

March 20, 2023

## **CONSTITUTION AND BYLAWS OF EMMANUEL CHURCH**

### **CONSTITUTION**

#### **PREAMBLE**

We declare and establish this constitution to preserve and secure the principles of our faith and to govern the church body in an orderly manner. This constitution will preserve the liberties of each individual who attends and the freedom of action of this body in relation to other churches.

#### **ARTICLE I: NAME**

This body shall be known as Emmanuel Church. The principal worship location is West Lake Preparatory Academy, 1691 Forney Creek Parkway,, Denver, NC 28037 with a secondary location at 4990 Anderson Mountain Road, Maiden, NC 28650. Our mailing address is 7200 Caley Lane, Denver, NC 28037.

#### **ARTICLE II: NON-PROFIT STATUS**

The Church is organized and shall be operated exclusively for religious, charitable, and educational purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code of 1986 as amended, unless any law shall be repressive in scope and/or nature, that it is our duty to democratically oppose it on the basis of the right of free exercise of religious beliefs and peaceable assembly. The Church is formed for any lawful purpose or purposes under the laws of the State of North Carolina including any purpose established through the county Business Organizations Code.

#### **ARTICLE III: PURPOSE**

Emmanuel Church will be a place where we can encounter Christ. The focus and mission of this Church is to be led by the Holy Spirit to share the gospel of Jesus Christ, to train all in Biblical truth and to include each one in a community of faith and fellowship. The purpose of this church is to be a local gathering of individuals who seek to please and worship God by assembling together to serve Him and grow in their faith and understanding of Him.

#### **ARTICLE IV: STATEMENT OF FAITH**

We believe in one living and true God, who is the Creator and Preserver of all things, infinite in being and perfection, existing eternally in the three Persons of the Trinity: Father, Son, and Holy Spirit.

We believe that all Scripture in the Holy Bible is inspired by God and is therefore to be received as his written Word, trustworthy and true in all that it teaches, the only infallible authority for Christian faith and life. All Scripture must be understood according to its nature, context and purpose, in humble and reverent obedience to God, who, by his Spirit, speaks through it.

We believe that human beings are created in the image of God for fellowship with God; that through rebellion against the Creator they fell from a sinless state into a state of sin, death and estrangement from God; that the entire human race is born into this state of sin and death, sinful by nature and by choice, and, apart from grace, incapable of returning to God.

We believe that Jesus Christ is truly God and truly human, conceived by the Holy Spirit and born of the Virgin Mary; that he lived a life of perfect obedience to God; that he died in the place of sinners who deserve that death, bearing the full punishment for their sins in order to reconcile them to God; that he rose bodily from the grave; that he ascended into heaven where he intercedes for his people and rules as Lord of all creation; and that he will return to the earth, personally and visibly, to consummate his sovereign rule and work of redemption.

We believe that the Holy Spirit, through the proclamation of the gospel, brings about spiritual birth, repentance from sin, confession of the Lordship of Christ, holiness, and the assurance of salvation; that he intercedes for believers in accordance with the will of God; and that he leads believers into all truth and empowers them for godly living and witness to the risen Christ.

We believe that salvation is by grace, through faith alone. We believe that the Church is a spiritual fellowship, created by the Spirit and the Word of God, with the risen Christ as its Lord; that the sacraments or sacred ordinances of the Church are baptism and the Lord's Supper; and that the Church is called by Christ to worship and serve God through the preaching of the gospel, the discipling of all nations, and obedience to the full counsel of God's Word.

We believe in the resurrection of the dead at the end of this age, the final judgment of all people, the entrance of the righteous into eternal life in the presence of God, and the condemnation of the wicked to eternal death.

## **ARTICLE V: CHURCH COVENANT**

This covenant represents a goal which the church body should strive to attain. Therefore, having been led, as we believe, by the Spirit of God to receive the Lord Jesus Christ as our Savior and Lord, and on the profession of our faith, having been baptized in the name of the Father, and of the Son, and of the Holy Spirit, we do now, in the presence of God and this assembly, most solemnly and joyfully enter into covenant with one another as one body in Christ.

We engage, therefore, by the aid of the Holy Spirit, to walk together in Christian love; to strive for the advancement of this church in knowledge, holiness, and comfort; to promote its prosperity and spirituality; to sustain its worship, ordinances, discipline, and doctrines; to contribute cheerfully and regularly to the support of the ministry, the expenses of the church, the relief of the poor, and the spread of the gospel through all nations.

We also engage to maintain family and private devotions; to educate our children and introduce them to the Good News; to seek the salvation of our kindred and acquaintances; to walk circumspectly in the world; to be just in our dealings, faithful in our engagements, and exemplary in our deportment; to avoid all tattling, backbiting, maligning, gossiping, and excessive anger; to be zealous in our effort to advance the Kingdom of our Savior.

We further engage to watch over one another in brotherly love; to remember one another in prayer; to aid one another in sickness and distress; to cultivate Christian sympathy in feeling and Christian courtesy in speech; to be slow to take offense, but always ready for reconciliation and mindful of the rules of our Savior to secure it without delay.

We, moreover, engage that when we, as members, remove ourselves from this place, we will, as soon as possible, unite with some other church where we can carry out the Spirit of this covenant and the principles of God's Word.

# **EMMANUEL CHURCH BY-LAWS**

## **ARTICLE I: MEMBERSHIP SECTION 1**

### **GENERAL**

This is a sovereign and democratic church under the lordship of Jesus Christ. The church retains unto itself the exclusive right of self-government in all phases of the spiritual and temporal life of this church.

### **SECTION 2 ATTENDANCE**

Any person seeking the Lord may attend church and participate in all activities of the family of believers.

Should there be any disagreement as to anyone who would like to become active in the church, such disagreement shall be referred to the Pastor for investigation and discussion among the church Elders.

In addition, any persons who have been faithful in attendance that stop coming to worship services will be contacted, if possible, by the Pastor, Elders or Deacons to determine if any unresolved issues led to their decision.

### **SECTION 3 DISCIPLINE**

It shall be the practice of this church to emphasize to its members that every reasonable measure will be taken to assist any troubled member. The Pastor and the Pastor's wife, with Elders serving as witnesses as requested, are available for counsel and guidance.

Should some serious condition exist, which would cause a family member to become a liability to the general welfare of the church, every reasonable measure should be taken by the Pastor and the Elders to resolve the problem. All such proceedings shall be pervaded by a spirit of Christian kindness and forbearance.

## **ARTICLE II: CHURCH OFFICERS AND STAFF**

### **SECTION 1 GENERAL**

All church officers must be attendees of the church. The officers of this church shall be the Pastor, a Manager, Elders and Deacons. The staff of this church shall be those persons employed by this church, i.e., Associate Pastor, the Minister of Music, Minister of Education, Minister of Youth, nursery, secretarial, and custodial employees, as the church grows, and the need arises. The person or persons serving as Pastor, Manager and the ministerial staff positions at the time these Constitution and Bylaws are adopted shall be considered as selected by the church pursuant to the appropriate provisions of these By-laws.

## **SECTION 2 PASTOR**

The Pastor is responsible for being the spiritual leader of the church and this office is entrusted primarily with the spiritual welfare of the church. The Pastor will lead the church attendees, church leaders, staff, and organizations to accomplish the mission of the church.

As such, the Pastor will have certain expectations:

1. Lead the church to engage in fellowship of worship, witness, education, ministry, and application.
2. Proclaim the gospel to believers and unbelievers.
3. Care for the church's attendees and other persons in the community.
4. Should the Pastor cease to meet the scriptural qualifications necessary or his relations with the church family become strained to the point that remaining would cause harm and discord in the body, the Elders with majority agreement shall ask him to resign.

## **SECTION 3 ELDERS**

The Pastor will appoint eight Elders to the team and, with the Pastor, will serve as the leadership body of the Church (church leaders). Only men can serve as Elders as commanded by the Bible. The purpose of the Elders shall be to discharge faithfully the duties required by the needs of the Church and the church attendees. Elders are to be not only the leaders, but servants of the church.

Their task is to serve with the Pastor and staff in performing the pastoral ministries tasks of leading the church in the achievement of its mission, proclaiming the gospel to believers and unbelievers, and caring for the church's attendee's and other persons in the community.

As such, the Elders of the church will have certain expectations:

1. Possess defined qualifications. (*1 Timothy 3:1-7*)
2. Fulfill the following expectations:
  - a. Handle disputes. (*Acts 15:1-2*)
  - b. Pray for the sick. (*James 5:14*)
  - c. Watch out for the church in humility. (*1 Peter 5:1-4*)
  - d. Watch over the congregation with joy. (*Hebrews 13:17*)
  - e. Spend time in prayer and teaching the Word. (*Acts 6:2-4*)
  - f. Serve as peacemakers in the church. (*James 3:1*)
3. Provide any and all support needed by the Pastor and his family.

4. Be expected to attend each regular meeting. The Elder may request to be excused from attending a meeting as personal situations arise.
5. Should an Elder cease to meet the scriptural qualifications necessary or his relations with the church family become strained to the point that remaining would cause harm and discord in the body, the Pastor and other Elders, with majority agreement, shall ask him to resign.

#### **SECTION 4 DEACONS**

The church leaders will nominate and elect the number of Deacons necessary to perform works of service, ministering to the church family and residents of the surrounding community. Only men can serve as Deacons as commanded by the Bible. Deacons shall be expected to:

1. Possess defined qualifications. (*1 Timothy 3:8-13*)
2. Be tested per scripture. (*1 Timothy 3:10*)
3. Perform any and all tasks needed during church meetings.
4. Be tasked with assisting the Pastor and Elders in responding to benevolence requests and administering the benevolence portion of the budget.
5. Resign from the office if the Church Leaders determine that person is unable to serve or no longer meets the qualifications to serve.

#### **SECTION 5 CHURCH MANAGER**

The Church Manager shall manage the social media photography and content in collaboration with the Pastor; shall purchase and manage supplies and inventory; shall keep an accurate record of the proceedings of each business meeting of the church; shall give required notice of all meetings where notice is necessary; shall maintain a record of all baptisms and marriages; shall preserve on file all official written communications and reports; shall perform any other duties assigned by the church. All records of the church are considered church property and shall be filed in the church office (once established). The Pastor, upon recommendation by the Manager, may assign certain clerical duties to a non-ministerial staff member.

#### **SECTION 6 CHURCH TREASURER**

The church leaders shall appoint from among them a Church Treasurer to serve as its Financial Officer.

Church financial records shall generally be maintained to the maximum extent practical in accordance with Generally Accepted Accounting Principles (GAAP). Segregation of financial duties to the maximum extent practical to ensure good internal control over church finances is an integral part of the accounting system.

The Treasurer and Pastor jointly may assign clerical duties of the Treasurer to non-ministerial staff (or church volunteer) to help ensure maximum safeguards of the church finances. The Finance Committee

or until such time as a committee is formed – the church leaders should review the procedures on an ongoing basis to ensure such procedures are at all times adequate for the church size and growth.

The following finance functions are the overall responsibility of the Treasurer (or his delegates):

1. Deposit of all church receipts.
2. Payment of all authorized church expenses.
3. Maintenance of accounting records to support all receipts and disbursements.
4. Preparation of all financial reports.
5. Presentation of financial reports at regular business meetings for church approval.
6. Preservation of all financial reports and records as a part of the permanent church records.
7. Making all records available annually for audit (either by the Audit Committee and/or outside independent auditors).

## **SECTION 7 STAFF MEMBERS**

This church shall call or employ only such staff members as the church shall need. When the need for staff members is determined, church leaders shall prepare a job description for each staff position. Upon recommendations by the church leaders such staff positions will be offered and filled after being approved by a majority opinion. The staff shall operate under the supervision and auspices of the Pastor. During any such time as the church is without a Pastor, the church leaders shall designate a staff member to assume the personnel responsibilities ordinarily assumed by the Pastor.

### **A. Ministerial Staff Positions**

Ministerial staff members shall be employed by majority vote of church leaders present at a church meeting called for that purpose, upon recommendation of the personnel committee and Pastor. Ministerial staff positions may include but are not limited to Minister of Education, Minister of Music, Minister of Youth, Associate Pastors, Children’s Director, etc. These staff members may be terminated by a majority vote of the church leaders present at a church meeting called for that purpose, upon recommendation by the personnel committee and Pastor.

### **B. Non-Ministerial Staff Positions**

Non-Ministerial Staff Members may be employed and terminated by the church leaders upon recommendation of the Pastor. Non-Ministerial staff positions may include but are not limited to nursery, administrative and custodial positions.

## **ARTICLE IV: CHURCH ORDINANCES**

### **SECTION 1 BAPTISM**

This church shall receive for baptism any person who has received Jesus Christ as Savior by personal faith, who professes Him publicly, and who indicates a commitment to follow Christ as Lord.

- A. Baptism shall be by immersion in water. (*John 3:23; Matthew 3:16; Acts 8:38*)
- B. Baptism shall be administered by a Pastor or an Elder.
- C. A Pastor and the Elders shall be responsible for scheduling all baptisms.

**SECTION 2  
THE LORD'S SUPPER**

The Lord's Supper is a symbolic act of obedience whereby members of the church and other Christians, through partaking of bread and fruit of the vine, commemorate the death of Jesus Christ who died for our sins. (*Matthew 26;26-28, 1 Corinthians 11:27-29*)

- A. A Pastor and the Elders shall be responsible for the administration of the Lord's Supper.

**ARTICLE V: CHURCH MEETINGS**

**SECTION 1  
WORSHIP SERVICES**

The church shall meet regularly as agreed by the Pastor, church leadership and attendees (church family). Worship services may include by are not limited to Sunday morning and Wednesday evening for preaching or teaching, prayer, instruction, evangelism, and for the worship of Almighty God. The meetings will be open for all God's people.

**SECTION 2  
REGULAR BUSINESS MEETINGS**

Regular business meetings of the Pastor and Elders, along with Deacons and the Church Manager as requested, shall be held no less than once per month. An agenda will be prepared prior to each regular business meeting.

**SECTION 3  
SPECIAL BUSINESS MEETINGS**

Special business meetings may be called and held to consider special matters of significant nature. Advance notice must be given concerning the subject, date, time, and location unless extreme urgency renders such notice impractical or unless otherwise specified by these By-laws.

**ARTICLE VI: CHURCH FINANCES**

**SECTION 1  
BUDGET**

The finance and stewardship committee shall annually prepare and submit to the church for approval an inclusive budget, indicating by item the amount needed for all local and other expenses.

**SECTION 2  
HANDLING OF FUNDS**

The Treasurer shall account for all church receipts.

Deposits of funds shall be made by the Treasurer or his delegates. Individuals selected for this duty by the Treasurer and Pastor providing they otherwise have no other access to church financial records, such as check signing, record keeping, etc.

All funds thus received will be subject to audit.

### **SECTION 3 FISCAL YEAR**

The church fiscal year shall begin on January 1 and end December 31 of each year.

## **ARTICLE VII: DISSOLUTION**

Upon discontinuance of this Church by dissolution or otherwise, any assets lawfully available for distribution are to be transferred to one or more organizations qualifying as an exempt organization under Section 501(c)(3) of the Internal Revenue Code, as amended, by a majority of members attending at a duly called business meeting.

## **ARTICLE VIII: AMENDMENTS**

### **SECTION 1 AMENDMENT PROCESS**

The Constitution and these Bylaws may be amended, modified, or repealed only by two thirds (2/3) vote of the Pastor and Elders at any duly convened business meeting of the church, provided the proposed amendment shall have been presented in writing prior to the business meeting.

### **SECTION 2 EFFECTIVE DATE**

Any amendments to the Constitution or By-laws shall go into full force and effect immediately after their adoption. The amended document will be placed on the Church website, replacing the former document, as soon as possible.