

CONSTITUTION  
Of The  
SHALLOW WELL CHURCH, INC.

**ARTICLE I. NAME**

The name of this Church shall be: Shallow Well Church

**ARTICLE II. PURPOSE**

The avowed purpose of this Church shall be:

- to worship God, to preach the gospel of Jesus Christ, and to celebrate the Sacraments.
- to realize Christian fellowship and unity within this church and the Church Universal.
- to render loving service toward mankind.
- to strive for righteousness, justice, and peace.

**ARTICLE III. POLICY**

This Church shall be a part of the Church and recognizes its necessary obligations to the larger fellowship of the Church and the Ancient Creeds of the Church.

The government of this Church is vested in its members who exercise the right of control in all its affairs, subject, however, to Laws of the State of North Carolina relating to corporations not for profit or ecclesiastical corporations.

**ARTICLE IV. FAITH AND COVENANT**

Faith: This Church acknowledges as its sole Head, Jesus Christ, the Son of God, and the Savior of man. It acknowledges as brothers in Christ all who share in this confession. It looks to the Word of God in the Scriptures, and to the presence and power of the Holy Spirit, to prosper its creative and redemptive work in the world. It claims as its own the faith of the historic Church expressed in the ancient creeds and reclaimed in the basic insights of the Protestant Reformers. It affirms the responsibility of the Church in each generation to make this faith its own. In accordance with the teaching of our Lord and the practice prevailing among evangelical Christians, it recognizes two Sacraments: Baptism and the Lord's Supper or Holy Communion.

Covenant: We covenant one with another to seek and respond to the Word and the will of God. Our purpose to walk together in the ways of the Lord, made known and to be made known to us. We hold it to the mission of the Church to witness to the gospel of Jesus Christ in all the world while worshiping God and striving for truth, justice, and peace. As did our fathers, we depend on the Holy Spirit to lead and empower us. We pray for the coming of the kingdom of God and we look with faith toward the triumph of righteousness and eternal life. We promise as members of the Church to work together in Christian love and in obedience to the teaching of the Holy Scriptures, and to submit to the government of this Church, supporting it with our prayers, attendance and financially to the best of our means and ability until regularly dismissed there from.

## **ARTICLE V. MEMBERSHIP**

### **Section A. Basis of Membership**

Membership in this Church shall be open to any person who has been baptized, has been confirmed, or has made public confession of faith in Jesus Christ as Lord and Savior.

Persons may be received:

1. By letter of transfer from any evangelical Church.
2. By re-affirmation of faith when a letter of transfer is not available.
3. By confession of faith in Christ.

### **Section B. Reception of Members**

Members may be received at any regular meeting of the Church on recommendation as stated above and by vote of the Church. A licensed or ordained minister should lead in the reception of members, but for good reasons a deacon may have charge of this service.

Each candidate coming by re-affirmation of faith or on confession shall be examined in the presence of the congregation affirming their profession of faith in Jesus Christ, and the commitment to serve Christ and His Church.

### **Section C. Termination of Membership**

1. Any member who desires a letter of transfer to another Church may receive it upon request. The Church itself or through its Pastor and Church Clerk may grant "Letters of Transfer" to those requesting them.
2. If a member in regular standing requests to be released from his/her covenant obligations, the Church shall patiently endeavor to secure his/her continuance in fellowship; but failing in such effort, membership may be terminated.
3. If a member persistently breaches his covenant vows the Board of Deacons may censure him/her, suspend him/her or terminate his/her membership provided due notice has been given him/her, a hearing before the Board of Deacons has been offered him/her, and faithful efforts have been made to bring him/her to amendment in accordance with the law of Christ.

### **Section D. Inactive Members**

Members whose addresses have long been unknown, or who for a period of two years, despite kindly approaches have not communicated with the Church or contributed to its support, may by a vote of the Board of Deacons be transferred to an inactive list, and shall no longer be reported as active members. If after the expiration of a year, the relationship remains unchanged, the name may be dropped from the inactive roll by a further notification (if address is known) and approval of the Board of Deacons.

## **ARTICLE VI. GOVERNING BODY**

The governing body of this Church shall be the Church membership assembled in a Church meeting. The vote of a majority of the members presents and voting at the meeting shall be the action of the Church. A quorum shall consist of 34 members of the active membership.

All recommendations from the Church Council shall be voted on by voice vote or by secret ballot if requested by a motion receiving an affirmative vote by two thirds (2/3) of the voting members present.

## **ARTICLE VII. LEADERSHIP**

### **Section I. Church Council**

The Church Council shall be the executive body of this Church. The voting members shall be:

Church Council Chairman  
Nine (9) members of the Board of Deacons consisting of all members.  
Six (6) members of the Board of Trustees consisting of all members  
Church Clerk  
Church Treasurer  
Financial Secretary  
Sunday School Superintendent  
Children's Department Superintendent  
Laymen's Fellowship President  
Women's Fellowship President  
Youth Fellowship Representative  
Chairman, Board of Christian Education  
Chairman, Ushers  
Historian  
All Standing Committee Chairmen  
Pastor  
Associate Pastor

Any person holding two offices with voting privileges shall have only one vote. Any member of the committee who must be absent from a meeting can designate their assistant or other member of their committee, Board, or group to attend with the right of proxy vote.

The Church Council Chairman shall appoint a Parliamentarian to serve each year.

#### **Election:**

Members of the Church Council and committee members shall be nominated by the Nominating Committee and presented to the Church Council for approval at the October Church Council Meeting. Those approved by the Church Council are recommended by the Church Council to the Church membership for election at the annual congregational meeting in November.

Term:

Members of the Church Council shall be elected annually or as terms are otherwise stated in the Constitution or “Duties and Responsibilities.”

Duties:

Church Council Chairman:

The Church Council Chairman shall be elected for a three (3) year term and shall not be eligible to succeed himself/herself in office. He/she shall preside over all Church Council and Church meetings, be an ex-officio member of all specially appointed committees and shall give a report to the Church membership of the action of the Church Council. This report may be included in the next issue of the Church Newsletter following the Council meeting or be given as an oral report to the membership no later than three (3) weeks following the Church Council meeting. He/she shall appoint a Parliamentarian each year.

Deacons:

The Board of Deacons shall consist of:

- Nine (9) members, three (3) of whom shall be elected annually for a term of three (3) years;
- A balance between male and female members should be maintained when possible.

No two (2) members of the same immediate family are to serve at the same time.

A Chairman shall be elected annually by the Board members as soon as possible after election of the new members to the Board.

The Chairman shall appoint a member to serve on the Board of Christian Education.

Deacons are to be selected as provided for in the polity of this Church, according to Scriptural principles, and after careful thought and prayer. When first elected, Deacons are to be ordained to office. They will be active members of the Board only when elected to serve. No re-ordination will be necessary when they are re-elected to the Board.

It shall be the duties of the Board under the leadership of the Pastor to:

- serve the spiritual interest of the Church and community,
- assist with the service of Holy Communion,
- visit the sick,
- be on the lookout for the needs of the community and for prospective new Church members,
- counsel with the Pastor on programs or activities, such as Bible studies, programs of evangelism, outreach to the unchurched, etc.
- share in serving those in spiritual or financial need,
- help to keep a creative Christian spirit among the Church members,
- function as a Personnel Committee with authority to employ and/or dismiss any paid employee under the supervision of the Pastor, and
- serve as a Pastoral Relations Committee providing a liaison between the Pastor and the Congregation.

In the absence of the Pastor and Associate Pastor, the Deacons shall see that the pulpit is supplied. When there is a Pastoral vacancy, the Deacons shall appoint a Pastoral Search Committee which shall be approved by the Church Council and the Congregation. This Committee shall find a suitable person to present to the Church Council and then to the Congregation for approval.

#### Board of Trustees:

The Board of Trustees of the Church shall consist of six (6) members, replaced by two (2) each year, for a term of three (3) years. The Board shall annually elect a Chairperson as soon as possible after the election of new members to the Board. The Chairman shall appoint a member of the Board to serve on the Board of Christian Education. They shall hold in trust the Church property, both real and personal, but shall have no power to sell, buy, mortgage or transfer, except by vote of the church.

The Board shall maintain constant awareness of the condition of the church buildings, grounds, and any other acquired church property. They shall see that the property is rightly used and not abused, and kept in good repair; look after insurance; have charge of all legal documents such as deeds, mortgages, notes, insurance policies, etc.

The Board shall establish policies relative to the use of Church property for any event other than any regularly scheduled Church events. This shall include scheduling as well as establishing fees.

The Board shall be responsible for unlocking/locking the Church building for regularly scheduled activities and for providing adequate temperature control.

The Board shall request expenditure from the Church Treasurer for any needed maintenance or repair that is within the budgeted amount. Any expenditure except that described in the next paragraph that exceeds the budgeted amount is to be recommended to the Stewardship-Finance Committee for approval within the adopted guidelines.

The Board shall have the authority to contract for any necessary emergency repairs in an amount not to exceed \$15,000.00.

The purchase of any real property and any personal property more than \$5,000 shall first be approved by the Board of Trustees for submission to the Stewardship-Finance Committee for approval within the adopted guidelines.

The Board shall supervise all persons employed for duties involving the care and maintenance of church property.

The Board shall appoint and supervise personnel to care for the cemetery which includes the following:

1. A Cemetery Agent to survey the lots and look after the transfer of these lots. The agent's duties are:
  - to keep a map of the cemetery on file.
  - to transfer lots, upon request, at his/her discretion. Such transfers will be valid and binding in

the Church, but only when the transfers are affected in accordance with the provisions of this Constitution. Said provisions are that the certificate or other indication of title to said cemetery lots or plots must be signed by the duly appointed Cemetery agent and any two Trustees of the Church before it will be valid and binding on the Church. Cemetery #1 will be reserved for Shallow Well members only. Lots (10 ft. x 25 ft) or plots (4 ft. x 10 ft.) may be transferred to a member who donates to the Cemetery Fund an amount in accordance with Schedule A attached. Perpetual care will be provided.

All lots or plots transferred shall be subject to a first option clause which states, "The acquirer of this lot or plot hereby agrees to grant to Shallow Well Church the first option to reclaim said lot at a price equal to the donation made at the time the deed was issued to the acquirer if said acquirer wishes to dispose the lot or plot. If the Church does not choose to purchase, the owner may sell to another party providing signed permission is obtained from the Cemetery Agent."

The Agent will give a receipt for the donation, record the transfer with its location in the book of records, and the amount donated. He/She shall give this information and money to the Secretary-Treasurer of the Cemetery Fund. The Agent will give the donor a deed, signed by himself/herself and two (2) Trustees. The Secretary-Treasurer of the Cemetery Fund will keep all other records and all money.

2. A supervisor will mow the cemetery and keep it clean and in order.
3. A Secretary-Treasurer who will manage all monies and records pertaining to the cemetery.

The above personnel shall make reports to the Church Council at quarterly business meetings. The Trustees shall recommend to the Church the donation amount needed to warrant the transfer of burial lots. This shall be based upon the cost of upkeep.

All unassigned cemetery plots shall be reserved for active members of Shallow Well Church.

#### Church Clerk:

The Church Clerk shall keep a record of all regular or called business meetings of the Church Council and the Church membership. He/She shall keep a correct list or roster of the membership of the Church. He/She shall have access to all membership records of the Church, receive official communications for the Church, and notify at once the proper officials or persons. He/She shall provide the Historian information relative to increases and decreases in membership.

#### Church Treasurer:

The Church Treasurer shall be elected for a term of one (1) year with no limitation on the number of successive terms he/she may serve. He/she shall serve as an ex-officio member of the Stewardship-Finance Committee.

He/she, together with the Assistant Church Treasurer, Financial Secretary, and the Assistant Financial Secretary, shall count all offerings received at the Sunday Morning Worship Services and special offerings. At least two must be always present. The funds shall be deposited into the authorized bank account(s) by the Financial Secretary, the deposit receipt delivered to the Treasurer and the offering envelopes retained by the Financial Secretary for recording.

He/she shall be authorized to sign bank accounts authorized by and established in the name of Shallow Well Church, Inc. and maintain a record of all account balances. He/she shall pay all bills received for budgeted items upon obtaining proper authorization as described in Standing Rules, 15. A receipt shall be received for all expenditures except for payment of salaries.

He/she shall provide a monthly financial statement detailing the financial condition of the Church. It shall include the current status of budgeted items, bank account reconciliations, and a total of invested funds. This statement shall be distributed to the Church Council Chairman/Corporate President, the Stewardship-Finance Committee Chairman, Board of Trustees Chairman, and the Pastor. A copy of the most recent statement shall be provided to each voting member of the Church Council at its regular scheduled meetings.

He/she is authorized to pay bills which are not included in the budget with the following required approval:

- Less than \$8,000.00: Documented approval of Stewardship-Finance Committee required.
- More than \$8,000.00: Requires recommendation from the Stewardship-Finance Committee to the Church Council for approval and subsequent approval by the congregation.

Exceptions:

The Board of Trustees has the authority to contract for any necessary emergency repairs to church property in an amount not to exceed \$15,000.00.

Payment for the purchase of any real property and for any personal property more than \$5,000.00 shall first be approved by the Board of Trustees for submission to the Stewardship-Finance Committee for approval within the adopted guidelines.

#### Financial Secretary:

The Financial Secretary shall be elected for a term of one (1) year with no limitation on the number of successive terms he/she may serve.

He/she, together with the Treasurer, Assistant Treasurer, and Assistant Financial Secretary, shall count all the offerings received at the Sunday Morning Worship Services and special offerings. At least two must be present at all times. He/she shall be responsible for depositing the funds into the authorized bank account(s), delivering the deposit receipt to the Treasurer, and retaining the offering envelopes for recording.

He/she shall maintain a record of all monies received in the offering envelopes and other identified offerings, give an accounting to each contributor of his/her contributions within three (3) months after the end of the calendar year, and report to the Church Council at least annually.

He/she shall be responsible for ordering offering envelopes in time for them to be ready for distribution in December of each year, and for maintaining a record of each contributor's contributions for a period of three (3) years.

Sunday School Superintendent:

The Sunday School Superintendent shall direct the total adult Sunday School program of the Church.

Other Officers, Boards and Committees:

See "Duties and Responsibilities"

**ARTICLE VIII. PASTOR**

Selection:

It shall be the responsibility of the Pastoral Search Committee, appointed by the Board of Deacons with approval of the Church Council and congregation, to seek a candidate for a vacancy in the office of Pastor.

In filling a vacancy or in securing supply ministers for the period of vacancy, the Pastoral Search Committee may seek the counsel of outside resources to seek suitable candidate.

The Pastoral Search Committee shall present to the Church Council the name of the candidate it recommends filling the vacancy and upon the approval the Church Council shall present the candidate to the congregation. A two-thirds vote of the members present and voting shall constitute a call, notice having been given by mail or pulpit announcement one week previously.

Terms:

The terms of the relationship shall be stated in the call including the agreement of the Church to participate in a pension fund of the Church, the Ministers' health insurance program, and other terms agreed between the candidate and the Pastoral Search Committee. The minister and the Church Clerk shall each receive a copy of the call.

Length of Service:

The Pastor shall be elected for an indefinite period if the Church and Pastor agree.

Duties:

It shall be the duty of the Pastor to set a good example to the congregation; to conduct all services on Sundays, holidays, and such other days as the congregation may desire; to direct the work of religious education; administer the Holy Sacraments; visit the sick; comfort the distressed; labor in public and private for the conversion of sinners; and to perform all such duties as belong to the Pastor's office in the Church. The Pastor shall become a member of the Church.

The Pastor shall supervise all persons employed for duties relating to those duties which are the responsibility of the Pastor. Recommendations for employment and/or dismissal of any person under the supervision of the Pastor shall require the approval of the Board of Deacons.

The Pastor shall keep a record of all services performed and make report at all Church Council meetings.

The Pastor is a member of the Church Council and an ex-officio member of all organizations within the church.

Other Speakers:

If the Church has a Pastor, no other minister shall perform any religious ceremony in the Church without the Pastor's consent or the consent of the Board of Deacons. To invite a speaker either during a temporary absence of the Pastor or for special services, the consent of both the Pastor and Board of Deacons is necessary.

Discipline:

Brotherly discipline of the Pastor shall be in conformity with the Constitution and By-Laws of the Church.

Termination:

To terminate this relationship, sixty (60) days' notice shall be given by either party, unless by mutual consent. The procedure shall be in accordance with the Constitution and By-Laws of the Church.

When either party decides to terminate the relationship, the termination shall be by action of the Church Council and notice of such termination shall be made to the congregation.

Other:

The Church may at its discretion choose an Associate or Assistant Pastor(s). The above guidelines will apply plus other duties per adopted job description.

**ARTICLE IX. AMENDMENTS**

This Constitution may be amended, upon approval and recommendation by the Church Council, at any regularly call Church meeting by a two-thirds vote of those present, provided that notice of such change has been given in writing to all members or announced from the pulpit for at least two consecutive Sundays before the vote is made.

It is hereby expressly stipulated, however, that the quorum requirement of Standing Rule No. 6 as it pertains to the Church be met before there can be any amendment or amendments to this Constitution.