



EMMANUEL BAPTIST CHURCH

**CONSTITUTION
AND
BY-LAWS
OF
EMMANUEL BAPTIST
CHURCH**

FARMINGTON, NEW MEXICO

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THE CONSTITUTION

PREAMBLE

14 In order that the business of Emmanuel Baptist Church may be carried out properly,
15 and that all things may be done decently and in order, and that we may more readily
16 help one another in our Christian service and relationship, we adopt the following
17 Constitution and By-Laws.
18

ARTICLE I NAME AND OFFICERS

19 The name of this church is EMMANUEL BAPTIST CHURCH OF FARMINGTON, NEW
20 MEXICO, (hereinafter referred to as "the Church") and is a perpetual, non-profit
21 corporation in accordance with the laws of the State of New Mexico and has non-profit
22 status as a 501(c)3 organization as designated by the Internal Revenue Service.
23

24 The Board of Directors consisting of five directors shall also constitute the Board of
25 Trustees. Directors must be members of the Church, nominated by the Nominating
26 Committee, and elected for staggered five-year terms as set forth in By-Laws Article II,
27 Trustees. The officers for the corporation are president, vice-president, and
28 secretary/treasurer, elected from the Board of Directors by the members of that Board.
29 The Church shall perform background and credit checks and provide liability insurance
30 for each corporation officer.
31

ARTICLE II PURPOSE

32 The purpose of Emmanuel Baptist Church is exclusively religious: to be the people of
33 God, the body of Christ, and the fellowship of the Holy Spirit ordering our lives and
34 church according to the Bible. The mission of the Church is to "reach our community
35 and develop mature followers of Jesus Christ."
36

OBJECTIVES

- 37 1. To maintain *regular* services of worship, which include praising God, preaching
38 the Word of God, baptizing believers, celebrating the Lord's Supper, and doing
39 that which brings honor and glory to God.
40 2. To develop a praying congregation.
41 3. To proclaim the good news of Jesus Christ locally and throughout the world and
42 urge its personal acceptance.
43 4. To be a fellowship of maturing Christians in a covenant fellowship resulting in a
44 healthy church and responsible living.

- 1 5. To help each Member discover, develop, and employ God-given spiritual gifts,
2 talents, and abilities to glorify God and our Savior Jesus Christ.
- 3 6. To give proper instruction and encouragement in stewardship of time, talents,
4 and possessions.
- 5 7. To be always sensitive to and minister to the needs of all persons.
- 6 8. To promote systematic Bible study.
- 7 9. To promote systematic Christian training for ministry to all persons in Jesus'
8 name.
- 9 10. To administer the Church's programs and affairs redemptively and effectively.
- 10 11. To provide high quality education for the spiritual growth and development of
11 our children.
- 12 12. To cooperate heartily through prayer, gifts, and service with other Southern
13 Baptist Churches.
- 14 13. To relate redemptively to other church bodies of like faith, other Christian
15 groups, and to cooperate, when possible, in joint efforts to advance the work of
16 Christ.

17
18 **ARTICLE III**
19 **STATEMENT OF FAITH**
20

21 We hold to the belief that the Holy Bible is the inspired word of God and is the only
22 basis for our statement of faith.

23
24 We regard as a general statement of faith the doctrinal statement of "The Baptist Faith
25 and Message" as adopted by the Southern Baptist Convention in 2000.

26
27 **ARTICLE IV**
28 **COVENANT**
29

30 Since we have committed ourselves to Jesus Christ and have experienced the
31 acceptance, forgiveness, and redemption of God our Father, we covenant together as
32 Members of this Church that with God's help through the guiding presence of His Spirit:

- 33 1. We shall seek to know and do the will of God.
- 34 2. We shall walk together in brotherly love.
- 35 3. We shall show loving care for one another and encourage, counsel, and
36 admonish one another.
- 37 4. We shall assemble faithfully for worship and fellowship and shall pray earnestly
38 for others and for ourselves.
- 39 5. We shall endeavor to maintain personal and family devotions, and to bring up
40 those under our care "in the nurture and admonition of the Lord."
- 41 6. We shall seek, by Christian example and personal effort, to win others to Christ
42 and encourage their growth toward Christian maturity.
- 43 7. We shall share one another's joys and endeavor to bear one another's burdens
44 and sorrows.

- 1 8. We shall refrain from all conduct that compromises our Christian faith, and we
2 shall uphold high standards of Christian morality.
3 9. We shall prove the reality of our conversion by living godly, fruitful lives.
4 10. We shall maintain a faithful ministry of worship, witness, education, fellowship,
5 and service.
6 11. We shall be faithful stewards of our resources and abilities in sharing the Gospel
7 with people of all nations.
8 12. As a result of this covenant relationship, we shall seek earnestly to live to the
9 glory of God who brought us out of darkness into His marvelous light.

10
11 **ARTICLE V**
12 **GOVERNMENT AND RELATIONSHIPS**

13
14 The government of this Church is vested in the body of believers who compose it. The
15 Church is subject to the control of no other ecclesiastical body, but it recognizes and
16 sustains the obligations of cooperation which are common among Southern Baptist
17 Churches. This Church shall cooperate with and support the San Juan Baptist
18 Association and the Baptist Convention of New Mexico. The Church shall cooperate
19 with the Southern Baptist Convention.

20
21 **ARTICLE VI**
22 **AMENDMENTS**

23
24 Revision of this Constitution and By-Laws requires review by competent legal authority
25 prior to any vote. This Constitution and By-Laws may be amended by a seventy-five
26 percent (75%) affirmative vote of the Members present and voting, at any *regular*
27 business meeting of the Church (as defined in By-Laws Article V, paragraph 2);
28 provided, that a *quorum* (as defined in By-Laws Article V, Church Meetings, paragraph
29 5) is present and copies of the proposed amendment have been distributed at a
30 previous, *regular* business meeting, filed with the Church Clerk, and written notice
31 provided on two Sundays preceding the vote.
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BY-LAWS

ARTICLE I CHURCH MEMBERSHIP

Qualifications:

The membership of the Church shall consist of such persons:

1. Who have confessed Jesus Christ to be their Savior and Lord.
2. Who have been examined by the Church as to their Christian experiences.
3. Who have been *baptized*. (See Church Ordinances, below.)
4. Who have been accepted by the vote of the Church.

Method of Reception:

A person may become a candidate for membership of the Church by making a public statement affirming a personal experience with Christ and requesting membership in the Church in accordance with one of the following ways:

1. Profession of Faith:

The candidate for membership shall be considered to be a Member of the Church after affirmative Church vote based upon statement of personal experience with Christ and after *baptism*. Persons who are Members of other faiths may be considered for membership under this procedure.

2. Letter:

The candidate for membership shall be considered to be under the watch care of the Church, after election by the Church, until such time as a favorable letter of dismissal and recommendation is received by the Church from a Baptist church affiliated with the Southern Baptist Convention or a church of like faith and order.

3. Statement:

The Candidate for membership shall be considered to be a Member of the Church after making a public statement affirming *baptism* and after election by the Church. Such statement shall be made by those who may have lost their connection with a Baptist church or by those who come from a church of like faith and order.

Orientation:

A copy of this Constitution and By-Laws shall be made available to each Member of the Church and each new Member added to the Church. The Senior Pastor and New Member Ministry shall ensure that all Members are instructed in the privileges and obligations of Church membership and the Church covenant.

1 **Duties:**

2 Members are expected to be faithful in all duties essential to the Christian life, to
3 regularly attend the services of the Church, to give systematic support, and to share in
4 its organized work.

5
6 **Rights or Privileges:**

7 The "Members" of the Church are all persons whose names appear on the Church
8 membership roll who are residents of San Juan and adjacent counties. Every Member
9 of the Church is entitled to vote in all elections and on all questions submitted to the
10 Church in business meeting, provided the Member is present. No absentee or proxy
11 votes are permitted.

12
13 Each Member, excluding pastoral staff (as defined in By-Laws Article II), is eligible for
14 any elected office on or after the six-month anniversary of his or her membership
15 except as otherwise stated in these By-Laws or the "Operations Manual."²

16
17 The following actions require a *quorum* (as defined in By-Laws Article V, Church
18 Meetings, paragraph 5) and seventy-five percent (75%) affirmative vote of the
19 Members present and voting at any *regular* business meeting of the Church (as defined
20 in By-Laws Article V, paragraph 2): The Members of the Church shall have the power
21 to amend, alter, or repeal the By-Laws; elect, appoint, or remove any member of any
22 committee, any Trustee, or officer; amend the Articles of Incorporation; restate the
23 Articles of Incorporation, adopt a plan of merger, or adopt a plan of consolidation with
24 another corporation; authorize the sale, lease, exchange, or mortgage of all or
25 substantially all of the property and assets of the Corporation; authorize the voluntary
26 dissolution of the Corporation or revoke proceedings thereof; adopt a plan for the
27 distribution of the assets of the Corporation; or amend, alter, or repeal any resolution of
28 the Trustees.

29
30 **Conflict Resolution and Discipline:**

31 Conflict resolution between Members of the Church shall be handled in accordance with
32 Matthew 18:15-18.

33
34 Disciplinary matters shall be handled by the Deacons in the manner they deem
35 appropriate for each individual case in accordance with Matthew 18:15-18. The Church
36 desires to minister to, and counsel with any troubled member in a biblical manner.
37 However, should some serious condition exist which could cause an individual to
38 become a hindrance to the general welfare of the Church, that person's membership in
39 the Church or right to participate in any affiliated organization within the Church may be
40 terminated for disciplinary reasons. Such termination shall require an affirmative ballot
41 vote of a *quorum* and seventy-five percent (75%) of the Members present and voting at
42 a *regular* business meeting. The Church shall attempt to minister to an individual
43 whose membership or participation has been terminated to ensure that this individual
44 understands that the Church is still concerned about his or her well-being.

1 Disciplinary matters concerning staff members and employees shall be handled as
2 provided by the "Personnel Practices and Guidelines."¹
3

4 **Termination:**

5 Membership shall be terminated in the following ways:

- 6 1. Death.
- 7 2. Disciplinary dismissal by action of the Church, as indicated above.
- 8 3. By Letter. (Any Member, who is in good standing with the Church, requesting a
9 letter shall be granted it provided such a request names the church to which the
10 letter may be sent. No individual shall be granted a letter except for the purpose
11 of organizing a new church of like faith and order.)
- 12 4. Deletion as a result of joining another church. (The Church does not issue
13 letters to other denominations. A Member shall be deleted from the membership
14 roll by the Church office upon written notification from the Member or another
15 church stating that the individual has joined another church.)
- 16 5. Erasure. (The Church shall remove a Member from the Church role at the
17 individual's request.)
- 18 6. Purge of Church Roll. (The Church may purge a member from the membership
19 roll if all diligent and reasonable efforts have been made to contact the Member
20 and the Church office is unable to locate the Member after a period of three
21 years' absence.)
22

23 **Restoration:**

24 Any person whose membership has been terminated for any reason may be restored by
25 an affirmative vote of a *quorum* of the Church and seventy-five percent (75%) of the
26 Members present, at a *regular* business meeting, upon recommendation of the Senior
27 Pastor or Pastoral staff.
28

29 **Church Ordinances:**

- 30 1. Baptism:
31 Any person who receives Jesus Christ as Savior by personal faith, who professes
32 Him publicly at any worship service, and who indicates a commitment to follow
33 Christ as Lord may, after proper instruction, be baptized.
34 a. Baptism shall be by immersion in water.
35 b. Baptism shall be administered by the Pastor, the Pastoral staff, or
36 whoever the Church shall authorize by vote.
37 c. Baptism shall be administered as an act of worship during any worship
38 service.
39 d. Baptism shall not take place unless a candidate desires to become a
40 Church Member. Exceptions may be made by the Church at the
41 recommendation of one of the Pastoral staff.
- 42 2. The Lord's Supper:
43 The Lord's Supper is a symbolic act of obedience. Through partaking of the
44

1 bread and fruit of the vine believers commemorate the death of Jesus Christ and
2 anticipate His second coming.

3 a. The Lord's Supper shall be observed at least quarterly.

4 b. The Pastoral staff and Deacons shall be responsible for the administration
5 (not necessarily the physical serving) of the Lord's Supper.

6
7 **ARTICLE II**
8 **GENERAL CHURCH OFFICERS**

9
10 **Pastoral Staff:**

11 Pastor(s) or Minister(s) of this Church shall be Minister(s) of the Gospel of Jesus Christ,
12 duly ordained to the gospel ministry by this Church or by another Baptist church of like
13 faith and order. He shall meet the qualifications set forth in I Timothy 3:2-7. Each
14 Pastor is responsible for leading the Church to function as a New Testament church.
15 His position is one of leadership, responsibility, and opportunity in a democratic body.

16
17 Each Pastor shall give himself to the ministry of God's Word and to the spiritual
18 leadership of the Members. He shall visit the Members of the Church for the purpose of
19 spiritual instruction, admonition, and comfort. He shall supply leadership and direction
20 for all officers and leaders in all the programs and services of the Church.

21
22 The Pastoral staff shall examine, or cause to be examined, all candidates for
23 membership as to their conversion and shall ensure that new Members are instructed in
24 their duties, privileges, and responsibilities.

25
26 The Pastors shall keep the Church informed of the cooperative programs of missionary
27 service, and the associations and conventions with which the Church cooperates.

28
29 The Pastors shall propose and recommend to the Church through its committees,
30 elected leaders, and Deacons programs of evangelism, education, Christian ministry,
31 and services in harmony with the Constitution and By-Laws of the Church. Pastors may
32 participate in committee and ministry meetings as non-voting advisors.

33
34 The Senior Pastor shall be the Administrator for office management, all administrative
35 functions, and liaison to the Administrative Committee. The Senior Pastor shall have the
36 option to designate an Administrator to perform some or all of these functions provided
37 that the designee shall be a qualified Member approved by the Administrative
38 Committee. The Senior Pastor or his designated Administrator shall work with the
39 Administrative Committee to recommend staffing needs to the Church.

40
41 Positions for Pastoral staff shall be approved by the Church based on recommendation
42 of the Senior Pastor, the Administrative Committee, Church appointed ad hoc
43 committee, or the Deacons. Pastoral staff shall be called or dismissed by the Church as
44 set forth herein.

1 **Deacons**

2 A Deacon shall be an adult Member of the Church who has been a Member of this
3 Church at least one year. He shall be involved and faithfully support all the activities of
4 the Church; he shall possess the scriptural qualifications set forth in Acts 6:3 and I
5 Timothy 3:8-10; and he shall have been ordained by this Church or by a Baptist Church
6 of like faith and order. The group of individuals elected as Deacons shall constitute the
7 Deacon body. The number of Deacons shall be determined by the Deacon body based
8 upon their mission to serve the congregation. The Deacon body shall meet monthly
9 and provide regular reports in the *regular* business meetings

10
11 In accordance with the meaning of the work and the practice of the New Testament,
12 Deacons are to be servants of Jesus Christ and the Church. While Deacons are not
13 required to serve on committees, they are strongly encouraged to use their individual
14 spiritual gifts. The Deacons are responsible for serving with the Senior Pastor and staff
15 in performing pastoral ministry tasks; proclaiming the gospel to believers and
16 unbelievers; caring for church members and other persons in the community; leading
17 the Church to engage in a fellowship of worship, witness, education ministry, and
18 application; and leading the Church in the performance of its tasks. Major proposals
19 that are presented to the Church shall be presented with the counsel of the Pastors and
20 Deacon body.

21
22 In the event of the illness, emergency, absence, death, or resignation of the Senior
23 Pastor, the Deacons shall care for the supply of the pulpit. The Deacons shall set their
24 own meeting times and shall elect from among their number annually a secretary. The
25 Church shall elect a Deacon chairman and vice-chairman annually from a list of
26 candidates nominated by the Pastors and the outgoing chairman. No Deacon chairman
27 shall serve for more than two consecutive years. These officers shall assume duties
28 normally associated with these offices.

29
30 Only those persons elected by the Church shall serve as Deacons. There is no
31 obligation to constitute as an active Deacon a person, who comes to the Church from
32 another church where he has served as a Deacon.

33
34 Opportunity shall be given for all church Members to submit recommendations for
35 election as a Deacon. This shall be done at anytime by giving a recommendation to the
36 Deacon chairman, a member of the Deacon Nomination Committee, or to the church
37 office.

38
39 Prospective deacons shall meet with the Deacon body for three months. If the nominee
40 is found by the Deacon body to possess the scriptural qualifications, the Deacon body
41 may then recommend the prospective deacon for election by the Church. Advance
42 notice shall be given of date and persons to be submitted for election as Deacons. If a
43 Member elected is already an ordained Deacon, he may begin serving immediately upon
44 affirmative vote of the Church.

1
2 All Deacons are considered Active unless they are classified as Emeritus. The privileges
3 and responsibilities of Emeritus and Active Deacons are the same. Active Deacons are
4 expected to attend all Deacons meetings. Meeting attendance is optional for Emeritus
5 Deacons. Classification is as follows:

- 6 1. Emeritus Deacons - All Deacons, who have faithfully fulfilled the office and have
7 reached an age or physical condition where they can no longer fully serve, may
8 be elected Emeritus Deacons with the same status as Active Deacons as they are
9 able to participate.
- 10 2. Active Deacons - All other Deacons who have been duly elected by this Church
11 body. If an active Deacon is unable to carry out his duties as a Deacon, he shall
12 notify the Deacon chairman and be excused from service for an agreed period of
13 time. During his absence from the Deacon group, the chairman shall assign the
14 duties of the excused Deacon to other Deacons. In addition, the excused
15 Deacon shall not have any of the privileges associated with Active Deacon
16 membership. At the end of the agreed time period, the excused Deacon shall
17 return to Active Deacon status.

18
19 One ceases to be a Deacon of the Church upon death, resignation, moving from San
20 Juan and adjacent counties, by termination of membership as stated in these By-Laws,
21 Article I, Church Membership Termination, or by Church discipline in accordance with
22 Article I, Conflict Resolution and Discipline, of these By-Laws.

23 24 **FINANCIAL SECRETARY:**

25 The Church shall employ a Financial Secretary by the procedures set forth herein who
26 shall be bonded and who shall serve until his or her resignation or until the
27 Administrative Committee recommends a change. The Financial Secretary shall work
28 under the supervision of the Senior Pastor or his designated Administrator and follow
29 procedures and documentation requirements established by the Administrative
30 Committee and procedures outlined in the Operations Manual."²

31
32 The Financial Secretary shall not be a member of the Administrative Committee, but
33 shall work in the spirit of Christian cooperation with the Administrative Committee to
34 ensure that all money or things of value paid or given to the Church are preserved and
35 accounted for in an honest, prudent, and legal manner in accordance with the directives
36 of the Church, the boundaries of this Constitution and accepted accounting practices.
37 This includes, but is not limited to the following:

- 38 1. Keep an itemized account of all receipts and disbursements.
- 39 2. Help ensure that funds and gifts are used according to instructions from the
40 congregation or as directed by the contributor(s).
- 41 3. Prepare reports in compliance with legal requirements and church directives.
- 42 4. Submit reports to the Church in its *regular* monthly business meetings and
43 annual meeting.

1 Tithes and offerings and other funds received by the Church shall be counted and
2 deposited in the bank by members of the Counting Committee. The Church is not
3 legally bound, but will try to honor requests of donors within legal guidelines. Money or
4 gifts which have been received and accepted by the Church for specific or designated
5 causes may not be borrowed or spent for purposes other than that cause for which they
6 were designated, except by permission of the contributor. When the contributor cannot
7 be contacted, designated monies may be used as needed, if recommended by the
8 Administrative Committee and announced at a regular business meeting and then
9 approved by the Church at the following regular business meeting.

10
11 Funds or gifts designated to specific individuals are not tax-deductible and will not be
12 reported on individual records of contribution.

13
14 All checks exceeding \$1,000 drawn on the Church's account shall require two
15 signatures. At least two members of the Administrative Committee, and at least two
16 other lay people designated by the Administrative Committee shall be authorized to sign
17 checks.

18
19 All books, records, and accounts kept by the Financial Secretary shall be considered the
20 property of the Church. The books shall be open for inspection by appointment by any
21 Member of the Church except that the giving records of individuals may not be made
22 available except to the donor. Records of disbursement for the benevolence fund will
23 be reported to the Church body only in summary.

24
25 Upon submitting the annual account at the end of each fiscal year and its acceptance
26 and approval by the Church, the records shall be delivered by the Financial Secretary to
27 the Church Clerk, who shall keep and preserve the records as a part of the permanent
28 records of the Church.

29
30 **Other Staff Members:**

31 The Senior Pastor or his designated Administrator, working with the Administrative
32 Committee, is responsible for making recommendations to the Church for consideration
33 of staffing needs other than Pastoral staff. Such positions shall be filled according to
34 "Personnel Practices and Guidelines."¹ In the interest of employee confidentiality, the
35 Administrative Committee, working with the Senior Pastor or his designated
36 Administrator, in accordance with applicable labor laws and prudent business practices,
37 has the authority to hire and fire individuals within those previously approved positions.

38
39 The Senior Pastor, or his designated Administrator, is the supervisor of all other staff
40 members. Other staff members are not officers of the Church unless serving in an
41 official position.

1 **Church Clerk:**

2 The Church shall elect annually a Church Clerk upon nomination by the Church
3 Nominating Committee. The Clerk shall record minutes of all business meetings and
4 serve as a member of the New Members Ministry.
5

6 The Church Clerk may delegate some of the responsibility to the Church's clerical staff if
7 approved by the Senior Pastor or his designated Administrator. All Church records and
8 Church property should be returned to the office for permanent filing. The Church
9 Clerk's monthly report shall include the following:

- 10 1. Membership at the beginning of the month.
 - 11 2. Number of additions.
 - 12 3. Number of terminations.
 - 13 4. Membership at the close of the month.
- 14

15 **Moderator:**

16 The Church Moderator, or Vice-moderator, shall be elected annually as set forth in the
17 "Operations Manual."² and shall preside at all *regular*, annual, and special business
18 meetings of the Church. The chairman of Deacons shall preside if the Church
19 Moderator and Vice-moderator are absent. Otherwise, the Church shall elect a
20 moderator for the meeting. The Moderator shall not be a member of the pastoral staff.
21

22 **Trustees:**

23 Trustees are called into being by the relationship of the Church to the civil government
24 through the Articles of Incorporation. The Trustees constitute the Board of Directors.
25 Five Trustees nominated by the Nominating Committee and elected by the Church shall
26 hold in trust all church property and have oversight over the legal affairs of the Church.
27 Their powers include the power to buy, sell, mortgage, lease, insure and transfer
28 property at the direction of the congregation. It shall be the function of the Trustees to
29 affix their signatures to legal documents involving sale, mortgage, purchase or rental of
30 property or other legal documents when signatures are required. The number of
31 signatures required for any transaction shall be no less than three (3), as required by
32 New Mexico State Law.
33

34 Trustees shall be elected for staggered five-year terms such that one Trustee is elected
35 annually to serve for a five-year term. Trustees shall have been members for at least
36 three (3) years. The Board of Trustees is required to meet at least twice a year to
37 review and remain current on the status of church property and the affairs of the
38 Church.
39

40 Trustees are responsible for maintenance of, and the Church's adherence to, the
41 Constitution and By-Laws.
42

43 No Trustee shall serve on the Administrative Committee except in a non-voting,
44 advisory and oversight capacity. The Trustees are responsible for initiating financial
45

1 audits in accordance with Article VIII of these By-Laws. The Trustees shall provide
2 conflict-of-interest oversight for church committees, staff and officers of the Church.

3
4 Trustees shall not be held individually liable for loans. The Church shall provide all of
5 the provisions for indemnification to its officers and Trustees described and enumerated
6 in section 53-8-26, N.M.S.A 1978, as amended, and such enlarged indemnification as
7 may hereafter be permitted by applicable law.
8

9
10 **ARTICLE III**
11 **CHURCH COMMITTEES, MINISTRIES AND COUNCILS**

12 All decision-makers (officers, staff, and committee members) shall avoid any perception
13 of a conflict of interest when carrying out all business and activities of the Church.
14 When faced with decisions affecting a family member or their personal business, any
15 decision-maker shall remove himself or herself from the deliberations and abstain from
16 all relevant votes.

17
18 Meetings of all committees, ministries, and councils are open to Members, except that a
19 committee may go into "executive session" during an open meeting to discuss sensitive
20 matters.
21

22 All committee members shall be recommended by the Nominating Committee and
23 elected by the Church to serve three-year terms, unless otherwise stated in these By-
24 Laws. All ministry chairpersons shall be recommended by the Nominating Committee
25 for two-year terms, unless otherwise stated in these By-Laws. Members of committees
26 may be asked to extend their time of service on the committees with the exception of
27 the Administrative and Counting Committees. Terms for committees, ministries, and
28 councils shall be on a church year basis (January through December), unless otherwise
29 stated in these By-Laws, and shall be staggered to encourage Member participation.
30 Members shall not succeed themselves unless no replacements can be found. All
31 committee members, ministry chairpersons, and council members shall be Members of
32 the Church for at least six months unless otherwise stated in these By-Laws.
33

34 **NOMINATING COMMITTEE**

35 A Nominating Committee shall be elected as set forth in the "Operations Manual."² at
36 the *regular* December business meeting. This committee shall have nine (9) members
37 who have been Members for at least one (1) year, with staggered three-year terms.
38 The Nominating Committee shall be responsible for presenting nominees to the Church
39 for leadership personnel, teachers, members of each committee, and chairpersons of
40 each ministry to be voted on by the Church. The ministry chairpersons shall then be
41 responsible for enlisting members to serve in each ministry.
42

43 The Nominating Committee shall prepare and maintain a current "Operations Manual."²
44 The manual and any amendments shall be approved by the Church at a *regular*

1 business meeting provided that copies of the proposed amendment shall have been
2 filed with the Church Clerk, made available to the Members, and written notice provided
3 on two Sundays preceding the vote.
4

5 **ADMINISTRATIVE COMMITTEE**

6 The Nominating Committee shall present to the Church the nominations for nine (9)
7 members of the Administrative Committee. Members of this committee, who shall have
8 been members for at least three (3) years, shall be elected for staggered three-year
9 terms. The general responsibilities of the Administrative Committee are:

- 10 1. Perform financial and personnel functions working together under the guidance
11 of the Holy Spirit and in cooperation with the pastoral staff in order to allow the
12 Senior Pastor time for shepherding.
- 13 2. Establish sound and prudent procedures for receiving, disbursing, monitoring,
14 and reporting all money or items of value paid or given to the Church. This
15 includes supervision of an accounting system that provides adequate internal
16 controls to protect all funds and workers.
- 17 3. Direct the Counting Committee in accounting for all funds and gifts received.
- 18 4. Develop and recommend a sound operating budget to the Church, then oversee
19 the receipts, disbursements and records in a diligent manner to operate within
20 the budget. Ensure that funds and gifts are used according to instruction from
21 the congregation or as directed by the contributor(s).
- 22 5. Bring regular reports and recommendations to the Church for their consideration
23 and approval.
- 24 6. Ensure that all legal requirements in regard to personnel and finance, including
25 federal and state and local laws, are followed.
- 26 7. Work with the Senior Pastor to study staffing needs and responsibilities and
27 make recommendations to the Church. Work with the Senior Pastor or his
28 designated Administrator to staff previously approved positions.
- 29 8. Prepare and maintain "Personnel Practices and Guidelines"¹ relating to the
30 Church's employed personnel. The guidelines and any amendments shall be
31 approved by the Church at a *regular* business meeting, provided that copies of
32 the proposed amendment shall have been filed with the Church Clerk, made
33 available to the Members, and written notice provided on two Sundays preceding
34 the vote.
- 35 9. Prepare and maintain "Policy Manual of Guidelines for Ministry Workers"³ as
36 required by the insurance company to minimize vulnerability to unwarranted
37 accusation.
- 38 10. Work with the Senior Pastor to develop and maintain staff performance
39 standards.
- 40 11. Other duties of the Administrative Committee are set forth in Article II, Financial
41 Secretary, of these By-Laws and detailed in the "Operations Manual."²
42

43 The Administrative Committee shall be monitored by the Trustees.
44
45

1 **COUNTING COMMITTEE**

2 The Counting Committee is nominated annually by the Nominating Committee and
3 elected by the Church. Each member of the Counting Committee shall have been a
4 Member for at least one year. The Counting Committee is under the direction of the
5 Administrative Committee and works in cooperation with the Financial Secretary. Other
6 duties of the Counting Committee are outlined in Article II, Financial Secretary, of these
7 By-Laws and detailed in the "Operations Manual."²
8

9 **OTHER COMMITTEES**

10 Duties of other Church Committees shall be outlined in the "Operations Manual."² Ad
11 Hoc committees may be formed for a temporary time period to perform specific tasks
12 as directed by the Church in any business meeting, provided that the Constitution is
13 followed.
14

15 **MINISTRIES**

16 Ministries of the Church shall include, but not be limited to, Benevolence, Building and
17 Grounds, Decorating, Hospital, Hostess, Missions, Transportation, Ushers and Greeters,
18 Preschool, Audio Visual, the Helping You Belong information center (HUB) and New
19 Members. Guidelines for each ministry are outlined in the "Church Operations
20 Manual."² Ministries may be added or discontinued upon recommendation of the
21 pastoral staff and approval by the church.
22

23 **CHURCH COUNCIL**

24 The Church Council is an advisory body whose duties are to assist the pastoral staff in
25 generating ideas and planning the program of activities for the Church. The Church
26 Council shall be made up of all Pastoral Staff, the Sunday School Director, and all age
27 group directors (preschool, children, youth, and adult); Women's Missionary Union
28 (WMU) director; a representative of the Deacons; and a representative of each
29 committee and ministry. The Council shall be led by the Senior Pastor or his designee
30 and shall meet at least quarterly.
31

32 **ARTICLE IV**
33 **CHURCH ORGANIZATIONS**
34

35 Church organizations shall include, but not be limited to, Sunday School, the Deacon
36 Body, Discipleship Training, and WMU. The organizational procedures and methods of
37 these organizations are to be worked out by the respective directors in cooperation with
38 the Senior Pastor and the Pastor in charge of education. The procedures and methods
39 shall be in keeping with the Constitution and By-Laws.
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ARTICLE V CHURCH MEETINGS

Meetings:

1. Regular Services: There shall be regular services each Sunday morning and evening, and Wednesday evening unless exception is made by vote of the Church at a *regular* business meeting. Regular services shall include but not be limited to worship, Bible study, ministries, and fellowship as approved by the Church. In the case of unanticipated events or in an emergency, the Pastoral staff shall consult with and come to a consensus with the Deacon officers prior to rescheduling or canceling a regular worship service.
2. "Regular" Church Business Meetings: *Regular* business meetings shall be held monthly on a schedule set by the Church, as soon as practical after the first of the month. See "Special Meetings" for meetings other than *regular* business meetings.
3. Annual Business Meeting: The church year shall be from January 1 through December 31. An annual business meeting shall be held at the *regular* January business meeting. The Associational Letter summarizing the work of the year shall be given and acted on at this time.
4. Budget: The financial year shall be from January 1 through December 31. The annual budget shall be presented for review during the *regular* November business meeting and approved in the December business meeting.
5. Quorum: The *quorum* for routine business at meetings shall be Members present and voting, and any action shall be by simple majority. For the purpose of calling pastoral staff, electing candidates for deacon ordination, dismissing or restoring a Member, dismissing pastoral staff, amending the Constitution and By-Laws, or approving capital programs exceeding ten percent (10%) of the annual church budget, the *quorum* shall be at least ten percent (10%) of the resident Members enumerated on the most recent Annual Associational Letter. An affirmative vote of seventy-five percent (75%) of the Members present and voting shall be required except that an affirmative vote of eighty-five percent (85%) of the Members present and voting shall be required to call a Pastor.
6. Written Ballots: Voting on Constitutional amendments, disciplinary termination of Members, calling of church pastoral staff, and individual personnel issues shall be by written ballot. A written ballot shall be held whenever requested by any Member at any church business meeting.

1 **Special Meetings:**

2 The Pastors, Deacons, or the Trustees may convene the Church in special business
3 meetings whenever they deem it advisable or when requested to do so in writing by not
4 less than twenty-five Members. At least one written notice must be given on a Sunday
5 preceding any special meeting.

6
7 **Use of the Building:**

8 The church building shall be used for the services of the Church and its organizations.
9 The church building may be used for weddings in accordance with the policy
10 recommended by the Hostess Ministry and approved by the Church. Other
11 organizations may be allowed use of the buildings by Church approval or by approval of
12 the Pastoral staff or Trustees.

13
14 **Call of Pastor:**

15 The Pastor Search Committee shall present its recommendation to fill any pastoral staff
16 position to the Church at a specially called meeting with the time, place, and purpose to
17 be given by written notice to the membership and by statement in church services at
18 least one week prior to the meeting.

19
20 **Dismissal of Pastor:**

- 21 1. A special meeting may be called in any manner as provided for in these By-Laws
22 for the purpose of dismissing any member of the pastoral staff.
23 2. The meeting shall be conducted in the same manner as provided in these By-
24 Laws.
25 3. A recommendation for dismissal must come jointly from the Administrative
26 Committee and the Deacons, and such recommendation must be in accordance
27 with applicable "Personnel Practices and Guidelines"¹ and lawful labor practices.
28

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30 **ARTICLE VI**
31 **PARLIAMENTARY AUTHORITY**

32 Parliamentary Rules: "Robert's Rules of Order, Newly Revised" 10th Edition or current
33 edition, is the authority for rules of procedure for all business meetings, which shall be
34 conducted and participated in the spirit of Christian love and understanding.
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1 **ARTICLE VII**
2 **WILL OF THE CHURCH**

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4 The will of the Church on any given matter, duly expressed by its vote, shall be carried
5 out by all Pastors, staff, ministry committees, officers, Members, and organizations of
6 the Church.

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8 **ARTICLE VIII**
9 **AUDITS**

10
11 Annually the Administrative Committee will determine whether the internal controls are
12 adequate and whether an external audit is required. At a minimum an external audit of
13 all church financial records shall be accomplished at least every fourth year by an
14 independent audit firm or at the discretion of the Senior Pastor, Trustees,
15 Administrative Committee or request of the Church. The audit report shall be presented
16 at a *regular* business meeting and it shall be kept on file in the business office and may
17 be reviewed by any Member.

18
19 An audit of church records may be requested by the Pastor in charge of church
20 administration at his discretion or at the request of the Administrative Committee and a
21 report presented at a *regular* business meeting.

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24 **ARTICLE IX**
25 **SPECIAL FINANCIAL AUTHORITY**

26
27 The Church shall adopt a budget and after its adoption shall operate within the budget
28 guidelines, available funds, and prudent financial practices. Any non-budgeted
29 expenditure up to 1% of the approved annual budget can be acted upon by the
30 Administrative Committee. Any non-budgeted expenditure more than 1% of the
31 approved annual budget shall be publicized for two weeks prior to the *regular* business
32 meeting or a specially-called business meeting and voted upon by the Church at that
33 time.

34
35 Approval of any capital program exceeding ten percent (10%) of the annual budget
36 shall be in accordance with By-Law Article V, Section 6 regarding *quorum*.

37
38 In the event of an emergency expenditure, the Administrative Committee, in
39 consultation with the Senior Pastor or his designated Administrator, could make a
40 decision that would then be reported to the Church as detailed in the "Operations
41 Manual."² "Emergency" is defined as an unforeseen event specifically having to do
42 with facilities, equipment or computer systems or personnel, but not events or
43 functions.

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**ARTICLE X
CONFORMITY TO LAW**

11 No article or provision of these By-Laws shall be of any effect that is or that may be
12 deemed to be contrary to the laws of the State of New Mexico or the laws of the United
13 States of America.

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**ARTICLE XI
CONFORMITY TO IRS REGULATIONS**

21 As a 501 c (13) organization the Church will comply with the Internal Revenue Service
22 code including:

- 23 • No member, officer, or trustee may profit personally from the Church’s activities.
- 24 • In the event of dissolution of the Church body the remaining assets are required
25 to be distributed to the Baptist Convention of New Mexico which is a 501 c (3)
26 organization.

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END NOTES

- 33 1. “Personnel Practices and Guidelines adopted on January 9, 1994,” or current version, a document of
34 Emmanuel Baptist Church.
- 35 2. “Emmanuel Baptist Church Operations Manual” dated August 2007, or current version, a document of
36 Emmanuel Baptist Church.
- 37 3. “Policy Manual of Guidelines for Ministry Workers” ratified April 22, 2007, or current version, a document of
38 Emmanuel Baptist Church.

39 The original Emmanuel Baptist Constitution was adopted in 1956.

40 The Church Constitution and By-Laws were revised September 8, 1996.

41 A revision of the Deacons section of the Church Constitution was adopted April 22,
42 2001.

43 The Church Constitution and By-Laws were revised July 22, 2007.

44 The Church By-Laws were amended August 21, 2011.

45 The Church Constitution and By-Laws were revised June 23, 2013.

The Church Constitution and By-Laws were revised June 10, 2018.

**This Constitution and By-Laws replace all previous Constitution and By-Laws
(revisions and amendments) and supersede all relevant prior Church action.**