor shall announce a decision on any subsequent call without first having consulted with the Congregation Council. Should the pastor thereupon resign to accept another call, the resignation shall be presented to the congregation and mutually satisfactory arrangements sought for terminating the pastor's services.

C9.07. The call of this congregation, when accepted by the pastor, shall constitute a continuing mutual relationship and commitment, which, except in the case of the death of the pastor, shall be terminated only for the following reasons:

- a. Mutual agreement to terminate the call or the completion of a call for a specific term;
- b. Resignation of the pastor, which shall become effective, unless otherwise agreed, 30 days after the date on which it was submitted;
- c. Inability to conduct the pastoral office effectively in the congregation in view of local conditions, without reflection on the competence or the moral and spiritual character of the pastor;
- d. The physical or mental incapacity of the pastor;
- e. Disqualification of the pastor through discipline on grounds of doctrine, morality, or continued neglect of duty; or
- f. The dissolution of the congregation.

C9.08 When allegations of physical or mental incapacity of the pastor or ineffective conduct of the pastoral office have come to the attention of the Congregation Council and are deemed plausible by the executive committee of the council, or when such allegations have been brought to the Congregation Council's attention by a petition signed by at least one-third of the voting members of the congregation, the president shall investigate such conditions personally in company with a committee that includes the executive committee of the Congregation Council apart from the lead pastor if the allegations concern the lead pastor, and two ordained ministers from local congregations whom are members of LCMC.

- a. In the case of alleged physical or mental incapacity of the pastor, competent medical testimony shall be obtained. When such disability is evident, the president with the advice of the committee shall declare the pastorate vacant. Upon the restoration of a disabled pastor to health, the president shall take steps to determine if it is possible to enable the pastor to resume the ministry, either in this congregation or in another field of labor.
- b. In the case of alleged local difficulties that imperil the effective functioning of the congregation, all concerned persons shall be heard by the committee as described in C9.08, after which the committee shall decide on the course of action to be recommended to the pastor and the Congregation Council.
 - 1. If the pastor and Congregation Council, by a two-thirds majority vote, agree to carry out such recommendation, no further action shall be taken by the committee.
 - 2. If either party fails to assent, the committee must consult with an agency that specializes in resolving conflict within a congregation.
 - 3. If an agreement still cannot be reached, the congregation may dismiss the pastor at a legally called Congregation Meeting either by a two-thirds majority vote of the voting members present and voting where the president and committee did not recommend

termination of the call, or by a simple majority vote of the voting members present and voting where the president and the committee recommended termination of the call.

C9.09. At a time of vacancy of the lead pastor, an interim pastor shall be appointed by Congregation Council.

C9.10. 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 Congregation Council. The interim pastor and any ordained pastor providing assistance shall refrain from exerting influence in the selection of a pastor.

C9.11. 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.

C9.12. This congregation may call a pastor for a specific term. Details of such calls shall be in writing setting forth the purpose and conditions involved.

C9.13 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 Staff Support Committee. As occasion requires, the documents may be revised through a similar consultation.

C9.14. The lead pastor of this congregation:

- a. shall become a voting member of this congregation upon receipt and acceptance of the letter of call.
- b. shall become an executive voting member of the Congregation Council.
- c. shall be an ex-officio member of all teams, committees, task forces and ministry boards.
- d. shall not vote on matters that pertain to allegations of physical or mental incapacity of the lead pastor or ineffective conduct of the pastoral office.
- e. The lead pastor shall have authority to spend moneys from appropriate Memorial Funds at his/her discretion not to exceed \$1,500 per quarter. Single expenditures exceeding \$1,500 must receive Congregation Council approval before commitment.

C9.15 An associate pastor of this congregation shall become a voting member of this congregation upon receipt and acceptance of the letter of call.

C9.16. The parochial records of this congregation, including records of all baptisms, confirmations, marriages, burials, members received, members transferred, or members excluded from the congregation, shall be maintained by the lead pastor and/or his/her designee(s) and shall remain the property of the congregation. The secretary of this congregation shall attest in writing that such records have been placed in his or her hands in good order by a departing lead pastor before their departure from call in this congregation.

Chapter 10.

CONGREGATION MEETING

C10.01. The annual meeting of this congregation shall be conducted in a manner as follows and held at a time as specified below:

- a. Announcement of the time and place of the annual meeting of this congregation shall be made at two public services immediately preceding the annual meeting in January, said services to be at least a week apart, and in such publications as the congregation or the pastor may

periodically issue; or by special written notice to the voting members mailed at least ten days in advance.

b. The current roster of voting members shall be determined prior to each annual meeting.

c. A quorum for the conduct of business at the annual meeting shall consist of one-third of voting members.

d. The order of business at the annual meeting shall be set by the Congregation Council and posted at least the Sunday before the meeting.

e. In the following cases voting shall be by ballot:

1. to elect the Congregation Council;

2. to adopt or amend the Articles of Incorporation, Constitution or Bylaws of the congregation;

3. to call a pastor or to request the pastor's resignation;

4. to excommunicate a member of the congregation;

5. to dispose of, encumber, or purchase real property;

f. Except as otherwise provided in the Constitution and Bylaws, all matters shall be decided by two-thirds majority vote of those present and voting.

g. No one shall be declared elected unless they have received a majority of the votes cast.

h. If more than one ballot is required in an election, it shall be in order by proper motion to limit the balloting after the first ballot to the three candidates receiving the highest number of votes of the first ballot, and after the second ballot to limit the balloting to the two candidates receiving the highest number of votes.

C10.02. A special Congregation Meeting may be called by:

a. the lead pastor;

b. the Congregation Council;

c. the president of this congregation; or

d. the president of the congregation upon the written request of one-third of the voting members.

C10.03. The call for each special meeting shall specify the purpose for which it is to be held and no other business shall be transacted.

C10.04. Notice of all meetings of this congregation shall be given at the services of worship in the preceding two consecutive weeks and by mail or e-mail to all voting members at least 10 days in advance of the date of the meeting.

C10.05. A quorum of no less than one-third of voting members is required for any Congregation Meeting.

C10.06. Voting by proxy or by absentee ballot shall not be permitted.

C10.07. All actions approved by the congregation shall be by two-thirds majority vote of those voting members present and voting, except as otherwise provided in this constitution or by state law.

C10.08. Robert's Rules of Order, latest edition, shall govern parliamentary procedure of all meetings of this congregation.

Chapter 11.

OFFICERS

C11.01. The required officers of this congregation shall be a president, vice president, secretary, and treasurer.

- a. The officers shall be voting members of the congregation in good standing for a minimum of two previous consecutive years.
- b. The officers of this congregation shall serve similar offices of the Congregation Council and shall be voting members of the Congregation Council. Their terms shall begin at the close of the annual meeting at which they are elected.
- c. The duties and responsibilities of the officers of the congregation are as follows:
 - 1. The president shall preside over meetings of the Congregation Council and of the congregation unless the meeting decides otherwise.
 - 2. The vice president shall preside in the absence of the president, unless the meeting decides otherwise.
 - 3. The secretary shall keep the minutes of the council and of the congregation and shall preserve its archives.
 - 4. The treasurer shall present a financial report to the annual meeting and such other reports to the Congregation Council as may be requested.
- d. If the treasurer is appointed and not elected, he or she shall have voice but not vote at the meetings of the Congregation Council.

C11.02. The president, vice president and secretary shall serve for one year or until their successors are elected. The treasurer shall serve for one year if elected from the elected membership of the Congregation Council. 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 officer shall be eligible to serve more than two consecutive terms in the same office.

C11.04. Only one member of a family may serve as an officer of this congregation at any one time. In this instance “family” includes all of the following: spouse, mother, father, mother-in-law, father-in-law, sister, brother, sister-in-law, brother-in-law, and natural, step, and adopted children.

Chapter 12.

CONGREGATION COUNCIL

C12.01. The voting membership of the Congregation Council shall consist of officers of the congregation and four to seven other members of the council. No elected Congregation Council member may be a paid staff member or associate pastor of the congregation. 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 two regular meetings of the Congregation Council without cause.

C12.02. The members of the Congregation Council except the lead pastor shall be elected by written ballot to serve for two or three years or until their successors are elected. Terms are staggered so that approximately one-third are elected each year. 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. Newly elected Congregation Council members shall be installed at worship the Sunday prior to the date they assume office.

C12.03 This congregation shall elect its officers and Congregation Council members from a slate of candidates prepared for the annual meeting by the nominating committee. Council shall inform the nominating committee of the offices to be filled each year. The council may appoint a treasurer who need not necessarily be members of the council.

C12.04 Nominations for Congregation Council will not be accepted from the floor.

C12.05. Should a member's place on the Congregation Council be declared vacant, the Congregation Council shall elect, by majority vote, a successor to serve out the remainder of the unexpired term, to be approved by congregation vote at the next annual meeting. The filling of an unexpired term of less than one year shall not be deemed a term of office.

C12.06. 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 in faith and practice consistent with the congregation's Statement of Faith, Purpose, Mission, and goals. 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 lead pastor, associate pastor(s), staff, and other leadership 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 covenant members.
- f. To promote a congregational climate of peace and goodwill, and, as differences and conflicts arise, to endeavor to foster mutual understanding in accordance with biblical peacemaking principles (see Matthew 18:15-17).
- g. To arrange for pastoral service during the sickness or absence of the lead or associate pastor(s).
- h. To emphasize partnership with the LCMC as well as cooperation with other congregations, both Lutheran and non-Lutheran, subject to established policies of this congregation.
- i. To review the Constitution of this congregation at the November meeting prior to the first annual business meeting after adoption and triennially thereafter.
- j. To seek out and encourage qualified persons to prepare for the ministry of the Gospel.
- k. In addition to the requirements of congregational membership stated in Chapter 8 of the Constitution, qualifications for membership on the Congregation Council shall include such ability as is needful in promoting the various interests of the congregation as outlined in the duties of the various committees of the council. Since it is incumbent upon all members of the congregation, according to Chapter 8 of the Constitution, to make diligent use of the Word of God in the public worship as well as the Sacraments, officers or board members who neglect these privileges, shall forfeit the right to serve in their elected or appointed capacities.

C12.07. 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 the management of 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 Arizona, 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 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 5% in excess of the anticipated receipts only after approval by a Congregation Meeting.

d. The Congregation Council shall ascertain that the financial affairs of this congregation are being conducted efficiently.

e. The Congregation Council shall be responsible for this congregation's investments and total insurance program.

C12.08. The Congregation Council shall see that the provisions of this constitution are carried out.

C12.09. The Congregation Council shall review the membership roster as provided by the lead pastor.

C12.10. 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 lead pastor or the president and shall be called by the president at the request of at least one-half of Congregation Council 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 lead pastor or interim pastor, except when the lead 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 lead pastor or interim pastor in excess of two consecutive meetings who has refused approval of the agenda of a subsequent regular or special meeting shall not preclude action by the Congregation Council.

C12.13. The Congregation Council shall verify the eligibility of nominated voting members seeking to be considered for election to the Congregation Council at the annual meeting. Eligible nominated individuals shall be presented for consideration at the annual meeting by the president.

Chapter 13.

CONGREGATION COMMITTEES

C13.01. The Congregation Council shall at least once a year invite the full membership of its regular committees together with representatives chosen by the organizations of the congregation to review the entire program of the congregation.

C13.02. The **Executive Committee** shall consist of the officers elected by the Congregation and the lead pastor.

C13.03. An **Audit Committee** composed of two or more persons shall be appointed annually by the president with the approval of the church council. The Audit Committee shall audit all financial records of the congregation proper and present its report to the annual meeting in writing. The auditing committee shall carefully examine all insurance policies to determine the amount and kind of insurance in force and include this report in its statement.

a. Audit Committee members shall not be members of the Congregation Council.

b. Members shall be eligible for reappointment.

C13.04. When a pastoral vacancy occurs, a **Call Committee** of six voting members, including one member of the Congregation Council, shall be elected by the Congregation Council. Term of office will terminate upon installation of the newly called pastor.

C13.05 A **Nominating Committee** for the Congregational Council shall be made up of the outgoing council members whose terms have expired. The lead pastor shall serve as convener and as an advisory member.

a. The Nominating Committee shall nominate one or more candidates for each office to be filled and shall secure the consent of each candidate to serve, if elected.

b. The candidates of the Nominating Committee shall be made known to the congregation in conjunction with the announcement of the annual meeting at which the election is to take place.

C13.06 A Staff Support Committee (in the absence of a staff support committee, their duties shall be fulfilled by the Executive Committee) shall be appointed jointly by the president in consultation with the lead pastor, if one is needed.

a. The Staff Support Committee shall consist of three members of the congregation as appointed by the pastor under advice from council.

b. The Staff Support Committee shall perform human resource services and support to the church staff including making recommendations relating to position descriptions, staff responsibilities and salaries.

C13.07. Other committees of this congregation may be formed, as the need arises, by decision of the Congregation Council. Duties of committees of this congregation shall be specified in the constitution.

C13.08 The lead pastor and president of this congregation shall be ex officio members of all teams, committees, task forces and ministry boards.

Chapter 14.

ORGANIZATIONS WITHIN THE CONGREGATION

C14.01. All organizations and ministries within this congregation shall exist to aid it in 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 and ministries are subject to its approval, oversight and direction. This congregation at its meeting shall determine their policies, guide their activities, and receive reports concerning their membership, work, and finances.

C14.02 Outside groups may be organized only after authorization has been given by the Congregation Council and will be reviewed annually.

Chapter 15.

EDOWMENT FUND

C15.01 This congregation shall have an endowment fund that will operate as specified below. The purpose of the endowment fund is to accomplish the following:

a. To support Christian outreach in our community including individuals as well as social service agencies, institutions, and special programs designed to assist individuals in our community in spiritual or economic need.

b. To support ministries within RLC that have a demonstrated need not provided for in their respective budgets.

c. To support capital improvements, debt service, or capital campaigns of RLC.

d. In support of grants to Christian schools, colleges, seminaries as well as individual students attending such schools.

e. To support staff skill enhancement and team building through training and development activities including pastoral staff.

f. The proportion given to any of the above designated purposes shall be in the sole discretion of the Committee, subject to Church Council approval as outlined below.

C15.02 The endowment fund shall be managed by an Endowment Committee. The Committee shall consist of five members, all of whom shall be voting members of Resurrection Lutheran Church. At each annual meeting, the congregation shall elect the necessary number of members for a term of three (3) years. The lead pastor and the president of the Congregation Council shall be non-voting, advisory members of the Committee. Committee members may serve additional and successive three year terms on the Committee subject to re-election by the congregation.

C15.03 The Congregation Council shall nominate for the Committee and 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 Congregation Council shall appoint a member to fill the vacancy until the next annual meeting of the congregation, at which time the congregation shall elect a member to fulfill the term of the vacancy.

C15.04 The Committee shall meet at least semi-annually, or more frequently as deemed by it in the best interest of the Fund.

C15.05 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.

C15.06 The Committee shall elect from its membership a chairperson. The chairperson, or member designated by the chairperson, shall preside at all Committee meetings.

C15.07 The Committee shall maintain complete and accurate minutes of all meetings and supply a copy thereof to each member of the Committee. Each member shall keep a complete copy of minutes to be delivered to his or her successor. The Committee shall also supply a copy of the minutes to the Congregation Council.

C15.08 The Committee shall maintain and coordinate complete and accurate accounts for the Fund. All checks and other documents transferring or expending any funds or assets in the Fund shall be authorized by the chairperson of the Committee and signed by the Treasurer of this congregation. The books shall be audited annually as part of the churchwide audit outlined in C13.03 or by other appropriate person(s) designated by the Congregation Council who are not a member of the Committee.

C15.09 The Committee shall report on a semi-annual basis to the Congregation Council and, at each annual meeting, shall render a full and complete account of the administration of the Fund during the preceding year.

C15.10 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.

C15.11 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.

a. No member shall be personally liable as long as he/she acts in good faith and with ordinary prudence. Each member shall be liable only for his/her own willful misconduct or omissions and shall not be liable for the acts or omissions of any other member.

b. 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/her personal interests would conflict with the interest of the Fund.

C15.12 All assets are to be held in the name of the Resurrection Mission Endowment Fund.

C15.13 Decisions to hold, sell, exchange, rent, lease, transfer, convert, invest, reinvest, and in all other respects to manage and control the assets of the Fund, including stocks, bonds, debentures, mortgages, notes, or other securities, as in their judgment and discretion they deem wise and prudent, are to be made by the Committee. If the Congregation needs to borrow funds in order to purchase tangible

assets or repair tangible assets, the Congregation Council may recommend that Fund income or principle be used, as collateral only, to acquire a loan.

C15.14 Decisions to accept a gift or bequest, as in their judgment and discretion they deem wise and prudent, are to be made by the Committee. The Committee has the authority to accept or reject designated or undesignated gifts to the congregation that impose special terms, limits of investment, and conditions of sale and/or liquidation. Gifts of tangible assets that are not immediately useful in or for the ministry of Resurrection Lutheran Church are to be sold, liquidated, converted to cash, or returned to the donor or the donor's estate. At the discretion of the Committee, advice and/or approval of the Congregation Council may be sought.

C15.15 When gifts of real property are offered, the Committee is restricted to accept them conditionally until the following criteria are met:

- a. The donor must provide a certified appraisal that establishes the market value of the property within 90 days of the gift date.
- b. If the appraisal does not include an environment impact evaluation, one must be done separately and provided by the donor.
- c. In the rare instance where an environmental impact study by a qualified engineer is called for, it must be done at the expense of the donor.

C15.16 Distribution of Income - The Committee shall determine what is principal and income according to accepted accounting procedures. Gifts and bequests to the fund shall accumulate and the income generated from the investment of the principal shall be expended.

- a. The Fund shall distribute at least annually a percentage of the market value of the fund determined on the last business day of the Fund's fiscal year. The distribution percentage shall be determined by the Fund Committee but shall not exceed 5 percent of the fund market value or 50 percent of the fund income for the previous year, whichever amount shall be greater.
- b. Distributions from the Fund as calculated in C.15.16.a. above shall be made annually. Such distributions may be made in a lump sum or in periodic payments during the year as deemed necessary and/or feasible.
- c. In making its recommendations for distribution the Committee shall seek the input from RLC's pastoral staff. The Committee may seek further input from church staff and the general congregation.
- d. The final recommendations for distribution shall be submitted to the Congregation Council. Upon approval of the Congregation Council the Endowment Committee may proceed to complete the distributions.
- e. In determining if any proposed distribution or recipient meets the criterion outlined in section C15.01 above the Committee is granted the widest discretion within the bounds of prudence and that carries out the Mission and Vision of RLC as it may exist from time to time. The future is unknown and the Fund is designed to meet the needs of RLC, our community, and the world in an ever changing environment.
- f. Programs, causes and individual requests for support shall be submitted by the Congregation Council to the Committee for funding according to the guidelines established by the congregation.
- g. Disbursement of income from the Fund need not occur annually if programs, causes and individual requests have not been approved by the Committee sufficient to utilize total income available, or if in the judgment of the Committee total annual disbursement of income is not recommended.

C15.17 Distribution of Principal - When, in the opinion of the Committee circumstances are so dire and of such an emergency nature that the future of the congregation is at stake, and that the only recourse seems to be the use of the Endowment Fund principal, or when the principal exceeds \$500,000, the Committee may, upon a two-thirds majority vote, recommend such authorizing action to the congregation. The congregation may then, upon a two-thirds majority vote, authorize expenditure of the fund principal.

C15.18 Disposition of Transfer of Fund - In the event Resurrection Lutheran Church ceases to exist either through merger or dissolution, disposition or transfer of the Fund shall be at the discretion of the Congregation Council in conformity with the approved congregational constitution.

Chapter 16.

BYLAWS

C16.01. This congregation may adopt bylaws. No bylaw may conflict with this constitution.

C16.02. Bylaws may be adopted or amended at any legally called Congregation Meeting with a quorum present by a two-thirds majority vote of those voting members present and voting.

C16.03 Changes to the bylaws may be proposed by any voting member provided, however, 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 and that the Congregation Council notify the members of the proposal with the council's recommendations at least 30 days in advance of the Congregation Meeting.

C16.04. Approved changes to the bylaws shall be officially recorded by the secretary of this congregation.

Chapter 17.

AMENDMENTS

C17.01 Amendments to this constitution may be proposed by at least one-third of the voting members or by the Congregation Council. The proposed amendments 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 voting members of the proposed amendment together with the council's recommendations at least 30 days in advance of the meeting.

C17.02 An amendment to this constitution, proposed under C17.01., shall be approved at a legally called Congregation Meeting according to this constitution by a two-thirds majority vote of those present and voting and have the effective date included in the resolution and noted in the constitution.

Chapter 18

CONTINUING RESOLUTIONS

C18.01 The Congregation Council may enact continuing resolutions which describe the function of the various committees or organizations of this congregation.

C18.02 Continuing resolutions shall be enacted or amended by a two-thirds vote of all voting members of the Congregation Council.

Chapter 19

LIMITATIONS OF LIABILITY AND INDEMNIFICATION

C19.01 This congregation shall indemnify any and all persons who may serve or have served at any time as pastor or in an executive level staff position in the church, or as a church officer, or member of a board or committee, or as a leader elected or appointed by the church, against any and all expenses, including amounts paid on judgments, counsel fees, and amounts paid in settlement (before or after suit is commenced) actually and necessarily incurred by such persons in connection with the defense or settlement of any claim, action, suit or proceeding in which they, or any of them, are made parties, or a party, or which may be asserted against any of them or any of them by reason of being or having been in one or more aforesaid positions of responsibility with this congregation, except in relation to matters as to which any such person shall be adjudged in any action, suit or proceeding to be liable for his or her own negligence or misconduct in the performance of his or her duties. Such indemnification shall be in addition to any other rights to which those indemnified may be entitled under any law, agreement, or otherwise.