



# Bishop Creek Community Church

## Constitution

Bishop, California

**Article I. Name and Location of Principal Office** - The name of organization, a nonprofit corporation, shall be Bishop Creek Community Church, an Evangelical Free Church. The principal office for the church shall be located in the city of Bishop, county of Inyo, state of California.

**Article II. Statement of Faith** - The Statement of Faith of the church shall be the same as that of The Evangelical Free Church of America (EFCA) and its EFCA West District. The Statement of Faith (2008) reads as follows:

### **We Believe:**

The Evangelical Free Church of America is an association of autonomous churches united around these theological convictions:

### **God**

1. We believe in one God, Creator of all things, holy, infinitely perfect, and eternally existing in a loving unity of three equally divine Persons: the Father, the Son and the Holy Spirit. Having limitless knowledge and sovereign power, God has graciously purposed from eternity to redeem a people for Himself and to make all things new for His own glory.

### **The Bible**

2. We believe that God has spoken in the Scriptures, both Old and New Testaments, through the words of human authors. As the verbally inspired Word of God, the Bible is without error in the original writings, the complete revelation of His will for salvation, and the ultimate authority by which every realm of human knowledge and endeavor should be judged. Therefore, it is to be believed in all that it teaches, obeyed in all that it requires, and trusted in all that it promises.

### **The Human Condition**

3. We believe that God created Adam and Eve in His image, but they sinned when tempted by Satan. In union with Adam, human beings are sinners by nature and by choice, alienated from God, and under His wrath. Only through God's saving work in Jesus Christ can we be rescued, reconciled and renewed.

### **Jesus Christ**

4. We believe that Jesus Christ is God incarnate, fully God and fully man, one Person in two natures. Jesus-Israel's promised Messiah-was conceived through the Holy Spirit and born of the virgin Mary. He lived a sinless life, was crucified under Pontius Pilate, arose bodily from the dead, ascended into heaven and sits at the right hand of God the Father as our High Priest and Advocate.

## **The Work of Christ**

5. We believe that Jesus Christ, as our representative and substitute, shed His blood on the cross as the perfect, all-sufficient sacrifice for our sins. His atoning death and victorious resurrection constitute the only ground for salvation.

## **The Holy Spirit**

6. We believe that the Holy Spirit, in all that He does, glorifies the Lord Jesus Christ. He convicts the world of its guilt. He regenerates sinners, and in Him they are baptized into union with Christ and adopted as heirs in the family of God. He also indwells, illuminates, guides, equips and empowers believers for Christ-like living and service.

## **The Church**

7. We believe that the true church comprises all who have been justified by God's grace through faith alone in Christ alone. They are united by the Holy Spirit in the body of Christ, of which He is the Head. The true church is manifest in local churches, whose membership should be composed only of believers. The Lord Jesus mandated two ordinances, baptism and the Lord's Supper, which visibly and tangibly express the gospel. Though they are not the means of salvation, when celebrated by the church in genuine faith, these ordinances confirm and nourish the believer.

## **Christian Living**

8. We believe that God's justifying grace must not be separated from His sanctifying power and purpose. God commands us to love Him supremely and others sacrificially, and to live out our faith with care for one another, compassion toward the poor and justice for the oppressed. With God's Word, the Spirit's power, and fervent prayer in Christ's name, we are to combat the spiritual forces of evil. In obedience to Christ's commission, we are to make disciples among all people, always bearing witness to the gospel in word and deed.

## **Christ's Return**

9. We believe in the personal, bodily and premillennial return of our Lord Jesus Christ. The coming of Christ, at a time known only to God, demands constant expectancy and, as our blessed hope, motivates the believer to godly living, sacrificial service and energetic mission.

## **Response and Eternal Destiny**

10. We believe that God commands everyone everywhere to believe the gospel by turning to Him in repentance and receiving the Lord Jesus Christ. We believe that God will raise the dead bodily and judge the world, assigning the unbeliever to condemnation and eternal conscious punishment and the believer to eternal blessedness and joy with the Lord in the new heaven and the new earth, to the praise of His glorious grace. Amen.

**Article III. Affiliation** - The church shall be affiliated with the Evangelical Free Church of America and with the EFCA West District of the Evangelical Free Church and will be an active congregational participant in the work and ministry of EFCA West and the Evangelical Free Church of America.

**Article IV. Purpose** - The purpose of the church shall be to bring honor and glory to God by the following: The corporate worship of God, the training and equipping of believers through the Scriptures, the development of a nurturing and caring fellowship, the meeting of the needs of members and others in service, and the communication of the gospel of Jesus Christ to people of any cultural context in our community, region, and around the world.

**Article V. Membership** - The membership of the church shall be composed of individuals who have received the Lord Jesus Christ as their Savior and who give evidence by confession and conduct that they are living in accord with the Bible and in fellowship with Jesus Christ, and who willingly support and cooperate with the ministry of the church by their faithful interest, service and contributions.

**Article VI. Property Rights** -

Section 1. The church shall have the power to receive and to hold such real, personal or mixed property as is authorized by the laws of the State of California and as is deemed necessary for the business of the church, and shall have the power to dispose of such property by mortgage, deed, or otherwise. All such property shall be held in the name of the church.

Section 2. In the event of a division of the church, all property and assets shall be the possession of those who abide by this constitution and the by-laws of the church.

Section 3. In the event of dissolution of the church organization, the property shall be assigned to and become the possession of the EFCA West District of the Evangelical Free Church of America. The church shall be considered dissolved if so decided by the membership, or when less than six active members remain.

**Article VII. Government** - The ultimate authority of the church resides in Jesus Christ as the Head of the Church and in the Bible as the basis for all faith and practice. The church shall be free and self-governing, but will seek to utilize the resources of the Evangelical Free Church of America while serving the EFCA regional, national and international ministries whenever it is practical. The government of the church is vested in its membership and vested in its officers who shall be approved and affirmed by the membership to carry out God's purposes.

**Article VIII. Officers** - The officers of the church shall be the Lead Pastor and Elders and other officers as deemed necessary by the church and provided for in the by-laws of the church.

**Article IX. By-laws and Policy Manual** - The by-laws shall be established to provide for specific governing information and requirements, qualifications of members and leaders, provisions for voting and affirmation of leaders, and other necessary items as deemed important for the establishment of healthy church ministry. A policy manual shall be established to describe the operational activities of the church and shall be easily adapted to changing circumstances as needs for change arise.

**Article X. Amendments** - Amendments to this constitution may be made at any membership business meeting when the proposed amendments have been presented to the membership in writing and posted for at least twenty-one days prior to the membership business meeting in which the amendment will be considered and a vote taken to decide on the issue of the amendment's passage. A two-thirds majority vote of members who are present at that meeting will be required for passage of the amendment.

#### Approved Amendments

#### **Article XI. Marriage -**

##### A. Definition of Marriage

Marriage has been instituted by God. This church defines marriage as the exclusive covenantal union of one man and one woman in which such union is intended to be a lifetime commitment. A civil government's sanction of a union will be recognized as a legitimate marriage by the church only to the extent that it is consistent with the definition of marriage found in this Article XI.

##### B. Legitimate Sexual Relations

Legitimate sexual relations are exercised solely within marriage. Hence, sexual activities outside of marriage, including but not limited to adultery, premarital sex, homosexuality and pedophilia, are inconsistent with the teachings of the Bible and the church. Further, lascivious conduct, transgender behavior and the creation and/or distribution and/or viewing of pornography are incompatible with the biblical witness.

**Article XII. Updated Statement of Faith** - An amendment to the 1950 Statement of Faith (Article II) is adopted, replacing it with the new Statement of Faith adopted by the EFCA at their annual conference on June 26, 2008, in accordance to the ordinances of the EFCA to do so.

The 10-point Statement of Faith has been inserted under Article II of this document, replacing the previous 12 point document.



# Bishop Creek Community Church

## By-Laws

### **BYLAW I: MEMBERSHIP**

#### **Section 1. Qualifications<sup>1</sup>**

A member of Bishop Creek Community Church is one who:

- a. Acknowledges the Lord Jesus Christ as his or her personal Lord and Savior
- b. Is committed and involved in God's work in the world through Bishop Creek Community Church
- c. Is not a member of another church\*
- d. Is at least 18 years of age\*\*
- e. Has had a discussion with an elder of the church regarding these matters
- f. Has read and signed the Bishop Creek Community Church Membership Handbook. Has read and understood the Statement of Faith of the EFCA

\* Any person desiring membership who currently holds membership in another church will be considered on a case-by-case basis by the Elder Board.

\*\* Any person under the age of 18 desiring membership will be considered on a case-by-case basis by the Elder Board.

#### **Section 2. Membership Privileges**

##### **A. Voting**

###### **1. Household Participation**

We affirm the headship of the husband as the leader of the home and encourage discussion among the members of a family concerning all matters brought to vote. We encourage parents to involve their children in these discussions wherein children can be both heard and taught. We also encourage families to strive to seek unity whenever possible.

###### **2. Voting Members**

All members shall be considered voting members and are entitled to one vote on any matter submitted by the Elder Board to the congregation. Only members may vote.

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<sup>1</sup> See Bishop Creek Community Church Membership Handbook for definition and clarification of these statements.

### **3. Decisions Made by Membership Vote**

Members are entitled to vote on the following:

- a. Approval and/or termination of elders and pastors as brought forth by the Elder Board.
- b. Members submitted for approval by the Elder Board
- c. Approval of an annual budget
- d. Amendments to this constitution
- e. Construction of facilities, acquisition or sale of real property
- f. Special elections as called by the Elder Board

### **4. Method of Vote**

The method of vote will be determined by the Elder Board. Votes may be cast by either a show of hands, or a standing indication of yea or no, or by ballot.

### **5. Voting By Proxy**

No members may vote by proxy. The Elder Board reserve the right to accept written absentee votes in individual cases of regular attendees who are unable to attend a voting meeting due to exceptional circumstances.

#### **B. Holding Office**

Only members of Bishop Creek Community Church shall be eligible to hold an office of Bishop Creek Community Church.

#### **C. Participation in Committee's**

Only members of Bishop Creek Community Church shall be eligible to participate in a committee of Bishop Creek Community Church.

### **Section 3. Church Discipline**

Bishop Creek Community Church is a body of Christian believers who hold certain biblical beliefs and standards in common. On occasion, members of the church may conduct themselves in a manner contrary to these beliefs and standards. Any such conduct should be brought to the attention of the Elder Board. It shall be a high priority for the church to restore such persons into conformity with the fellowship as outlined in Matthew 18:15-17. The discipline of the church shall be entrusted to the Elder Board. The Elder Board shall conduct a reasonable investigation, which includes interviewing the party in question, and allowing for a defense. If discipline is necessary, the Elder Board has the authority to place an individual under church discipline, including removal from Membership if necessary. The Elder Board may inform the congregation of such action at the next convenient congregational meeting. If there is no repentance, the Elder Board may vote to terminate membership.

## **Section 4. Suspension**

The Elder Board reserves the right to suspend the Membership privileges of a member under church discipline. The reason for suspension shall be stated in a letter to the suspended member, sent by certified mail, return receipt requested. The person may appeal the Elder Boards' action within 30 days, who will either approve the action or reverse it. He or she may make a case before the elder board and may bring witnesses to appeal the decision. The Elder Board shall then affirm or reverse their decision or determine an alternative course of action.

## **Section 5. Removal**

### **A. Authority to Remove a Member**

The removal of a member shall be the sole responsibility of the Elder Board

### **B. Grounds for Removal of a Member**

#### **1. Non-participation**

Any member, who for a period of three months absents himself or herself from all services of the church without giving a satisfactory reason for such absence, may be removed from the roll of Membership by a two-thirds majority vote of the Elder Board. Before action may be taken to remove a member, reasonable efforts shall be made to contact the individual and to ascertain the reasons for non-participation.

#### **2. Resignation**

A member may resign by submitting a written resignation to the Elder Board.

#### **3. The Result of Church Discipline**

As an act of church discipline, the Elder Board may remove an individual from the roll of Membership in Bishop Creek Community Church.

## **Section 6. Reinstatement**

Upon written request to the Elder Board, the Board may reinstate a former member to the Membership of Bishop Creek Community Church upon such terms as the Board may deem appropriate.

## **BYLAW II: ELDERS**

### **Section 1. Description**

The office of Elder is one of dignity and usefulness. The man who fills it has in Scripture different titles expressive of his various duties. He has the oversight of the flock of Christ. His duty is to be solemn and prudent, an example to the flock, and to govern well in the house and Kingdom of Christ. He expounds the Word, and by sound doctrine both exhorts and convinces the hearer.

### **Section 2. Qualifications**

As defined by Scripture, the office of elder shall be filled by a man. As outlined in 1 Timothy 3:1-7 and Titus 1:5-9, the man who fills this office should live a life in faithful obedience to the gospel. He should not be a man who is a new convert. He should not be addicted to wine, fond of money or of sordid gain, pugnacious, contentious, accused of dissipation or rebellion, self-willed, or quick-tempered. He should be a man who is above reproach, the husband of one wife, temperate, prudent, respectable, gentle, hospitable, sensible, just, devout, and self-controlled. He should be apt to teach, that is, able to exhort the church in sound doctrine and refute those who contradict the faithful Word. He should be a godly ruler of his household and of good reputation outside the church. In addition, he should be a man of sexual purity free from the practice of adultery, homosexuality, or fornication.

Other qualifications for the office of Elder as required by Bishop Creek Community Church include that each man must:

1. Elders shall be a voting member of Bishop Creek Community Church for at least one year prior to their election. This requirement shall be waived for the Lead Pastor;
2. Lead a life that demonstrates a personal commitment to the Lord Jesus Christ and to the work of Bishop Creek Community Church; and
3. Be in agreement with the Vision Statement and Statement of Faith of Bishop Creek Community Church.

The Elder Board will examine candidates for the office of Elder as to their character, doctrine, and commitment to the work of Bishop Creek Community Church.

# **BYLAW III: THE ELDER BOARD**

## **Section 1. The Elder Board**

### **A. Description**

It belongs to the Elder Board, both severally and jointly, to watch diligently over the people committed to their charge, that no corruption of doctrine or of morals enters therein. They must exercise government and discipline, and take oversight not only of the spiritual interests of the particular church, but also the church generally when called thereunto. They should visit the members of the church, especially the sick. They should instruct the ignorant, comfort the mourner, nourish and guard the children of the church. They should set a worthy example to the flock entrusted to their care by their zeal to evangelize the unconverted and make disciples. All those duties, which all Christians are bound to discharge by the law of love, are especially incumbent upon them by divine vocation, and are to be discharged as official duties. They should pray with and for the people, being careful and diligent in seeking the fruit of the preached Word among the flock. Elders should, moreover, cultivate zealously their own aptness to teach the Scriptures and should improve every opportunity of doing so.

Other specific functions and responsibilities of the Elder Board shall consist of, but not be limited to, the following:

1. Establishment and Oversight of Committees and Ministries.
2. Determining the number of Deacons and assigning and overseeing Deacons.
3. Evaluating, educating, and nominating candidates for Membership in the church and reporting on any changes in the status of members.
4. Removing, suspending, or reinstating members subject to due process procedures under these bylaws.
5. Acting as Ordination Council for the purpose of examining and ordaining suitable men unto gospel ministry.

### **B. Number**

The number of elders shall be a joint responsibility of the Elder Board and the Congregation. The Congregation shall affirm the recommendation of the Elder Board. A majority vote of the Members shall prevail. At no point shall the Elder Board be composed of less than 3 Elders.

### **C. Selection, Examination and Election**

An Elder candidate list shall be compiled by recommendation of elders or congregants. If a candidate desires to serve as an Elder, the Elder Board will examine the candidate as to his character, doctrine, and commitment to Bishop Creek Community Church. If approved by the Board, the candidate shall then be put before the congregation for approval. A candidate who is approved by a majority vote of the congregation shall become an Elder.

## **D. Tenure**

Elders are elected for 2-year terms and may serve additional terms. Elders may be elected for a period of less than 2 years. Pastors shall be exempt from this rule.

## **E. Meetings**

### **1. Rules of Meeting**

#### **a. Frequency of Meeting**

The Elder Board shall meet as needed but shall endeavor to meet no less than once a month for the purpose of prayer, edification, and leadership direction.

#### **b. Meeting Moderator**

The Lead Pastor shall serve as, or appoint the moderator of the meetings of the Elder Board.

#### **c. Quorum**

A majority of the Elder Board shall constitute a quorum for the transaction of business at any meeting of the Elder Board. If less than half of the members of the Board are present, a majority of the members present may adjourn the meeting to another time.

#### **d. Manner of Acting**

It shall be the practice of the Elder Board to seek unity in all matters of church life through discussion, prayer, and, if necessary, fasting. However, it is recognized that differences of opinion and position can be held without the breaking of fellowship. At such times, any member of the Elder Board may call for a vote to resolve such issues. If the call for a vote is seconded, a vote will be taken. Votes may be cast yea, no, or abstention. In such circumstances, decisions will be determined by a majority vote of the Board.

#### **e. Informal Action**

Any action required by law to be taken at a meeting of the Elder Board may be taken without a meeting if all members of the Elder Board give their consent in writing for the action to be taken.

#### **f. Meeting Minutes**

Written minutes of the meetings of the Elder Board shall be compiled by an elder and approved by the Elder Board.

## **2. Special Meetings of the Elder Board**

Special meetings of the Elder Board may be called by or at the request of any member of the Elder Board.

## **F. Delegation and Organization**

Changes to the organizational structure of leadership may become necessary as Bishop Creek Community Church enters new phases of growth. It is the right and privilege of the Elder Board to create a structure of leadership that best fits the present size and needs of the church body. The Elder Board at their discretion may form various committees to carry out various tasks. The Board shall determine the job descriptions and composition of these committees. All such committees are responsible to the Elder Board and shall submit written minutes of their meetings to the Board.

## **G. Resignation**

A member of the Elder Board may resign by giving written notice to the Board.

## **H. Removal**

### **1. Authority to Remove an Elder**

The removal of an Elder shall be the joint responsibility of the Elder Board and the Congregation.

### **2. Grounds for Removal of an Elder**

An Elder may be removed from the Elder Board for any of the following reasons:

- a. As the result of a request for a temporary leave of absence.
- b. As the result of a request for resignation.
- c. As a result of church discipline.

### **3. Procedure for Removal of an Elder Under Church Discipline**

In order to consider the removal of an Elder, there must be an accusation brought against the Elder by two or more witnesses (1 Timothy 5:19). The elder in question shall be present. If such an accusation is brought, the Elder Board shall conduct a reasonable inquiry concerning the matter. If by a two-thirds vote the Elder Board finds no grounds for dismissal, the matter will closed. If grounds for dismissal are found, the termination of the elder shall be brought to a vote of the Congregation. A two-thirds vote of the Congregation is necessary for removal.

Furthermore, if this man continues in sin, he shall be brought before the congregation at any regular or special meeting and, in accordance with God's Word (1 Timothy 5:20a), his sin revealed and rebuked. This will be done so that the members of the church themselves may be conscious of the gravity of sin and fearful of sinning (1 Timothy 5:20b).

## **Section 2. Pastoral Staff**

### **A. Qualifications**

As all Pastors are also Elders, those who serve on the Pastoral Staff must meet all of the same qualifications as an Elder (Bylaw II, Section 2).

### **B. Hiring**

In the event a pastoral position needs to be filled, a Search committee/ pastoral search team will be assembled, being comprised of both elders, congregants and/or outside consultation. The composition of the Search committee shall be determined by the Elder Board.

The Elder Board shall seek the candidacy of qualified persons. Candidates may be suggested by any congregant. The Board shall make arrangements to interview potential, qualified persons and may invite such persons to meet with the congregation and to give one or more sermons. After careful consideration of a candidate's qualifications, the Board may select a recommended candidate. Thereupon, at the next special or regular meeting of the church, members of the Board shall introduce the candidate and present his qualifications and recommendations. Upon the affirmative vote of a three-fourths majority of church members present at such a vote, such recommended candidate will be considered approved for office. Shortly thereafter the Board shall negotiate the final terms and conditions to be offered to the newly affirmed Pastor.

### **C. Resignation**

A member of the Pastoral Staff may resign by giving written notice to the Elder Board.

### **D. Removal**

#### **1. Authority to Remove Pastoral Staff**

The removal of a member of the Pastoral Staff shall be the joint responsibility of the Elder Board and the Congregation.

#### **2. Grounds for Removal of Pastoral Staff**

A member of the pastoral staff may be removed from office for any of the following reasons:

- a. As the result of a request for resignation.
- b. As a result of church discipline (Bylaw 1, Item 3).
- c. On the basis of failure to maintain the qualifications of Elder.
- d. On the basis of failure to fulfill pastoral responsibilities. The Pastor shall be reviewed at least once a year by the Elder Board.

### **3. Procedure for Termination of Pastoral Staff**

In order to consider the removal of an Elder, there must be an accusation brought against the Pastor by two or more witnesses (1 Timothy 5:19). The Pastor in question shall be present. If such an accusation is brought, the Elder Board shall conduct a reasonable inquiry concerning the matter. If by a two-thirds vote the Elder Board finds no grounds for dismissal, the matter will be closed. If grounds for dismissal are found, the termination of the elder shall be brought to a vote of the Congregation. A two-thirds vote of the Congregation is necessary for removal.

Furthermore, if this man continues in sin, he shall be brought before the congregation at any regular or special meeting and, in accordance with God's Word (1 Tim. 5:20a), his sin revealed and rebuked. This will be done so that the members of the church themselves may be conscious of the gravity of sin and fearful of sinning (1 Tim. 5:20b).

### **E. Organization of Pastoral Staff**

Under the authority of the Elder Board, the Lead Pastor may organize the Pastoral staff in a manner that best fits his style of leadership and giftedness and serves the work of Bishop Creek Community Church. All Pastoral staff reports to the Lead Pastor.

### **F. Vacancy**

Issues arising from vacancies in the pastoral staff shall be addressed by the Elder Board.

## **Bylaw IV: Church Officers**

### **Section 1. Secretary and Treasurer**

#### **A. Guidelines of Office**

##### **1. Selection and Election**

The Elder Board shall appoint the 1) The Secretary and, 2) The Treasurer, which may or may not be the same person.

## **2. Tenure**

The offices of Secretary and Treasurer shall have tenure of one year. An individual may hold the office for multiple terms.

## **3. Resignation**

A church officer may resign by giving written notice to the Elder Board.

## **4. Removal**

### **1. Authority to Remove Secretary or Treasurer**

The removal of the secretary or treasurer shall be the responsibility of the Elder Board.

### **2. Grounds for Removal of Secretary of Treasurer**

A church officer may be removed for any of the following reasons:

- a. As the result of a request for a temporary leave of absence.
- b. As the result of a request for resignation.
- c. As a result of church discipline.
- d. A failure to meet the responsibilities of the appointed office.

## **B. Secretary**

### **1. Responsibilities**

The Secretary shall:

- a. See that all notices are duly given in accordance with the provisions of these bylaws or as required by law;
- b. Be custodian of the corporate records; and
- c. In general, discharge all duties incident to the office of Secretary and such other duties as from time to time may be assigned by the Lead Pastor or by the Elder Board.

## **C. Treasurer**

### **1. Responsibilities**

The Treasurer shall:

- a. Monitor the financial books of the church;
- b. Keep regular books of account;
- c. Render to the Elder Board from time to time as may be requested or required, an account of the financial condition of the church; and
- d. In general, discharge all duties incident to the office of Treasurer, and such other duties as may be assigned by the Lead Pastor or by the Elder Board.
- e. It shall be the specific duty of the Treasurer to prepare an audited annual Treasurer's report for presentation at a meeting of the members in February for the fiscal year.

## **BYLAW V: MEMBERSHIP MEETINGS**

### **Section 1. Meeting Guidelines**

#### **A. Notice of Meetings**

The place, date, and hour of any Membership meeting shall be announced at least 21 days prior to the meeting. In the event of an emergency meeting due diligence shall be taken to notify the body, and as much advance notice as possible shall be given.

#### **B. Meeting Chair**

A member of the Elder Board shall chair meetings of the congregation.

#### **C. Voting**

Votes shall be cast by members who are present either by a show of hands or standing indication of yes or no; or by approved proxy vote.

#### **D. Meeting Minutes and Recording of Vote**

The Secretary of the church shall record the meeting minutes and the results of any votes taken at any meeting of the congregation. These recordings are to be kept with the records of the church. In the absence of the Secretary, the Elder Board may appoint another person to record the meeting minutes and voting results.

## **Section 2. Annual Membership Meeting**

### **A. Purpose of Meeting**

The members of the church shall gather at least once a year for the purposes of approving the budget and any other matters that may be brought by the Elder Board for a Membership vote of the church.

### **B. Meeting Date**

An annual Membership meeting shall be held during the month of February, at such time and place as may be fixed by the Elder Board.

## **Section 3. Special Membership Meetings**

The Elder Board may on occasion call for a special meeting of the congregation. In the event of a special meeting due diligence shall be taken to notify the body, and as much advance notice as possible shall be given.

## **BYLAW VI: FINANCIAL POLICIES**

### **Section 1. Fiscal Year**

The fiscal year of Bishop Creek Community Church shall begin on the first day of March each year and end on the last day of February.

### **Section 2. Sale of Assets**

A sale, lease, exchange, mortgage, pledge or other disposition of property or assets of the church outside the normal course of business may be made only upon receiving a two-thirds vote of the members present at the time that such vote is taken.

### **Section 3. Contracts**

Only duly authorized officers, as provided by these bylaws, may enter into any contract or other binding obligation on behalf of the church.

### **Section 4. Loans**

No loans shall be contracted on behalf of the church and no evidence of indebtedness shall be issued in the name of Bishop Creek Community Church unless authorized by a two-thirds vote of the members present at the time that such vote is taken. Such authority may be general or confined to specific instances.

## **Section 5. Checks, Drafts, Etc**

All checks, drafts or other orders for the payment of money, notes or other evidence of indebtedness issued in the name of the Bishop Creek Community Church shall be signed by a duly authorized church officer or Elder and in such manner as determined by resolution of the Elder Board.

## **Section 6. Deposits**

All funds of the church not otherwise employed shall be deposited from time to time to the credit of the church in such banks, trust companies or other depositories as the Elder Board may select.

## **Section 7. Books and Records**

The church shall keep correct and complete books and records of account and shall also keep minutes of the proceedings of its councils and committees, and shall keep a record of the names and addresses of all council and committee members.

# **Bylaw VII: Indemnification of Elders and Officers**

## **Section 1. Indemnification in Actions Other Than By or In the Right of the Church**

The church may indemnify any person who was or is a party, or is threatened to be made a party to any threatened, pending or completed action, suit or proceeding, whether civil, criminal, administrative or investigative (other than an action by or in the right of the church) by reason of the fact that he or she is or was an Elder, Deacon, officer, employee or agent of the church, or who is or was serving at the request of the church as an Elder, Deacon, officer, employee or agent of another corporation, Membership, joint venture, trust or other enterprise, against expenses (including attorneys' fees), judgments, fines and amounts paid in settlement actually and reasonably incurred by such person in connection with such action, suit or proceeding, if such person acted in good faith and in a manner he or she reasonably believed to be in, or not opposed to, the best interests of the church, and, with respect to any criminal action or proceeding, had no reasonable cause to believe his or her conduct was unlawful. The termination of any action, suit or proceeding by judgment, order, settlement, conviction, or upon a plea of *nolo contendere* or its equivalent, shall not, of itself, create a presumption that the person did not act in good faith and in a manner which he or she reasonably believed to be in, or not opposed to, the best interests of the church, or, with respect to any criminal action or proceeding, that the person had reasonable cause to believe that his or her conduct was unlawful.

## **Section 2. Indemnification in Actions by or in the Right of the Church**

The church may indemnify any person who was or is a party, or is threatened to be made a party to any threatened, pending or completed action or suit by or in the right of the church to procure a judgment in its favor by reason of the fact that such person is or was an Elder, Deacon, officer, employee or agent of the church, or is or was serving at the request of the church as an Elder, Deacon, officer, employee or agent of another corporation, Membership, joint venture, trust or other enterprise, against expenses (including attorneys' fees) actually and reasonably incurred by such person in connection with the defense or settlement of such action or suit, if such person acted in good faith and in a manner he or she reasonably believed to be in, or not opposed to, the best interests of the church, provided that no indemnification shall be made in respect of any claim, issue or matter as to which such person shall have been adjudged to be liable for negligence or misconduct in the performance of his or her duty to the church, unless, and only to the extent that the court in which such action or suit was brought shall determine upon application that, despite the adjudication of liability, but in view of all the circumstances of the case, such person is fairly and reasonably entitled to indemnity for such expenses as the court shall deem proper.

## **Section 3. Right to Payment of Expenses**

To the extent that an Elder, Deacon, officer, employee or agent of the church has been successful, on the merits or otherwise, in the defense of any action, suit or proceeding referred to in Sections 1 and 2 of this Article, or in defense of any claim, issue or matter therein, such person shall be indemnified against expenses (including attorneys' fees) actually and reasonably incurred by such person in connection therewith.

## **Section 4. Determination of Conduct**

Any indemnification under Sections 1 and 2 of this Article (unless ordered by a court) shall be made by the church only as authorized in the specific case, upon a determination that indemnification of the Elder, Deacon, officer, employee or agent is proper in the circumstances because he or she has met the applicable standard of conduct set forth in Sections 1 and 2 of this Article. Such determination shall be made (1) by the Elder Board by a majority vote of a quorum consisting of Elders who were not parties to such faction, suit or proceeding, (2) if such a quorum is not obtainable, or, even if attainable, if a quorum of disinterested Elders so directs, by independent legal counsel in a written opinion, or (3) by the members entitled to vote, if any.

## **Section 5. Payment of Expenses in Advance**

Expenses incurred in defending a civil or criminal action, suit or proceeding may be paid by the church in advance of the final disposition of such action, suit or proceeding as authorized by the Elder Board in the specific case, upon receipt of an undertaking by or on behalf of the Elder, Deacon, officer, employee or agent to repay such amount, unless it shall ultimately be

determined that he or she is entitled to be indemnified by the church as authorized in this Article.

## **Section 6. Indemnification not Exclusive**

The indemnification provided by this Article shall not be deemed exclusive of any other rights to which those seeking indemnification may be entitled under any agreement, vote of disinterested Elders, or otherwise, both as to action in his or her official capacity and as to action in another capacity while holding such office, and shall continue as to a person who has ceased to be an Elder, Deacon, officer, employee or agent, and shall inure to the benefit of the heirs, executors and administrators of such a person.

## **Section 7. Insurance**

The church may purchase and maintain insurance on behalf of any person who is or was an Elder, Deacon, officer, employee or agent of the church, or who is or was serving at the request of the church as an Elder, Deacon, officer, employee or agent of another corporation, Membership, joint venture, trust or other enterprise, against any liability asserted against such person and incurred by such person in any such capacity, or arising out of his or her status as such, whether or not the church would have the power to indemnify such person against such liability under the provisions of this Article.

## **Section 8. References to Church**

For purposes of this Article, references to the "Church" or the "Corporation" shall include, in addition to the surviving corporation, any merging corporation (including any corporation having merged with a merging corporation) absorbed in a merger which, if its separate existence had continued, would have had power and authority to indemnify its Elders, Deacons, officers, and employees or agents, so that any person who is or was an Elder, Deacon, officer, employee or agent of such merging corporation or is or was serving at the request of such merging corporation as an Elder, Deacon, or officer, employee or agent of another corporation, Membership, joint venture, trust or other enterprise, shall stand in the same position under the provisions of this Article with respect to the resulting or surviving corporation as such person would have with respect to such constituent corporation if its separate existence had continued.

## **Section 9. Other References**

For purposes of this Article, references to "other enterprises" shall include employee benefit plans; reference to "fines" shall include any excise taxes assessed on a person with respect to an employee benefit plan; and references to "serving at the request of the church" shall include any service as an Elder, Deacon, officer, employee or agent of the corporation which imposes duties on or involves services by such Elder, Deacon, officer, employee or agent with respect to an employee benefit plan, its participants, or beneficiaries. A person who acted in good faith and in a manner he or she reasonably believed to be in the best interests of the

participants and beneficiaries of an employee benefit plan shall be deemed to have acted in a manner "not opposed to the best interests of the church" as referred to in this Article.

## **Section 10. Severability**

The invalidity or unenforceability of any provision in this Article shall not affect the validity or enforceability of the remaining provisions of this Article.

## **BYLAW VIII: CONSTITUTIONAL AMENDMENTS**

### **Section 1. Constitutional Amendment Process**

The articles of this constitution and these bylaws can be altered, amended or repealed, and new articles and bylaws may be adopted if the following occurs:

1. A proposed alteration, amendment, or repeal to the articles of this constitution or these bylaws may be brought forth by the Elder Board.
2. If a two-thirds majority of the Elder Board agrees with the said proposal, it will then be brought forth by the Elder Board for a vote by the members at the next regular meeting or any special meeting of the members called for that purpose.
3. If a two-thirds majority of the members present at such a vote are in favor of the proposal, it thereby alters, amends, or repeals the articles of this constitution or these bylaws.

For both the Elder Board vote and the congregational vote, notice of the proposed amendment (including the suggested text of the change) shall be given in writing to all said parties at least twenty (21) days before the meeting at which the vote is to be taken, and shall identify the persons proposing the amendment.

## **BYLAW IX: Deacon Team**

### **a. Term**

1. Deacons serve for a term of two years, or until their specific task is done, whichever comes first.
2. Deacons shall be elected on a rotating basis so that the terms of approximately one-half of them will rotate off every other year.

### **b. Qualifications**

1. They must meet the qualifications as set forth in I Timothy 3:8-13, Romans 16:1.

2. They shall be committed Christians, oriented by the Word of God and able to explain and defend the Statement of Faith of the Evangelical Free Church.

3. They shall be appointed after they are affirmed of being of proper spiritual maturity and evidencing a willingness to serve the body at Bishop Creek Community Church

**c. Selection process**

1. They are proposed by and accountable to the Elders. However, such appointment shall not become effective until approved by a majority vote of the members at a membership meeting.

2. Upon growth and expansion, the Elders have the freedom to delegate the selection and oversight process to others.

**d. Lines of accountability and authority**

1. Deacons are accountable directly to the Elders.

**e. Duties and responsibilities**

1. They serve in areas of practical needs in order to free up the Elders and Pastoral staff so that they can focus on prayer and/or the ministry of the Word of God. (Acts 6:4-6)

2. They will be responsible for specific areas of service and ministry. They may select other members for long or short-term help.

----Implement church care for the poor, sick, bereaved or otherwise needy.

----Assist in church observance of the ordinances of baptism and communion.

----Assist in the setting up and cleaning up of the premises both before and/or after gatherings.

3. They will suggest a budget for their area of service to the Elder Board, who will in turn make recommendations.

4. Their tasks may include personal support and care for other leaders, expanding and articulating the vision and plan for future growth in specific areas of ministry, training and developing skills necessary for effective ministry, and providing a place for apprentices to be nurtured in the use of their giftedness.

5. This is a non-teaching position.

**f. Removal**

1. They may be removed from office by a majority vote of the Elders. However, such removal shall not become effective until approved by a majority vote of the members at a membership meeting.

2. The principles and procedures for discipline shall be the same as those outlined for Elders.

## Constitutional Amendment History

On **June 8, 2004** a constitutional amendment was passed to modify the requirements for Membership and allow the elder board to consider on a case-by-case basis individuals who desire Membership at Bishop Creek Community Church who are also at the same time members of another church. The amendment passed with a unanimous vote.

On **March 8, 2009** a constitutional amendment was approved clearly defining the biblical understanding of marriage. (Amendment XI).

On **March 8, 2009** a constitutional amendment was passed to adopt the newly approved Statement of Faith of the Evangelical Free Church of America. The 12-point Statement was replaced in this document with the 10-point Statement of Faith approved by the denomination on June 26, 2008. (Amendment XII).

On **February 24, 2013** a constitutional amendment was passed to insert language into the constitution to initiate, establish, and utilize a "Deacon Team" for the purpose of service opportunities and fulfillment of practical needs of the body at Bishop Creek Community Church.