

Resurrection Lutheran Church Constitution

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PREAMBLE

It is the will of our Lord Jesus Christ that his Disciples should preach the Gospel to the whole world (Mark 16:15, Matthew 28:18-20, Acts 1:8). That Christ's mission for His church might be carried out according to His will, He has commanded that Christians unite in worship (Hebrews 10:24-25), practice fellowship with one another (Acts 1:8, Matthew 28:18-20), serve the needs of all men in Christian love (Ephesians 4:7-16, Mark 10:42-44, John 13:35, Galatians 6:10), administer the Office of the Keys as His church (John 20:21-23, Matthew 18:15-20), and maintain decency and order (1 Corinthians 14:40) in the church.

We, the members of Resurrection Lutheran Church, Cary, North Carolina, accept and subscribe to the following Constitution and any subsequent Bylaws. They shall govern the spiritual, material and mission affairs of the congregation.

ARTICLE I NAME

The name of this congregation shall be RESURRECTION LUTHERAN CHURCH, Cary, North Carolina. All organization(s), including those that may operate at a satellite site of Resurrection Lutheran Church, an/or operate under Resurrection Lutheran Church's Federal Tax Identification Number are part of Resurrection Lutheran Church, and will be governed under this Constitution and Bylaws. This includes but is not limited to Resurrection Lutheran School ("RLS"), Resurrection Lutheran Preschool (RLP), and Resurrection Music School ("RMS").

ARTICLE II SYNODICAL AFFILIATION

This congregation shall be a member of the Lutheran Church-Missouri Synod as long as the confessions, constitution and practice of said Synod are in accord with the confessional position of this congregation as laid down in Article III below. This congregation shall, to the best of its ability, collaborate with said Synod and assist it in effecting all sound measures intended for building the Kingdom of God.

ARTICLE III CONFESSIONS

This congregation acknowledges and accepts all the canonical books of the Old and New Testament as the revealed inerrant Word of God, verbally inspired, and acknowledges and accepts all the Confessional Writings of the Evangelical Lutheran Church contained in the Book of Concord of the year 1580, to be the true and genuine exposition of the doctrines of the Bible. These Confessional Writings are the three Ecumenical Creeds (Apostles', Nicene, and Athanasian), the Unaltered Augsburg Confession, the Apology of the Augsburg Confession, the Smalcald Articles, Luther's Large and Small Catechisms, and the Formula of Concord.

ARTICLE IV MEMBERSHIP

The life of the church is Jesus Christ working through her members. In view of that, it is expected that all members will regularly attend worship services, receive the Lord's Supper and support the mission and ministry of the Lord in this place with their time, talents, and offerings. The membership of the congregation includes the following:

Baptized Members:

Those who are baptized in the Name of God the Father, Son and Holy Spirit and who are under the pastoral care of Resurrection Lutheran Church.

Confirmed Members:

Baptized members who accept all canonical books of the Old and New Testament as the only divine rule and standard of faith and life and, have studied the Christian faith, and have publicly declared their faith before the congregation, are Confirmed Members of the congregation.

Voting Members:

Confirmed members age 13 and over who attend a Congregation Voters' Meeting and sign this Constitution shall be Voting Members. Only Voting Members who are 18 years of age or older may vote on matters authorizing the congregation to enter into contractual obligations such as buying, selling, or encumbering real property; construction contracts or contracts of employment.

ARTICLE V AUTHORITY OF THE CONGREGATION

General

This congregation is organized to carry on the work of Christ's Church. The congregation as a body, through its Voting Members as delineated in Article IV above, shall have final authority to govern and direct all of its external and internal affairs and its activities in pursuit of the congregation's mission given by God. To pursue that mission, the Congregation Voters' Meeting shall elect a Church Council whose members shall follow the pattern of service and leadership set by our Lord Jesus Christ (Mark 10:35-45; Philippians 2:1-11). The Congregation Voting Members and the Church Council shall strive to make all decisions in accordance with the Word of God and the Confessions of the Lutheran Church (Article III above).

Voting Members shall retain and not delegate the authority of the congregation to call Ministers of Religion, Ordained and Commissioned who are eligible for a Divine Call. The Voting Members shall retain and not delegate the authority to select those persons who serve on the Church Council.

Except as otherwise noted in this Constitution, all congregation matters shall be decided by a simple majority vote of the Voting Members present at a properly convened meeting of the Congregational Voters'. Absentee voting or voting by proxy is not permitted in any action requiring vote of the Voting Members.

ARTICLE VI CHURCH ORGANIZATIONS

Any organization(s), including those that may operate at a satellite site of Resurrection Lutheran Church, and/or operate under Resurrection Lutheran Church's Federal Tax Identification Number are part of Resurrection Lutheran Church, and will be governed under this Constitution and Bylaws. This includes but is not limited to Resurrection Lutheran School ("RLS"), Resurrection Lutheran Preschool (RLP), and Resurrection Music School ("RMS").

Based on a petition signed by 2/3 (two-thirds) of an organization or satellite site's Voting Members, an organization or site can request peaceful release with the intention of obtaining their own Federal Tax ID Number and charter from the Southeastern District of the Lutheran Church, Missouri Synod. The Congregation Voters' Meeting of Resurrection Lutheran Church will vote on the peaceful release at a regularly scheduled Congregation Voters' Meeting. At that Meeting, the quorum rules for amending the Constitution and Bylaws will apply.

Any organization that signs a petition requesting peaceful release for a satellite site or organization will be considered by the Church Council. By signing such a petition, the organization declares its intent to leave Resurrection Lutheran Church tax code and acquire a separate tax code for the organization.

ARTICLE VII PASTORS AND OTHER CALLED WORKERS

The Pastoral Office shall be conferred only upon such candidates who (1) are well qualified for their work, (2) profess and adhere to the confessional standard set forth in Article III of this Constitution, and (3) uphold this Constitution and its Bylaws.

The Pastoral Office shall include:

Senior Pastor

- i. Shall be rostered by the Lutheran Church, Missouri Synod.
- ii. Shall be called by a 2/3 (two-thirds) majority vote of the Voting Members present in a properly announced Call Service.
- iii. Shall serve in such capacity unless removed by death, resignation, or in accordance with Article V, Number 3, of the Bylaws.
- iv. Shall be accountable to the Congregation Voters' Meeting through the Church Council.
- v. Shall serve as Director of Ministries of Resurrection Lutheran Church and provide spiritual guidance and leadership.

Associate Pastors - Called

- i. Shall be rostered by the Lutheran Church, Missouri Synod.
- ii. Shall be called by a 2/3 (two-thirds) majority vote of the Voting Members present at a properly announced Call service.
- iii. May be called to serve in either a full-time or a part-time capacity.
- iv. Shall be accountable to the Senior Pastor (in cases of Vacancy shall be accountable to the Church Council).
- v. Shall assist the Senior Pastor in providing spiritual and programmatic leadership to the Congregation.
- vi. Shall serve in such capacity unless removed by death, resignation, or in accordance with Article V, Number 3, of the Bylaws.

Associate Pastors - Contracted

- i. May be contracted by the Senior Pastor or, in the case of vacancy or emergency, by the Church Council.
- ii. Shall be rostered by the Lutheran Church, Missouri Synod.
- iii. Shall be accountable to the Senior Pastor; Senior Pastor's designee; or, in case of vacancy, the Church Council.
- iv. Shall assist the Senior Pastor or designee in providing spiritual and programmatic leadership to the congregation.
- v. Serve on the staff as an "at will" employee of the congregation.

Other Called Workers

- i. Shall be rostered by the Lutheran Church-Missouri Synod
- ii. Shall be called by a 2/3 (two-thirds) majority vote of the Voting Members present at a properly announced Call service
- iii. May be called in either full-time or part-time capacity
- iv. Shall be accountable to the Senior Pastor or their specific Resurrection School Principal/Director, or in cases of Vacancy, shall be accountable to the Church Council.
- v. Shall serve in such capacity unless removed by death, resignation, or in accordance with Article V, Number 3 of the Bylaws.

ARTICLE VIII CHURCH COUNCIL

Membership

The Church Council shall be composed of 9 (nine) Voting Members elected by the congregation as specified in Bylaws. The Senior Pastor will shall serve as an ex-officio, non-voting member of the Church Council.

Powers and Duties

- i. The Church Council, acting on the congregation's behalf, is authorized, empowered and directed to establish Governance Policies for the congregation for the management and administration of all congregational affairs.
- ii. Assure compliance with these policies.
- iii. Ensure that the congregation operates efficiently and in compliance with the church's mission as established in the Preamble of this Constitution.
- iv. The Church Council has authority to exercise all the powers of the congregation, except as limited by this Constitution, the Bylaws, or the congregation in a Voters' Assembly through the rules and guidelines of the Constitution and Bylaws
- v. The Church Council will support, encourage, and empower members of the congregation in their involvement in mission and ministry.
- vi. The Congregation Voters' Meeting and the Church Council should strive to make all decisions in accordance with the Word of God and the Confessions of the Lutheran Church (Article III above)
- vii. The Church Council, acting in Christian and lawful order and in consultation with the Senior Pastor, may remove any appointed official from office for one or more of the following causes:
 - a. Persistent adherence to false doctrine.
 - b. Scandalous life.

- c. Inability or unwillingness to perform official duties or neglect of them.
 - d. Refusal to work towards the mission and flow of the congregation.
 - e. A significant or repeated recurrence of exceeding of his or her authority.
- viii. The Congregation President, Congregation Vice-President, Secretary and Treasurer are authorized to sign all legal papers on behalf of the congregation and shall serve as the congregation's Legal Trustees.

Vacancies

Should a vacancy occur on the Church Council, the vacancy shall be filled in accordance with applicable provisions of the Bylaws. The appointment to fill a vacancy on the Church Council shall always be to complete an unexpired term.

Every effort shall be made to fill vacancies within three months of their occurrence. However, if there is less than 6 (six) months of service left in the term, the position may remain vacant until it is filled through the election process.

ARTICLE IX MEETINGS

One scheduled Annual Congregation Voters' Meeting shall be held each calendar year. Special Congregation Voters' Meetings may also be called by the Congregation President or Sr. Pastor or by written petition hand delivered to the Congregation President, by twenty-five voting members. The qualified voting members in attendance shall constitute a quorum.

Special Congregation Voters' Meetings when called will give at least two weeks notice to the membership. The purpose of the Special Congregation Voters' Meeting will be identified and the business conducted at the meeting will be limited to that stated purpose when the meeting was called.

All meetings are to be in accord with *Robert's Rule of Order*, the 11th edition or later which includes Electronic Meetings.

At the annual Congregation Voters' Meeting, the minimum agenda must include the budget for the next year, the election of Church Council members and the State-of-the-Church, as given by the Sr. Pastor or a member of the Church Council.

ARTICLE X PROPERTY RIGHTS

Legal Trustees

The Congregation President, Congregation Vice-President, Secretary and Treasurer of the Church Council shall serve as Legal Trustees, in whom title of all church property shall be vested.

Property Rights

This congregation may receive, acquire, hold title to, and manage such real estate and other property as it may deem necessary to accomplish its purpose as a congregation and may sell or dispose of such real

estate and other property thereof; and this congregation shall have all the rights and powers that are granted by the laws of the state of North Carolina to not-for-profit religious organizations.

If, at any time, an unresolved conflict shall take place within this congregation, the advice of the Council shall be sought. If, despite all efforts to resolve these differences in peace and love, a division into factions of the congregation shall occur, the property of the congregation and all benefits connected shall remain with the majority adhering to Article III.

In the event the congregation should decide to no longer be a member of the Lutheran Church - Missouri Synod, the property and all rights therewith shall remain with the congregation and whatever church body they deem appropriate and right to affiliate themselves with. In the event the congregation should totally disband, the property and all rights therewith, shall be conveyed to the Southeastern District of the Lutheran Church - Missouri Synod.

ARTICLE XI AMENDMENTS TO THE CONSTITUTION AND BYLAWS

Amendment of the Constitution

- i. Amendment of the Constitution will take place at a properly called meeting of the Congregation Voters' Meeting.
- ii. Proposed changes to the Constitution will be published at least two weeks before the Congregation Voters' Meeting at which the changes will be approved or disapproved.
- iii. Meetings at which agenda items include voting on an Amendment to the Constitution require a 10% quorum of the Voting Members.
- iv. Amendments to the Constitution require a 2/3 approval of the Voting Members present.
- v. Proposed amendments shall be submitted to the District President for review and approval by the District Board of Directors prior to final approval by the Voters' Meeting.

Amendment of the Bylaws

- i. Amendment of the Bylaws will take place at a properly called meeting of the Congregation Voters' Meeting.
- ii. Proposed changes to the Bylaws will be published at least two weeks before the Congregation Voters' Meeting at which the changes will be approved or disapproved.
- iii. Meetings at which agenda items include voting on an Amendment or changing the Bylaws require a 10% quorum of the Voting Members.
- iv. Amendments to the Bylaws require a simple majority vote of the Voting Members
- v. Proposed amendments shall be submitted to the District President for review and approval by the District Board of Directors prior to final approval by the Voters' Meeting.

END

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