

**Resolution Number 2 2009 Eastern Washington-Idaho Synod Assembly  
(ATTACHMENT)**

**SHARE FUND  
OF THE EASTERN WASHINGTON-IDAHO SYNOD  
OF THE EVANGELICAL LUTHERAN CHURCH IN AMERICA**

**SHARE** is an acronym for “Synodical Help and Response Endowment” Fund.

The SHARE Fund of the Eastern Washington-Idaho Synod is established to provide additional resources to help congregations and other outreach ministries during times of change and/or development and to provide for the spiritual and emotional support of the Clergy and Associates in Ministry of the Synod and their families.

**AMENDMENT TO SYNODICAL BYLAWS**

“Endowment funds, whose purpose, governance, and operational procedures shall be defined by special resolution adopted by the Synod at its biennial business meetings, may be established.”

Updated:

12/97 – update to reflect money managed by ELCA

12/99 – update accounting policies & procedures

12/00 – update – miscellaneous

01/01 – update to reflect ELCA Pooled Trust Management

04/01 – update – miscellaneous

***02/08 – update to clarify investment options (proposed)***

## **RESOLUTION TO IMPLEMENT THE ENDOWED FUNDS**

WHEREAS, Christian stewardship involved management of all the gifts God has given humankind . . . time, talents, the created world and money, including **accumulated, inherited and appreciated resources**; and

WHEREAS, Christians can give to the work of the church through bequests in wills, charitable remainder and other trusts, charitable gift annuities, assignment of life insurance, and transfer of property (cash, stocks, bonds, real estate); and

WHEREAS, it is the desire of the Eastern Washington-Idaho Synod of the Evangelical Lutheran Church in America to encourage, receive and administer these gifts in a manner consistent with the loyalty and devotion to their LORD expressed by the givers and in accordance with the adopted goals and policies of the Synod for each fund balance:

THEREFORE BE IT RESOLVED, that this Synod Assembly on June 7-9, 1991 approve and establish on the records of the Synod a new and separate fund category to be known as THE SHARE FUND ENDOWMENT of the Eastern Washington-Idaho Synod (hereafter called "SHARE").

BE IT FURTHER RESOLVED, that the purpose of this SHARE Fund shall be to enhance the mission of the Eastern Washington-Idaho Synod apart from the general operation of the Synod; that no portion of the income generated by the SHARE Fund shall be used for the annual operating budget of the synod; that, except where authorized otherwise in terms of the gift, all principal amounts will be retained and only the income expended;

BE IT FURTHER RESOLVED, that the following "Plan of Operation" set forth the administration and management of the SHARE Fund:

Per bylaw P15.41.C.2 all undesignated bequests, life income agreements, life insurance policies, shall go to the SHARE Endowment.

## PLAN OF OPERATION

### I. OVERSIGHT

The Executive Committee of the Eastern Washington-Idaho Synod (or an endowment committee, should the Executive Committee so appoint) shall ~~oversee~~ **manage and administer** the SHARE Fund. A SHARE Fund report shall be a part of each Executive Committee meeting agenda.

The SHARE Endowment ~~is~~ **may be** managed on behalf of the Eastern Washington-Idaho Synod by the ELCA Foundation (Pooled Trust, Endowment Management) **or as otherwise determined by the Executive Committee and approved by the Synod Council**. The Executive Committee of the Synod is charged with overseeing SHARE and distributing assets. The Executive Committee may consult with the Outreach Committee or other committees as necessary.

### II. *Powers of the Fund Manager*

*The manager of the fund, whether the fund is managed and administered by the Executive Committee, or whether the fund is delivered to the Evangelical Lutheran Church in America for management and administration, shall have the following powers and authority.*

*The property constituting the corpus of the fund shall be invested and reinvested in any kind of property (whether real or personal, tangible or intangible, and/or domestic or foreign), including but not limited to, securities, real estate, oil, gas and other natural resources and/or accounts or certificates of banks or other lending institutions, and each investment shall be managed and protected in accordance with the principles herein established. In exercising the authority granted in this section, the decisions with respect to investment shall be guided by the concept of a prudent investor whose investment purpose includes both income and capital appreciation and shall not otherwise be restricted by any law, rule or custom (1) requiring safety of a corpus as a primary consideration, (2) regarding investment in income producing property, or (3) requiring diversification or investments. It is further understood that any part or the entire fund may be invested in obligations of the Evangelical Lutheran Church in America, its synods, seminaries, colleges, institutions or agencies, including, but not limited to, the Foundation of the ELCA and/or the Mission Investment Fund of the ELCA. In amplification, but not as a limitation, of the foregoing, authority is granted:*

- 1. to acquire interest in property by purchase, lease, rental or other method; to sell, option, exchange, redeem or convert any property interests; and to rent or lease property of the fund;*
- 2. to exercise all rights and privileges accruing to a holder of securities, including all voting, conversion, subscription and preemptive rights; to deposit any securities with, delegate discretionary power to, and participate, cooperate and contract with, as a member or otherwise, any protective committee of security holders; and to effectuate any merger, consolidation, dissolution, reorganization or financial adjustment of the issuer of any securities and/or any transfer, demise, or encumbrance of any of its properties;*
- 3. to manage and/or develop any real property owned, leased, or otherwise held by the fund; to erect, repair, remodel, reconstruct, demolish or remove buildings or other improvements on it; to partition or subdivide it; to dedicate all or any part of it to public or semipublic use, and to grant easement or other charges with respect to it;*

4. *to abandon any property interest deemed worthless or of insignificant value;*
5. *to borrow money from any source, to encumber property of the fund and to repay any loan due by the fund;*
6. *to foreclose any mortgage, lien, or other encumbrance, and to purchase the encumbered property, whether through foreclosure or private arrangement;*
7. *to establish and maintain, out of income, depreciation, depletion and/or amortization reserves;*
8. *to maintain a portion of all of the property constituting the fund in liquid or nearly liquid form, even though little or no income is earned thereon;*
9. *to hold property, and to negotiate and execute documents on behalf of the fund, in the name of the fund or in the name of a nominee(s) without disclosing any fiduciary relationship to anyone;*
10. *to allocate between income and corpus (in cases where reasonable doubt of the applicable law exists) in equitable proportions, any money or other property received, and any loss or expenditure incurred;*
11. *to make division and distribution of income of the fund either in kind or in cash, or partly in kind and partly in cash and for such purpose to set values upon any property of the fund; and*
12. *to protect the fund and its property by insurance against damage, loss or liability.*

### III. DISTRIBUTION OF INCOME

The distribution will be made following the guidelines of the ELCA Endowment Fund Pooled Trust *or as otherwise determined by the Executive Committee, with approval of the Synod Council, so long as such a distribution does not otherwise violate the provisions of the constitution, by-laws, or Plan of Operation for the Fund.*

Gifts and bequests to the SHARE Fund shall accumulate for five years or until a principal balance of \$50,000.00 is achieved, after which the annual distributions shall be made.

When designated gifts of cash/check are received for SHARE, they are recorded in the Synod office and forwarded to Region 1 Accounting. There the gifts are deposited into a SHARE restricted account. When this account reaches approximately \$1,000.00, a check is written to the SHARE Endowment and is ~~sent to the ELCA Foundation for endowment management in the Pooled Trust of the ELCA.~~ *invested according to the management plan of the Fund.*

Gifts of stock received by the SHARE Endowment shall be sold ~~via the ELCA~~ and the proceeds deposited to the SHARE Endowment.

All designated bequests to SHARE and all undesignated bequests or other planned giving received by the synod will go to SHARE (bylaw P15.41.C.2) Undesignated cash gifts from individuals to the synod, (i.e. endowment, general budget) are at the discretion of the executive committee, as to where

they should be deposited.

All gifts and life-income agreements (i.e., Charitable Trusts, will gifts, etc.) are thanked/receipted by the Synod Office (preferably thanked by the Bishop). All gift letters must include the statement: "No goods or services were given in exchange for this gift", / IRS law.

Distribution from the SHARE Fund shall be made annually to designated recipient funds or discretionary accounts. Programs for support and other designated distributions shall be recommended by the Executive Committee (or endowment committee if appointed) and approved by the Synod Council for funding.

The SHARE Fund distribution shall be made in the following manner: To begin new mission starts, provide temporary support for struggling congregations in changing situations, and provide for ministries in specialized settings; and for congregations whose pastor, for a variety of reasons, may need to consider a temporary or permanent vocational change, and to encourage continuing educational opportunities and sabbaticals for our Synod's clergy and associates in ministry which will enhance their ministry and benefit the parish in which they are serving; (10/08/98). Requests, for receiving distributions from congregations, outreach committee, other committees, Bishop, Synod council etc. must be made in writing by March 1st to the Executive Committee. The Executive Committee will present recommendations for disbursement to the synod council at it's second meeting of the year, for approval of the distributions. Distributions (when possible) should be announced at the synod assembly.

Beginning January 2001 and on an annual basis thereafter, at the recommendation of the ELCA Foundation Pooled Trust, *if it is managing the Fund on the Synod's behalf*, the annual distribution amount is set at 5% of the value of SHARE (based on a 5 year rolling average).

The Eastern Washington-Idaho Synod follows the policies and procedures of the ELCA Foundation in terms of gift acceptance, management, conflicts of interest, confidentiality, disclosures, ethical and professional standards, and follow-up procedures.

Each SHARE donor of \$1,000 or more outright or planned is listed on the SHARE Honor Roll of Donors (SHAREHOLDERS) and receives a SHARE logo memento. All SHARE donors are invited to an annual reception.

#### **IV. AMENDING THE RESOLUTION**

BE IT FURTHER RESOLVED, that any amendment to this resolution, which will change, alter, or amend the purposes for which the SHARE Fund is established shall be by a two-thirds vote of the members present at a Synodical Assembly of the Eastern Washington-Idaho Synod or at a special meeting called specifically for the purpose of this resolution. Such a meeting shall be called by the Bishop if directed by the Synod Council.

#### **V. DISPOSITION OR TRANSFER OF FUNDS**

BE IT FURTHER RESOLVED, that in the event the Eastern Washington-Idaho Synod of the Evangelical Lutheran Church in America ceases to exist through merger or dissolution, disposition or transfer of the SHARE Fund shall be at the discretion of the Synod Council in conformity with the

approved constitution of the Synod and of the Evangelical Lutheran Church in America. Any actions shall also conform to the existing “synodical investment guidelines.”

**VI. ADOPTION OF RESOLUTION**

This resolution, recommended by the Synod Council and accepted by the Synodical Assembly of the Eastern Washington-Idaho Synod at a regularly called assembly session is hereby adopted according to the rules of the floor.

EASTERN WASHINGTON-IDAHO SYNOD

JUNE 7-9, 1991 SYNODICAL ASSEMBLY

***Robert M. Keller***  
Synod Bishop

***Dee Watrous***  
Synod Vice President

***Alan Berg***  
Synod Secretary

***Barbara Bauer***  
Synod Treasurer

Dated this 9th day of June 1991