

**CONSTITUTION & BYLAWS of the
STREAMS IN THE DESERT EVANGELICAL LUTHERAN
CHURCH OF TUCSON, ARIZONA
January 2006**

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STREAMS IN THE DESERT LUTHERAN CHURCH CONGREGATIONAL CONSTITUTION

***PREAMBLE**

We, baptized members of the Church of Christ, responding in faith to the call of the Holy Spirit through the Gospel, desiring to unite together to preach the Word, administer the Sacraments and carry out God's mission, do hereby adopt this constitution and solemnly pledge ourselves to be governed by its provisions. In the name of the Father and of the Son and of the Holy Spirit.

Chapter 1.

NAME AND INCORPORATION

- C1.01.** The name of this congregation shall be Streams in the Desert Evangelical Lutheran Church.
- C1.02.** For the purpose of this constitution and the accompanying bylaws, the Streams in the Desert Evangelical Lutheran congregation is herein after designated as "this 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 the centering in all its fullness in the person and work of Jesus Christ.
 - c. The canonical Scriptures of the Old and New Testaments are the written Word of God. Inspired by God's Spirit speaking through their authors, they record and announce God's revelation centering in Jesus Christ. Through them, God's Spirit speaks to us to create and sustain Christian faith and fellowship for service in the world.
- *C2.03.** This congregation accepts the canonical Scriptures of the Old and New

Testaments as the inspired Word of God and the authoritative source and norm of its proclamation, faith and life.

- *C2.04. This congregation accepts the Apostles', Nicene and Athanasian Creeds as true declarations of the faith of this congregation.
- *C2.05. This congregation accepts the Unaltered Augsburg Confession as a true witness to the Gospel, acknowledging as one with it in faith and doctrine all churches that likewise accept the teachings of the Unaltered Augsburg Confession.
- *C2.06. This congregation accepts the other confessional writings in the Book of Concord, namely, the Apology of the Augsburg Confession, the Smalcald Articles and the Treatise, the Small Catechism, the Large Catechism, and the Formula of Concord, as further valid interpretations of the faith of the Church.
- *C2.07. This congregation confesses the Gospel, recorded in the Holy Scriptures and confessed in the ecumenical creeds and Lutheran confessional writings, as the power of God to create and sustain the Church for God's mission in the world.

Chapter 3.

NATURE OF THE CHURCH

- *C3.01. All power in the Church belongs to our Lord Jesus Christ, its head. All actions of this congregation are to be carried out under his rule and authority.
- *C3.02. The Church exists both as an inclusive fellowship and as local congregations gathered for worship and Christian service. Congregations find their fulfillment in the universal community of the Church, and the universal Church exists in and through congregations. This church, therefore, derives its character and powers both from the sanction and representation of its congregation and from its inherent nature as an expression of the broader fellowship of the faithful. In length, it acknowledges itself to be in the historic continuity of the communion of saints in breadth, it expresses the fellowship of believers and congregations in our day.

Chapter 4.

STATEMENT OF PURPOSE

- *C4.01. The Church is a people created by God in Christ, empowered by the Holy Spirit, called and sent to bear witness to God's creative, redeeming, and sanctifying activity in the world.

- *C4.02.** To participate in God's mission, this congregation as a part of the church shall:
- a. Worship God in proclamation of the Word and administration of the Sacraments and through lives of prayer, praise, thanksgiving, witness and service.
 - b. Proclaim God's saving Gospel of justification by grace for Christ's sake through faith alone, according to the apostolic witness in the Holy Scripture, preserving and transmitting the Gospel faithfully to future generations.
 - c. Carry out Christ's Great Commission by reaching out to all people to bring them to faith in Christ and by doing all ministry with a global awareness consistent with the understanding of God as Creator, Redeemer, and Sanctifier of all.
 - d. Serve in response to God's love to meet human needs, caring for the sick and the aged, advocating dignity and justice for all people, working for peace and reconciliation among the nation, 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 suffering, and participate responsibly in society.
 - g. Motivate its members to provide financial support for the congregation's ministry and the ministry of other parts of the Evangelical Lutheran Church in America.
 - h. Foster and participate in interdependent relationships with other congregations, the synod, and the Evangelical Lutheran Church in America.
 - i. Foster and participate in ecumenical relationships consistent with church-wide policy.

- *C4.04. This congregation shall develop an organizational structure to be described in the bylaws. The congregation council shall prepare descriptions of the responsibilities of each committee, taskforce, or other organizational groups and shall review their actions. [Such descriptions shall be contained in continuing resolutions in the section on the Congregational Council.]
- *C4.05. This congregation shall, from time to time, adopt a mission statement which will provide specific direction for its program.

Chapter 5. POWERS OF THE CONGREGATION

- *C5.01. The powers of this congregation are those necessary to fulfill its purpose.
- *C5.02. The powers of this congregation are vested in the Congregation Meeting called and conducted as provided in this constitution and bylaws.
- *C5.03. Only such authority as is delegated to the Congregation Council or other organizational units in the congregation's governing document is recognized. All remaining authority is retained by the congregation. The congregation is authorized to:
- a. call a pastor, as provided in Chapter 9;
 - b. terminate the call of a pastor, as provided in Chapter 9;
 - c. call or terminate the call of associates in ministry, deaconesses, and diaconal ministers in conformity with the applicable policy of the Evangelical Lutheran Church in America;
 - d. adopt amendments to the constitution, as provided in Chapter 17, and amendments to the bylaws, as specified in Chapter 16;
 - e. approve the annual budget
 - f. acquire real and personal property by gift, devise, purchase, or other lawful means;
 - g. hold title to and use its property for any and all activities consistent with its purpose;
 - h. sell, mortgage, lease, transfer, or otherwise dispose of its property by any lawful means;
 - i. elect its Congregation Council, and require the members of the council to carry out their duties in accordance with the constitution and bylaws, and;
 - j. terminate its relationship with the Evangelical Lutheran Church in America as provided in Chapter 6.
- *C5.04. This congregation shall choose from among its voting members, laypersons to serve as voting members of the Synod Assembly as well as persons to represent it at meetings of any conference, cluster, coalition, or other area subdivision of which it is a member. The number of persons to be elected by the congregation and other qualifications shall be prescribed

in guidelines established by the Grand Canyon Synod of the Evangelical Lutheran Church of America.

- *C5.05. The congregation shall have a mission endowment fund that will operate as specified in this congregation's bylaws. The purpose of the mission endowment fund is to provide for mission work beyond the operations budget of this congregation.
- *C5.06. This Congregation will not participate in the legitimizing or blessing of same sex unions nor the calling as pastors of those involved in same gender unions;

*C5.06. Amendment at Special
Congregation Meeting 11/01/2009

Chapter 6.

CHURCH AFFILIATION

- *C6.01. This congregation shall be an interdependent part of the Evangelical Lutheran Church in America or its successor, and of the Grand Canyon Synod of the Evangelical Lutheran Church in America. This congregation is subject to the discipline of the Evangelical Lutheran Church in America.
- *C6.02. This congregation accepts the Confession of Faith and agrees to the purposes of the Evangelical Lutheran Church in America and shall act in accordance with them.
- *C6.03. This congregation acknowledges its relationship with the Evangelical Lutheran Church in America in which:
 - a. This congregation agrees to be responsible for its life as a Christian community.
 - b. This congregation pledges its financial support and participation in the life and mission of the Evangelical Lutheran Church in America.
 - c. This congregation agrees to call pastoral leadership from the clergy roster of the Evangelical Lutheran Church in America in accordance with its call procedures except in special circumstances and with the approval of the bishop of the synod.
 - d. This congregation agrees to consider associates in ministry, deaconesses, and diaconal ministers for call to other staff positions in the congregation according to the procedures of the Evangelical Lutheran Church in America.
 - e. This congregation agrees to file this constitution and any subsequent changes to this constitution with the synod for review to ascertain that all of its provisions are in agreement with the constitution and bylaws of the Evangelical Lutheran Church in America and with the constitution of the synod.
- *C6.04. Affiliation with the Evangelical Lutheran Church in America may be terminated as follows:
 - a. This congregation takes action to dissolve.
 - b. This congregation ceases to exist.

- c. This congregation is removed from membership in the Evangelical Lutheran Church in America according to the procedures for discipline of the Evangelical Lutheran Church in America.
- d. This congregation follows the procedures outlined in *C6.05.

- *C6.05.** This congregation may terminate its relationship with the Evangelical Lutheran Church in America by the following procedure:
- a. A resolution indicating the desire of this congregation to terminate its relationship must be adopted at a legally called and conducted special meeting of this congregation by a two-thirds majority of the voting members present.
 - b. The secretary of this congregation shall submit a copy of the resolution to the synodical bishop and shall mail a copy of the resolution to voting members of this congregation. This notice shall be submitted within 10 days after the resolution has been adopted.
 - c. The bishop of the synod shall consult with this congregation during a period of at least 90 days.
 - d. If this congregation, after consultation, still desires to terminate its relationship, such action may be taken at a legally called and conducted special meeting by a two-thirds majority of the voting members present, at which meeting the bishop of the synod or an authorized representative shall be present. Notice of the meeting shall be mailed to all voting members at least 10 days in advance of the meeting.
 - e. A certified copy of the resolution to terminate its relationship shall be sent to the synodical bishop, at which time the relationship between this congregation and the Evangelical Lutheran Church in America shall be terminated.
 - f. Notice of termination shall be forwarded by the synodical bishop to the secretary of this church and published in the periodical of this church.
 - g. Since this congregation was a member of the Lutheran Church in America, it shall be required, in addition to the foregoing provisions in *C6.05., to receive synodical approval before terminating its membership in the Evangelical Lutheran Church in America.

- *C6.06.** If this congregation considers relocation, it shall confer with the bishop of the synod in which it is territorially located before any steps are taken leading to such action. The approval of the Synod Council shall be received before any such action is effected.

Chapter 7.

PROPERTY OWNERSHIP

- *C7.01.** If this congregation ceases to exist, title to un-disposed property shall pass to the Grand Canyon Synod of the Evangelical Lutheran Church in America.

- *C7.02.** If this congregation is removed from membership in the Evangelical Lutheran Church in America according to its procedure for discipline, title to property shall continue to reside in this congregation.
- *C7.03.** If 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, title to property shall continue to reside in this congregation. Before this congregation takes action to transfer to another Lutheran church body, it shall consult with representatives of the Grand Canyon Synod.
- *C7.04.** 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 become independent or relate to a non-Lutheran church body, title to property of this congregation shall continue to reside in this congregation only with the consent of the Synod Council. The Synod Council, after consultation with this congregation by the established synodical process, may give approval to the request to become independent or to relate to a non-Lutheran church body, in which case title shall remain with the majority of this congregation. If the Synod Council fails to give such approval, title shall remain with those members who desire to continue as a congregation of the Evangelical Lutheran Church in America.
- *C7.05.** Notwithstanding the provisions of *C7.02. and *C.7.03. above, where this congregation has received property from the synod pursuant to a deed or other instrument containing restrictions under provision 9.71.a. of the Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America, this congregation accepts such restrictions and:
- a. Shall not transfer, encumber, mortgage, or in any way burden or impair any right, title, or interest in the property without prior approval of the Synod Council.
 - b. Shall—upon written demand by the Synod Council, pursuant to †S13.23. of the constitution of the Grand Canyon—reconvey and transfer all right, title, and interest in the property to the synod.

Chapter 8.

MEMBERSHIP

- *C8.01.** Members of this congregation shall be those baptized persons on the roll of this congregation at the time that this constitution is adopted and those who are admitted thereafter and who have declared and maintain their membership in accordance with the provisions of this constitution and its bylaws.

- *C8.02.** Members shall be classified as follows:
- a. ***Baptized*** members are those persons who have been received by the Sacrament of Holy Baptism in this congregation, or, having been previously baptized in the name of the Triune God, have been received by certificate of transfer from other Lutheran congregations or by affirmation of faith.
 - b. ***Confirmed*** members are baptized persons who have been confirmed in this congregation, those who have been received by adult baptism or by transfer as confirmed members from other Lutheran congregations, or baptized persons received by affirmation of faith.
 - c. ***Voting*** members are confirmed members. Such confirmed members, during the current or preceding calendar year, shall have communed in this congregation and shall have made a contribution of record to this congregation.
 - d. ***Associate*** members are persons holding membership in other Christian congregations who wish to retain such membership but desire to participate in the life and mission of this congregation, or persons who wish to retain a relationship with this congregation while being members of other congregations. They have all the privileges and duties of membership except voting rights and eligibility for elected offices or membership on the Congregation Council of this congregation.

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

- *C8.04.** It shall be the privilege and duty of members of this congregation to:
- a. make regular use of the means of grace, both Word and sacraments;
 - b. live a Christian life in accordance with the Word of God and the teachings of the Lutheran church; and
 - c. support the work of this congregation, the synod, and the churchwide organization of the Evangelical Lutheran Church in America through contributions of their time, abilities, and financial support as biblical stewards.

- *C8.05.** Membership in this congregation shall be terminated by any of the following:
- a. death;
 - b. resignation;
 - c. transfer or release;
 - d. disciplinary action by the Congregation Council; or
 - e. removal from the roll due to inactivity as defined in the bylaws.

Such persons who have been removed from the roll of members shall

remain persons for whom the Church has a continuing pastoral concern.

Chapter 9. **THE PASTOR**

- *C9.01.** Authority to call a pastor shall be in this congregation by at least a two-thirds majority ballot vote of members present and voting at a meeting legally called for that purpose. Before a call is issued, the officers, or a committee elected by the Congregation Council to recommend the call, shall seek the advice and help of the bishop of the synod.
- *C9.02.** Only a member of the clergy roster of the Evangelical Lutheran Church in America or a candidate for the roster of ordained ministers who has been recommended for the congregation by the synodical bishop may be called as a pastor of this congregation.
- *C9.03.** Consistent with the faith and practice of the Evangelical Lutheran Church in America,
- a. Every ordained minister shall:
 - 1) preach the Word;
 - 2) administer the sacraments;
 - 3) conduct public worship;
 - 4) provide pastoral care; and
 - 5) speak publicly to the world in solidarity with the poor and oppressed, calling for justice and proclaiming God's love for the world.
 - b. Each ordained minister with a congregational call shall, within the congregation:
 - 1) offer instruction, confirm, marry, visit the sick and distressed, and bury the dead;
 - 2) supervise all schools and organizations of this congregation;
 - 3) install regularly elected members of the Congregation Council; and
 - 4) with the council, administer discipline.
 - c. Every pastor shall:
 - 1) strive to extend the Kingdom of God in the community, in the nation, and abroad;
 - 2) seek out and encourage qualified persons to prepare for the ministry of the Gospel;
 - 3) impart knowledge of this church and its wider ministry through distribution of its periodicals and other publications; and
 - 4) endeavor to increase the support given by the congregation to the work of the church-wide organization of the Evangelical Lutheran Church in America (ELCA) and of the Grand Canyon Synod of the ELCA.

***C9.04.** The specific duties of the pastor, compensation, and other matters pertaining to the service of the pastor shall be included in a letter of call, which shall be attested by the bishop of the synod.

- *C9.05.**
- a. The call of a congregation, when accepted by a pastor, shall constitute a continuing mutual relationship and commitment, which, except in the case of the death of the pastor, shall be terminated only following consultation with the synodical bishop and for the following reasons:
 - 1) mutual agreement to terminate the call or the completion of a call for a specific term;
 - 2) resignation of the pastor, which shall become effective, unless otherwise agreed, 30 days after the date on which it was submitted;
 - 3) 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;
 - 4) the physical or mental incapacity of the pastor;
 - 5) disqualification of the pastor through discipline on grounds of doctrine, morality, or continued neglect of duty;
 - 6) the dissolution of the congregation; or
 - 7) suspension of the congregation as a result of discipline proceedings.
 - b. When allegations of physical or mental incapacity of the pastor or ineffective conduct of the pastoral office have come to the attention of the bishop of the synod, the bishop in his or her sole discretion may, or when such allegations have been brought to the synod's attention by an official recital of allegations by the Congregation Council or by a petition signed by at least one-third of the voting members of the congregation, the bishop shall, investigate such conditions personally in company with a committee of two ordained ministers and one layperson.
 - c. In case of alleged physical or mental incapacity, competent medical testimony shall be obtained. When such disability is evident, the bishop of the synod with the advice of the committee shall declare the pastorate vacant. Upon the restoration of a disabled pastor to health, the bishop of the synod shall take steps to enable the pastor to resume the ministry, either in the congregation last served or in another field of labor.
 - d. In the case of alleged local difficulties that imperil the effective functioning of the congregation, all concerned persons shall be heard, after which the bishop of the synod together with the committee described in *C9.05.b. shall decide on the course of action to be recommended to the pastor and the congregation. If they agree to carry out such recommendations, no further action shall be taken by the synod. If either party fails to assent, the congregation may dismiss the pastor at a legally called meeting after consultation with the bishop, either (a) by a two-thirds majority vote of the voting members present and voting where the bishop and the committee did not recommend

termination of the call, or (b) by a simple majority vote of the voting members present and voting where the bishop and the committee recommended termination of the call.

- e. If, in the course of proceedings described in *C9.05.d., the committee concludes that there may be grounds for disciplinary action, the committee shall make recommendations concerning disciplinary action to the synodical bishop, who may bring charges in accordance with the provisions of the constitution and bylaws of the Evangelical Lutheran Church in America and the constitution of this synod.
- f. If, following the appointment of the committee described in *C9.05.b. or d., it should become apparent that the pastoral office cannot be conducted effectively in the congregation being served by the ordained minister due to local conditions, the bishop of the synod may temporarily suspend the pastor from service in the congregation without prejudice and with pay provided through a joint synodical and church-wide fund and with housing provided by the congregation.

- *C9.06.** At a time of pastoral vacancy, an interim pastor shall be appointed by the bishop of the synod with the consent of this congregation or the Congregation Council.
- *C9.07.** During the period of service, an interim pastor shall have the rights and duties in the congregation of a regularly called pastor and may delegate the same in part to a supply pastor with the consent of the bishop of the synod and this congregation or Congregation Council. The interim pastor and any ordained pastor providing assistance shall refrain from exerting influence in the selection of a pastor.
- *C9.08.** This congregation shall make satisfactory settlement of all financial obligations to a former pastor before calling a successor. A pastor shall make satisfactory settlement of all financial obligations to this congregation before beginning service in a call to another congregation or employment in another ministry setting related to the Evangelical Lutheran Church in America.
- *C9.09.** When a pastor is called to serve in company with another pastor or pastors, the privileges and responsibilities of each pastor shall be specified in documents to accompany the call and to be drafted in consultation involving the pastors, the Congregation Council, and the bishop of the synod. As occasion requires, the documents may be revised through a similar consultation.
- *C9.11.** With the approval of the bishop of the synod, the congregation may depart from *C9.05.a. and call a pastor for a specific term. Details of such calls shall be in writing setting forth the purpose and conditions involved. Prior

to the completion of a term, the bishop or a designated representative of the bishop shall meet with the pastor and representatives of the congregation for a review of the call. Such a call may also be terminated before its expiration in accordance with the provisions of *C9.05.a.

- *C9.12.** The pastor of this congregation:
- a. shall keep accurate parochial records of all baptisms, confirmations, marriages, burials, communicants, members received, members dismissed, or members excluded from the congregation;
 - b. shall submit a summary of such statistics annually to the synod; and
 - c. shall become a member of this congregation upon receipt and acceptance of the letter of call. In a parish of multiple congregations, the pastor shall hold membership in one of the congregations.
- *C9.13.** The pastor(s) shall submit a report of his or her ministry to the bishop of the synod at least 90 days prior to each regular meeting of the Synod Assembly.
- *C9.14.** The parochial records of this congregation shall be maintained by the pastor and shall remain the property of the congregation. The secretary of this congregation shall attest in writing to the bishop of this synod that such records have been placed in his or her hands in good order by a departing pastor before the installation of that pastor in another field of labor or the granting by the synod of retired status to the pastor.
- *C9.20.** Ecumenical pastoral ministry
- *C9.21.** Under special circumstances, subject to the approval of the synodical bishop and the concurrence of this congregation, an ordained minister of a church body with which the Evangelical Lutheran Church in America officially has established a relationship of full communion may serve temporarily as pastor of this congregation under a contract between the congregation and the ordained minister in a form proposed by the synodical bishop and approved by the congregation.

Chapter 10.

CONGREGATION MEETING

- C10.01.** The annual meeting of this congregation shall be held at a time specified in the bylaws.
- C10.02.** A special Congregation Meeting may be called by the pastor, the Congregation Council, or the president of this congregation, and shall be called by the president of the congregation upon the written request of 10% of the voting members. The call for each special meeting shall specify the purpose for which it is to be held and no other business shall be transacted.

- C10.03.** Notice of all meetings of this congregation shall be given at the services of worship on the preceding two consecutive Sundays and by mail to all voting members at least 10 days in advance of the date of the meeting. The posting of such notice in the regular mail, with the regular postage affixed or paid, sent to the last known address of such members shall be sufficient.
- C10.04.** Voting members present shall constitute a quorum.
- C10.05.** Voting by proxy or by absentee ballot shall not be permitted.
- C10.06.** All actions approved by the congregation shall be by majority vote of those voting members present and voting, except as otherwise provided in this constitution or by state law.
- C10.07.** *Robert's Rules of Order*, latest edition, shall govern parliamentary procedure of all meetings of this congregation.

Chapter 11.

OFFICERS

- C11.01.** The officers of this congregation shall be a president, vice president, secretary, and treasurer.
- Duties of the officers shall be specified in the bylaws.
 - The officers shall be voting members of the congregation.
 - Officers of the Congregational Council shall serve as officers of the congregation and shall be voting members of the Congregation Council.
 - The Congregation Council elects its officers, the president, vice president and secretary from the elected membership of the Congregation Council. If the treasurer is not selected from the elected membership of the Congregation Council, the treasurer shall have voice but no vote at the meetings of the Congregation Council.
- C11.02.** The Congregation Council shall elect its officers and they shall serve for one year or until their successors are elected. Their terms shall begin at the close of the annual meeting at which they are elected.
- C11.03.** No officer shall hold more than one office at a time. No elected officer shall be eligible to serve more than two consecutive terms in the same office.

Chapter 12.
CONGREGATION COUNCIL

- C12.01.** The voting membership of the Congregation Council shall consist of the pastor(s) and not more than 12 nor fewer than 9 members of the congregation. Any voting member of the congregation may be elected, subject only to the limitation on the length of continuous service permitted in that office. A member's place on the Congregation Council shall be declared vacant if the member a) ceases to be a voting member of this congregation or b) is absent from four successive regular meetings of the Congregation Council without cause. Consistent with the laws of the state in which this congregation is incorporated, the congregation may adopt procedures for the removal of a member of the Congregation Council in other circumstances.
- C12.02.** The members of the Congregation Council except the pastor(s) shall be elected by written ballot to serve for three years or until their successors are elected. Such members shall be eligible to serve no more than two full terms consecutively. Their terms shall begin at the close of the annual meeting at which they are elected.
- C12.03.** Should a member's place on the Congregation Council be declared vacant, the Congregation Council shall elect, by majority vote, a successor until the next annual meeting. Individuals who have served less than one-half of a regular term shall be eligible for nomination and possible election to a full term.
- C12.04.** The Congregation Council shall have general oversight of the life and activities of this congregation, and in particular its worship life, to the end that everything be done in accordance with the Word of God and the faith and practice of the Evangelical Lutheran Church in America. The duties of the Congregation Council shall include the following:
- a. To lead this congregation in stating its mission, to do long-range planning, to set goals and priorities, and to evaluate its activities in light of its mission and goals.
 - b. To seek to involve all members of this congregation in worship, learning, witness, service, and support.
 - c. To oversee and provide for the administration of this congregation to enable it to fulfill its functions and perform its mission.
 - d. To maintain supportive relationships with the pastor(s) and staff and help them annually to evaluate the fulfillment of their calling or employment.
 - e. To be examples individually and corporately of the style of life and ministry expected of all baptized persons.
 - f. To promote a congregational climate of peace and goodwill, and, as

differences and conflicts arise, to endeavor to foster mutual understanding.

- g. To arrange for pastoral service during the sickness or absence of the pastor.
- h. To emphasize partnership with the synod and churchwide organization of the Evangelical Lutheran Church in America as well as cooperation with other congregations, both Lutheran and non-Lutheran, subject to established policies of the synod and the Evangelical Lutheran Church in America.
- i. To recommend and encourage the use of program resources produced or approved by the Evangelical Lutheran Church in America.
- j. To seek out and encourage qualified persons to prepare for the ministry of the Gospel.
- k. In addition to the voting members of the Congregation Council, two youth representatives shall be considered. The term for youth shall be two years.

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

- a. The Congregation Council shall be the board of trustees 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 may enter into contracts of up to 8% for items not included in the budget.
- d. The Congregation Council shall prepare an annual budget for adoption by this congregation, shall supervise the expenditure of funds in accordance therewith following its adoption, and may incur obligations of more than 8% in excess of the anticipated receipts only after approval by a Congregation Meeting. The budget shall include this congregation's full indicated share in support of the wider ministry being carried on in partnership with the synod and churchwide organization.
- e. The Congregation Council shall ascertain that the financial affairs of this congregation are being conducted efficiently, giving particular attention to the prompt payment of all obligations and to the regular forwarding of benevolence monies to the synodical treasurer.
- f. The Congregation Council shall be responsible for this congregation's investments and its total insurance program.

- C12.06.** The Congregation Council shall see that the provisions of this constitution, its bylaws, and the continuing resolutions are carried out.
- C12.07.** The Congregation Council shall provide for an annual review of the membership roster.
- C12.08.** The Congregation Council shall be responsible for the employment and supervision of the salaried lay workers of this congregation.
- C12.09.** The Congregation Council shall submit a comprehensive report to this congregation at the annual meeting.
- C12.11.** The Congregation Council shall normally meet once a month. Special meetings may be called by the pastor or the president, and shall be called by the president at the request of at least one-half of its members. Notice of each special meeting shall be given to all who are entitled to be present.
- C12.12.** A quorum for the transaction of business shall consist of a majority of the members of the Congregation Council, including the pastor or interim pastor, except when the pastor or interim pastor requests or consents to be absent and has given prior approval to the agenda for a particular regular or special meeting, which shall be the only business considered at that meeting. Chronic or repeated absence of the pastor or interim pastor who has refused approval of the agenda of a subsequent regular or special meeting shall not preclude action by the Congregation Council, following consultation with the synodical bishop.

Chapter 13.

CONGREGATION COMMITTEES

- C13.01.** The officers of this congregation and the pastor shall constitute the *Executive Committee*.
- C13.02.** A *Nominating Committee* of six voting members of this congregation, two of whom, if possible, shall be outgoing members of the Congregation Council, shall be elected at the annual meeting for a term of one year. Members of the Nominating Committee are not eligible for consecutive reelection.
- C13.03.** An *Audit Committee* of three voting members shall be elected by the Congregation Council. Audit Committee members shall not be members of the Congregation Council. Term of office shall be three years, with one member elected each year. Members shall be eligible for reelection.

- C13.04.** A *Mutual Ministry Committee* (formed at the pastor's discretion) shall be appointed jointly by the president and the pastor. Term of office shall be two years, with two members to be appointed each successive year. In the absence of a mutual ministry committee, the duties shall be fulfilled by the Executive Committee.
- C13.05.** When a pastoral vacancy occurs, a *Call Committee* of six voting members shall be elected by the Congregation Council. Term of office will terminate upon installation of the newly called pastor.
- C13.06.** Other committees of this congregation may be formed, as the need arises, by decision of the Congregation Council.
- C13.07.** Duties of committees of this congregation shall be specified in the bylaws.
- C13.08.** The pastor of this congregation shall be *ex officio* a member of all committees and boards of the congregation. The president of this congregation shall be an *ex officio* member of all committees and boards of the congregation, except the Nominating Committee.

Chapter 14.

ORGANIZATIONS WITHIN THE CONGREGATION

- C14.01.** All organizations within this congregation shall exist to aid 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 are subject to its 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.** Special interest groups, other than those of the official organizations of the Evangelical Lutheran Church in America, may be organized only after authorization has been given by the Congregation Council.

Chapter 15.

DISCIPLINE OF MEMBERS AND ADJUDICATION

- *C15.01.** Denial of the Christian faith as described in this constitution, conduct grossly unbecoming a member of the Church of Christ, or persistent trouble-making in this congregation are sufficient cause for discipline of a

member. Prior to disciplinary action, reconciliation will be attempted following Matthew 18:15-17, proceeding through these successive steps: a) private admonition by the pastor, b) admonition by the pastor in the presence of two or three witnesses, and c) citation to appear before the Congregation Council. If, for any reason, the pastor is unable to administer the admonitions required by a. and b. hereof, the president (if not the pastor) or vice president shall administer such admonitions.

***C15.02.** The process for discipline of a member of the congregation shall be governed as prescribed by the chapter on discipline in the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America*. If discipline against a member proceeds beyond counseling and admonition by the pastor, charges against the accused member(s) that are specific and in writing shall be prepared by member(s) of the congregation who shall sign the charges as the accuser(s). The written charges shall be filed with the pastor, who shall advise the Congregation Council of the need to issue a written citation to the accused and the accusers that specifies the time and place of the hearing before the Congregation Council. The written charges shall accompany the written citation to the accused. A member charged with the offense shall appear before the Congregation Council after having received a written citation, at least ten days prior to the meeting. If the member charged with the offense fails to appear at the scheduled hearing, the Congregation Council may proceed with the hearing and may pass judgment in the member's absence.

***C15.03.** Members of the Congregation Council who participate in the preparation of the written charges or who present evidence or testimony in the hearing before the Congregation Council are disqualified from voting upon the question of the guilt of the accused member. Should the allegations be sustained by a two-thirds majority vote of the members of the Congregation Council who are not disqualified but who are present and voting, and renewed admonition prove ineffectual, the council shall impose one of the following disciplinary actions:

- a. censure before the council or congregation;
- b. suspension from membership for a definite period of time; or
- c. exclusion from membership in this congregation.

Disciplinary actions b. and c. shall be delivered to the member in writing.

***C15.04.** The member against whom disciplinary action has been taken by the Congregation Council shall have the right to appeal the decision to the Synod Council. Such right may not be abridged and the decision of the Synod Council shall be final.

***C15.05.** Disciplinary actions may be reconsidered and revoked by the Congregation Council upon receipt of a) evidence that injustice has been done or b)

evidence of repentance and amendment.

- *C15.06. For disciplinary actions in this congregation, “due process” shall be observed as specified in 20.41.04. in the *Constitution, Bylaws, and Continuing Resolutions of the Evangelical Lutheran Church in America.*
- *C15.07. No member of a congregation shall be subject to discipline for offenses that the Congregation Council has previously heard and decided, unless so ordered by the Synod Council after an appeal.
- *C15.10. Adjudication
- *C15.11. When there is disagreement among factions within this congregation on a substantive issue that cannot be resolved by the parties, members of this congregation shall have access to the synodical bishop for consultation after informing the chair of the Congregation Council of their intent. If the consultation fails to resolve the issue(s), the Consultation Committee of the synod shall consider the matter. If the Consultation Committee of the synod shall fail to resolve the issue(s), the matter shall be referred to the Synod Council, whose decision shall be final.

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 meeting of this congregation with a quorum present by a 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 congregation’s members by mail 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 sent by the secretary of this congregation to the synod.

Chapter 17.
AMENDMENTS

- *C17.01.** Those sections of this constitution that are not required, in accord with the *Model Constitution for Congregations of the Evangelical Lutheran Church in America*, may be amended in the following manner. Amendments may be proposed by at least 10% voting members or by the Congregation Council. Proposals must be filed in writing with the Congregation Council 60 days before formal consideration by this congregation at a regular or special Congregation Meeting called for that purpose. The Congregation Council shall notify the congregation's members by mail of the proposal together with the council's recommendations at least 30 days in advance of the meeting.
- *C17.02.** An amendment to this constitution, proposed under *C17.01., shall:
- a. be approved at a legally called Congregation Meeting according to this constitution by a majority vote of those present and voting;
 - b. be ratified without change at the next annual meeting by a two-thirds majority vote of those present and voting; and
 - c. have the effective date included in the resolution and noted in the constitution.
- *C17.03.** Any amendments to this constitution that result from the processes provided in *C17.01. and *C17.02. shall be sent by the secretary of this congregation to the synod. The amendment shall become effective within 120 days from the date of the receipt of the notice by the synod unless the synod informs this congregation that the amendment is in conflict with the constitution and bylaws of the Evangelical Lutheran Church in America or the constitution of the Grand Canyon Synod of the ELCA.
- *C17.04.** Whenever the *Model Constitution for Congregations* is amended by the Church-wide Assembly, this constitution may be amended to incorporate any such amendment by a simple majority vote of those voting members present and voting at any subsequent meeting of the congregation without presentation at a prior meeting of the congregation, provided that the Congregation Council has submitted by mail notice to the congregation of such an amendment or amendments, together with the council's recommendations, at least 30 days prior to the meeting. Following the adoption of an amendment, the secretary of the congregation shall submit a copy thereof to the synod. Such provisions shall become effective immediately following a vote of approval.

Chapter 18.
CONTINUING RESOLUTIONS

- *C18.01. The Congregation Council may enact continuing resolutions. Such continuing resolutions may not conflict with the constitution or bylaws of this congregation.
- *C18.02. Continuing resolutions shall be enacted or amended by a two-thirds vote of all voting members of the Congregation Council.

Chapter 19.
INDEMNIFICATION

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

**STREAMS IN THE DESERT LUTHERAN CHURCH
CONGREGATIONAL BYLAWS
January 2006**

MISSION STATEMENT

The mission of Streams in the Desert Lutheran Church is to bring the good news of man's salvation by God to the community it serves, marshalling the resources of God's people to teach God's word, to make disciples for Christ, to baptize, and to provide a vehicle for God's grace and strength through the administration of His Sacraments. As a part of the body of Christ, it provides a Christian church home for persons in the immediate vicinity, strengthens and nourishes its members own commitment to a life in Christian love, and serves people in need within its reach, both directly in personal ways, and indirectly through financial and prayer support of the work of the Church at large.

“To share God's love with everyone” will be used as an abbreviated version of the mission statement for newsletters and day to day communications.

C10.01.01. CONGREGATIONAL MEETINGS

The annual congregational meeting will be held in January. The agenda will include:

- a. Reports to the congregation;
- b. election of the nominating committee for the following year;
- c. election of council members;
- d. adoption of the budget, and;
- e. other actions as entered on the agenda.
- f. pastoral report

Other reports to the annual meeting besides those stipulated in the constitution shall be from all special committees and officers of the church auxiliaries

The fiscal year of the congregations shall be January 1st through December 31st.

Notice of congregational meetings will include an agenda and statement of resolutions to be considered.

C11.01.01. OFFICERS OF THE CONGREGATION

Immediately following the annual meeting there will be a brief meeting of the new council to elect the officers for this term. The duties of those officers are listed below:

- a. **President** – The President shall preside over all regular and special meetings of the congregation and church council. The president shall be a member of the Executive Committee.
- b. **Vice-President** – The Vice-President shall assume the duties of the President when the President is absent.

- c. **Secretary** – The Secretary shall keep accurate minutes of all meetings of the congregation and of the council in a volume provided by the congregation, which shall be preserved permanently in its archives.
- d. **Treasurer** – The Treasurer shall keep the books of account of the congregation; and may receive all funds and disburse them on proper orders, making remittance of benevolence receipts to the Treasurer of the Synod. The Treasurer shall make written report of all financial transactions to the Council monthly and to the Congregation at its annual meeting.

All financial officers shall give corporate surety, in amounts determined by the Church Council, for which the premium shall be paid by the Congregation. Fidelity coverage provided by the ELCA shall be deemed a fulfillment of this requirement.

C12.05.01. FINANCIAL MANAGEMENT

The Church Council will exercise prudent judgment in expending budget funds approved by the Congregation consistent with anticipated receipts and reserves. Expenditures will not exceed the aggregate of those budgeted by more than 8% without approval of the Congregation at a Congregational Meeting.

All contracts requiring finances must be approved by the Church Council. Only in the event of an emergency will the Executive Committee be permitted to approve a contract.

C12.11.01. COUNCIL MEETINGS

The Council will normally meet monthly to receive written reports from each committee and do the church business. On occasion, special council meetings may be called by mutual agreement of the Executive Committee and the Pastor. The meetings are open to all adult members of the congregation. Members wishing to address any of these meetings shall make their desires known to the Council President or Presiding Officer prior to the meeting. Such requests will be placed on the agenda.

The Committee liaisons and members will be appointed at the first regularly scheduled Council Meeting after the Annual Meeting.

C13.01.01. EXECUTIVE COMMITTEE

The Executive Committee shall consist of the President, Vice-President, Secretary, Treasurer and Pastor of the congregation. This committee shall meet monthly, more often if necessary. They shall review the planning, goals and accomplishments of the congregation as a whole and of the committees as they set the agenda for the monthly Congregation Council meeting. Recommendations and/or comments shall be made as deemed necessary. The Vice-President shall preside at the Executive Committee meetings.

C13.02.01. NOMINATING COMMITTEE

The Nominating Committee is responsible for submitting to the Congregational Meeting the names of candidates to fill vacancies of the Church Council. A minimum of one name for each vacancy shall be made to submit more than the minimum so that the congregation shall in fact have a choice of candidates. Nominations shall also be accepted from the floor.

C13.03.01. AUDIT COMMITTEE

An Audit Committee of three voting members shall be elected by the Congregation at the Annual Meeting. Audit Committee members shall not be members of the Congregation Council. Term of office will be three years, with one member elected each year. Members shall be eligible for one re-election. Duties of the Audit Committee shall be to thoroughly examine all financial records of this congregation and its officially sanctioned organizations, to report their audit to the Congregation at the annual meeting, to send a report to the Synod Treasurer, and to make recommendations for improving the recordkeeping system, if any are needed.

C13.06.01. COMMITTEES

Committee meetings shall be held on a regular basis, (preferably monthly) at a time decided by each committee. Each committee must meet, at a minimum, four times per year. Reports must be submitted to Council for each meeting that is held.

Organizations of the congregation requiring operating funds will submit their requirements to the Church Council upon due notice for inclusion in the budget.

The congregation and its auxiliaries shall obtain approval from the Church Council for any anticipated fundraising activities.

All committees shall consist of a minimum of three members.

Committees may have a Council Member Liaison appointed by the Church Council. The Church Council may recommend additional members to any committee.

Each committee shall elect their own chairman from the committees' membership.

C13.06.02. FINANCE COMMITTEE

The Finance Committee is responsible for:

- a. accounting, disbursement, receipts,
- b. budgeting, banking for all activities,
- c. supervision of counters; and
- d. monthly report of these activities to the Church Council.

This includes the handling of funds of the congregations as a whole and the church school, but does not include the W.E.L.C.A. Treasury, the Memorial Fund and other similar organizations with independent finances and accounting. The Finance Committee informs the Church Council and all other committees, sub-committees and operations responsible for budgets, appraised of the status of their expenditures relative to the church budget, at reasonable intervals.

The Finance Committee shall consist at a minimum of the Treasurer of the congregation and two members to be appointed by Church Council.

C13.06.03. MEMORIAL & GIFTS COMMITTEE

The committee for memorials and gifts has the responsibility for the receipt and recommendation for expenditure of funds given either in memorial, as honorariums, or as gifts and bequests that are designated for the memorial committee. Where specific desires or wishes are made known by the donor or family, every effort shall be made to honor these bequests. In all cases, final approval for use of memorial funds or gifts shall rest with the council. Separate bank accounts shall be established by the committee for memorial funds. Disbursements will be made by the committee upon council approval. The committee shall have a minimum of three members to be appointed by the church council, one of whom shall be a council member. The Committee shall prepare a financial report monthly and submit a copy of such report to the Congregation Treasurer for inclusion in the Congregation Financial Statements.

This committee shall have a liaison appointed by Council.

C13.06.04. STEWARDSHIP COMMITTEE

The Stewardship Committee has the responsibility for stewardship awareness for the congregation. The Committee will implement a program to make the congregation aware of the financial, spiritual and avocational needs necessary to fulfill our commitment to the Lord throughout the year.

This committee shall have a liaison appointed by Council.

C13.06.05. EVANGELISM & MEMBERSHIP COMMITTEE

The Evangelism & Membership Committee is responsible for the following:

- a. planning, direction and supplying the leadership for a program of outreach with the goal of demonstrating, to each other and to the

- community, the abiding love of God in Christ and of His message of redemption.
- b. develop visitation programs directed at those members who are unable to attend worship services or to participate in activities of the church so they may continue to be a part of the congregational fellowship;
 - c. develop a program directed at those members who through disinterest or disaffection are becoming inactive so that problems can be identified and resolved and their activity restored;
 - d. develop a program directed at prospective members to include visitors, orientation and assimilation of those who choose to become members.
 - e. the Committee will be alert to opportunities for joint efforts with other ELCA congregations in the area of evangelism and for ecumenical relationships consistent with church-wide policy.

This committee shall have a liaison appointed by Council.

C13.06.06. WORSHIP & MUSIC COMMITTEE

The Worship & Music Committee is responsible for planning and directing a program which will provide

- a. the widest variety of expressions of worship consistent with church doctrine and the wishes of the congregation;
- b. develop a broad program of worship through music designed to reach all age groups and musical interests;
- c. will recommend to council choir directors, organists and other music leaders;
- d. will determine budgetary needs;
- e. oversee the altar guild;
- f. usher and greeter programs;
- g. arrange for flowers for the worship services;
- h. plan and supervise the acolyte program; and
- i. plan a program of lay participation in the worship services;
- j. insure that the needs of the handicapped are considered and arrangements made for their full participation in worship activities.

At all times the committee will be alert to opportunities for cooperative relationship with other ELCA congregations and for ecumenical relationships consistent with church-wide policy.

This committee shall have a liaison appointed by Council.

C13.06.07. EDUCATION COMMITTEE

The Education Committee is responsible for planning and direction of those functions associated with the educational activities of the congregation, including

- a. Sunday school;
- b. adult education;
- c. vacation bible school;
- d. confirmation classes;
- e. special education programs;
- f. continuing education for the pastor and staff;
- g. acquisition and training of teachers and support personnel;
- h. acquisition and maintenance of educational supplies/materials.

Whenever applicable, the Committee will encourage this congregation to participate in programs with other congregations, the Synod and Evangelical Lutheran Church in America.

This committee shall have a liaison appointed by Council.

C13.06.08. YOUTH COMMITTEE

The Youth Committee is responsible for the planning and direction of activities promoting a positive Christian lifestyle for teens and young adults, including:

- a. Organizing service projects
- b. retreats
- c. special worship services
- d. participation in evangelical activities

Whenever possible, the Committee will encourage youth to participate in programs with other congregations, the Synod and Evangelical Lutheran Church in America.

This committee shall have a liaison appointed by Council.

C13.06.09. LIBRARY COMMITTEE

The Library Committee is responsible for the acquisition of materials and the preparation of them for circulation and use for the members of the church community. The selection of materials is intended to increase the knowledge of our faith, and understanding of others, and to strengthen the educational work of the church; it is to provide information and understanding of life and be selected for all ages.

C13.06.10. SERVICE COMMITTEE

The Service Committee has the responsibility for planning and executing programs and functions to fulfill physical needs of persons within and outside of the congregation.

These may include, but not be limited to;

- a. emergency and benevolent meals;
- b. collection of food for a community food bank;

- c. shoes for school children.

The Chairperson of the Service Committee will work closely with the Pastor in organizing support, as necessary, ministering to those persons in need.

C13.06.11. COMMUNICATIONS COMMITTEE

The primary function of this Committee is to encourage communication from membership of the congregation to its leadership.

The Communications Committee is responsible for:

- a. planning and executing programs for the dissemination of information throughout the congregation;
- b. servicing all congregational organizations and members with a need to inform the public on any matter;
- c. providing input for the bulletin, the newsletter, marquee, website, bulletin boards and advertising.

This committee shall have a liaison appointed by Council.

C13.06.12. BUILDING AND GROUNDS COMMITTEE

The Building and Grounds Committee is responsible for the planning, developing and directing a continuing program of:

- a. maintenance, repair and protection of church property, to include structures, utility systems, fixed equipment and grounds;
- b. short and long range budgetary needs;
- c. servicing as leaders for employees and volunteers engaged in these activities.

This committee shall have a liaison appointed by Council.

ENDOWMENT COMMITTEE

**BYLAWS TO IMPLEMENT THE PLAN OF OPERATION
Amendment to Congregational Bylaws**

An Endowment Fund, whose purpose, governance and operational procedures shall be defined by special resolution adopted by the congregation, shall be established.

Committee Membership

The Committee shall consist of five members, all of whom shall be voting members of Streams in the Desert Lutheran church. Except as herein limited, the term of each member shall be (3) years. Upon adoption of this resolution by the congregation, it shall elect five (5) members to the Committee: 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 annual meeting, the congregation shall elect the necessary number for a term of (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. The senior pastor and the president/vice-president of the church council shall be advisory members of the Committee. The church council of the congregation shall nominate 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 church 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 fill the term of the vacancy.

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

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.

The committee shall elect from its membership a chairperson, recording secretary and financial secretary. The chairperson, or member designated by the chairperson, shall preside at all Committee meetings.

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. Each member shall keep a complete copy of minutes to be delivered to his or her successor. The recording secretary shall also supply a copy of the minutes to the church council.

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 shall sign checks and all other necessary documents on behalf of the congregation in furtherance of the purposes of the Fund. The books shall be audited annually by a certified public accountant or other appropriate person who is not a member of the committee.

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.

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.

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 members. No Member shall engage in any "self dealing" or transaction with the fund in which the member has direct or indirect financial interest and shall at all time refrain

from any conduct in which his or her personal interest would conflict with the interest of the Fund.

All assets are to be held in the name of the Streams Endowment Fund. Recommendations 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 for approval by the church council, with subsequent execution by the delegated member of the Committee.

Definition of Principal and Income

The committee shall determine what is principal and income according to generally accepted accounting principles.

Gifts and bequests to the fund shall accumulate until a principal amount of \$50,000 is achieved, after which up to 90 percent of the income generated from the investment of the principal may be expended.

Distribution of Income

Up to 90 percent of the income from the fund shall be distributed annually and at such other times as deemed necessary or feasible to accomplish the following purposes:

Minimum of 20 percent for outreach into the community and synod, including, but not limited to, grants to ELCA seminaries, colleges or students attending such schools, social service agencies, institutions and agencies to which this congregation relates, and to special programs designed for those persons in our parish area who are in spiritual and/or economic need.

Minimum of 20 percent for missions of the Evangelical Lutheran church in America in this continent and worldwide, including, but not limited to, grants to the Evangelical Lutheran Church in America for new congregational development in North America, professional leadership, educational ministries, global mission, ecumenism, evangelism, social ministries and capital financing.

Minimum of 20 percent for capital improvements, debt reduction or a building program of Streams in the Desert Lutheran Church.

Up to 40 percent for any one or all of the above designated areas in any proportion and determined by the Committee, or for causes and programs which at the discretion of the committee are consistent with the Fund purpose of enhancing the mission outreach of Streams in the Desert Lutheran church.

Programs for support shall be recommended by the committee and approved by the church council for funding according to the guidelines established by

the congregation.

Disbursements of income from the Fund need not occur annually in the event causes and programs have not been approved by the Committee sufficient to utilize total income available for disbursement, or if it is the judgment of the committee total annual disbursement of income is not recommended.

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 Fund principal, the committee may, upon majority vote, recommend such authorizing action to the congregation.

Amending the Resolution

BE IT FURTHER RESOLVED, that any amendment to this resolution which will change, alter or amend the purpose for which the fund is established shall be adopted by a majority vote of the members present at an annual meeting of the congregation or at a special meeting called specifically for the purpose of amending this resolution.

Disposition or Transfer of Fund

BE IT FURTHER RESOLVED, that in the event Streams in the Desert Lutheran church ceases to exist either through merger or dissolution, disposition or transfer of the Fund shall be at the discretion of the church council in conformity with the approved congregational constitution and in consultation with the bishop of the synod to which this congregation belongs at such time. Consultation with the Evangelical Lutheran church in America may be desirable for continuation of fund obligations.

Amended by January 21, 2007 Annual Meeting