

**By Laws of Mercy Village Church
Adopted the 8th of November, 2020
(Ratified on 16th of May, 2021)**

Introduction

Mercy Village Church, hereafter referred to as the church, is a legal non-profit organization. The state requires us to have by-laws to guide our church both legally and civilly. Practically, it helps to guide the church in functioning biblically and in order. We fully anticipate that as our church grows and develops further that there will be the need for further amendments to this document. These changes will always be guided biblically and prayerfully. Within that framework, the elders will mold this document to serve Christ and his church. Our desire is to have a document and leadership structure that is consistent with the theological truths prescribed for the church from the Bible.

In addition to Scripture, we are required by the civil government, in our case the United States and the State of West Virginia, to meet certain requirements in order to be a legal non-profit organization and claim tax exempt status. God requires us to submit to these God ordained authorities (Rom. 13:1-2).

Article I: Civil and Ecclesiastical Government

Section A: The Church's address is 8 Colewood Road, Barboursville WV 25504 and the name and address of the Church's agent for service of process for any action proceeding against the Church is Paul Boekell, 8 Colewood Road, Barboursville WV

Section B: The government of the church has been initiated, is headed by, and serves to promote Jesus Christ, who is the leader of the church. The church is primarily a body of believers in Jesus. The supreme governing document of the church is the Bible. The church is secondarily a legal non profit organization and submits to civil government as established by these by laws. These by laws, however, submit to the Bible interpreted biblically.

Section C: The church government established in these by laws is an ecclesiastical body, which the Bible calls elders (Hereafter called "Eldership"). The powers and duties of the Eldership are derived from and receive their authority from Jesus Christ and the Bible. The functions of the Eldership will be understood to be ecclesiastical unless explicitly required for civil duties.

Section D: Selected elders and church members will be civil members of the organization for the purposes of civil government. The term "church member" is a spiritual and theological title for those who have completed the church membership process of the church and are in good standing. Unless otherwise stated, it does not refer to an elder or church member for the purposes of civil government.

Article II: The Eldership Selection and Ordination Process

Section A: The Eldership is composed of elders/pastors (paid or unpaid) who follow the leadership of Jesus Christ, who is the Lead Elder and Senior Pastor of The Church. To be considered an elder of the church a man must have been selected by the Holy Spirit to pastor the church, met the biblical qualifications prescribed in 1 Tim. 3:1-7 & Titus 1:5-9, completed the process of elder established by the

Eldership, been ordained by the Eldership, and been presented to and received by the membership of the church (via voting process described in Article VII).

Section B: The process to become an elder/pastor is to be determined by resolution of the Eldership

Section C: Upon ordination by the Eldership, the elder will have the authority to preach the gospel, oversee the church, administer ordinances, officiate marriages, and enjoy all rights and privileges accorded to licensed or ordained ministers under civil law.

Article III: The Eldership Length and Process of Resignation or Removal

Section A: Term of Office. Once a man is ordained as an elder of the church, it is expected that he serve as one indefinitely. If the Eldership determines that an elder needs to step away from the Eldership for rest or to meet a pressing need (tragedy, illness), then the elder can move to inactive and non voting status for a set period of time as determined by the Eldership.

Section B: Resignation. To resign from the Eldership, an elder is required to present a written resignation to a fellow elder who is required to distribute it to the other elders or orally express his resignation at an official meeting of the Eldership. Any resignation will take effect at the time specified, or if not specified, upon receipt of the resignation.

Section C: Removal. Discipline and removal of an elder from Eldership will happen in obedience to Bible commands in a biblically consistent manner determined by the Eldership. An elder who is employed by the church is employed at the discretion of the Eldership and may be terminated by the Eldership. An elder who is terminated from employment will also automatically be suspended as an elder until disciplined, removed, or reinstated by the Eldership.

Article IV: The Powers and Meetings of the Eldership

Section A: Purposes and Powers. The primary governing authority of the church is the Eldership. The Eldership has the sole power to determine all issues regarding the church (with the exemption of issues listed in articles VI & VII), including, but not limited to:

- General changes to and adoption of By Laws (with the exemption of changes concerning issues listed in articles VI & VII).
- Approval of the selection of elders. (Approval requires no objections. Abstention is permitted.)
- Discipline or Removal of elders.
- Establish policies and procedures to govern the organization in accordance with the Bible and the civil laws described in Section 501 (c) (3) of the Internal Revenue Code.
- Approval of the annual salary and benefits of all paid elders (within the confines of the annual budget approved by the church members).
- Authorize the purchase, management, and renovation of assets for use by the church (if spending is below ten percent (10%) of the current, annual Church operating budget as described in article XII)
- Overturn a previous decision made by the Eldership (with the exemption of decisions on issues listed in article VI & VII).
- Borrow money or take on any other indebtedness (if total dept is below ten percent (10%) of the

current, annual Church operating budget as described in article VII).

The above bullets require an official vote of approval by the eldership to be deemed in effect.

Section B: Size. The size of the Eldership shall be no less than a plurality (2). The specific number of elders is to be established by resolution of the Eldership. In the event of an unexpected vacancy bringing the number below what is needed to govern the organization, the remaining elder(s) may appoint a successor to fill the office.

Section C: Composition. The Eldership will consist of:

- At least a plurality (2).
- At least one elder who is financially independent of the church. This includes himself as well as any of his dependents.

Section D: Quorum. Over one half of the Eldership constitutes a quorum. In the event that there are only 2 elders, a quorum is 2.

Section E: Annual Meeting. The annual meeting of the Eldership will be held in the month of November. If in the majority of the elders, the meeting cannot be held, it will be held as soon as feasibly possible. The elders, collectively, will determine the time and place of the Annual Meeting.

Section F: Special Meetings. Special Meetings can be called by 1/3 of the Eldership. Elders must be notified at least 24 hours prior to the meeting and may be called for any reason.

Section J: Voting. Each elder is entitled to cast one vote at any election on any subject before any meeting of the Eldership. For an issue to meet approval it must receive a simple majority.

Section K: Participation Offsite. In the instance that an elder is unable to be physically present at any meeting. The elder may participate in the meeting so long everyone present is able to hear each other at the same time. Participation through any such means constitutes presence at the meeting.

Section L: Action without Meeting. Any action that is required to have a meeting may be taken without meeting, if a consent, in written record, is performed unanimously by the Eldership.

Section M: Committees. The Eldership may designate and appoint by resolution one or more standing or temporary committees, which will consist of at least two elders. The committee will, to the extent provided in the resolution, shall have and exercise the authority of the Eldership. A majority of the number of elders on committee constitute a quorum. Any committee member will be removed from the committee by a majority vote of the Eldership.

Article V: Deacons

Section A: Office. This is a biblical position/office that is subordinate to the office of elder. Deacons may be male or female.

Section B: Qualifications. In order to fill the office of deacon, an individual must meet the biblical

qualifications (1 Tim. 3:8-13) and requirements set forth by the eldership.

Section C: Selection. A person must be selected by the eldership and willingly complete the deacon training process set forth by the eldership.

Section D: Term. The term of office varies depending on the commission given to the deacon by the eldership. Some deacons will serve indefinitely; others will serve until a given task is completed.

Section E: Resignation/Removal. A deacon may resign at any time by delivering written notice to the eldership or due to need for a period of rest. The eldership can remove a deacon from their office for any reason.

Section F: Roles & Responsibility. The role of deacon is that of assistant to the eldership. The responsibilities of deacon are the tasks assigned to the deacons by the eldership.

Section G: Licensing. Male deacons who meet certain requirements determined by the eldership may be licensed to perform ceremonial duties according to secular law (funerals, weddings, etc).

Article VI: Church Members

Section A: Definition. The definition of a “church member” in these by laws is a biblical/theological term to describe a church member of the body of Christ and this local church. It does not have any civil effect for the purpose of state law. All church members will be asked, at the discretion of the eldership, to serve the elders decision making process by participating in information gathering, feedback, and affirmation, and support.

Section B: Process. All persons who desire to join the church membership of the church must complete the church membership process set forth by the elders, sign the church members covenant, appear before an elder of the church making an affirmation of faith in Jesus Christ, affirm the doctrinal statement of the church, and agree to abide by the by laws of the church. Also, church members agree to support the church through financial giving, participation in worship, accountability in biblical community, and sacrificial service to the mission of the church.

Section C: Affirmation. The elders have chosen to seek affirmation from the congregation in decisions including budget, assets, elders, and constitution. This will serve to keep the congregation informed, involved, and unified.

Section D: Discipline. There are three reasons that the church follows the biblical command to exercise church discipline. First, maintain purity in the church. Second, build up believers through deterring sin. Third, promote godliness in the offending believer by calling them to repentance.

1. Covenant church members of the church and all other professing Christians who regularly participate with the church are subject to church discipline and excommunication when they promote false doctrine or fail to repent of conduct that violates Scripture. Each case will be investigated and determined by the elders and dealt with according to the Bible.

2. Church members of the church are not guaranteed confidentiality regarding issues of church discipline and understand that by submitting themselves to the elders that information of a personal nature may become known to others, including legal authorities if applicable.
3. A person excommunicated from church membership can be reinstated to full church membership if the person's repentance is accepted by the elders as authentic.
4. Every church member and regular participant of the church agrees that there will be no appeal to any court because of church discipline or excommunication.
5. Resignation from church membership is only possible with a church member who is in good standing and not under church discipline. A church member who is under church discipline waives the right of resignation.
6. Separate from the process of church discipline, but on the approval of the elders, a church member, non church member, or other individual, can be informed that they are not to be present on the facility where the church gathers or other church activities. This can last as long as the elders seem necessary for the welfare of safety of others. The required absence may or may not be concurrent with church discipline.
7. Separate from the process of church discipline, but on the approval of the elders, a church member who has failed to meet the requirements of covenant church membership for over 6 months can be removed from church membership and asked to no longer attend the church.

Article VII: Voting by Church Members and Communications Concerning Voting

Section A: Voting. The Members of the Church shall vote on the matters of (a) the installation of new elders ordained by the current church elders; (b) the installation of new deacons trained and approved by the current church elders; (c) the annual operating budget and any capital budgets.; (d) any loan that results in cumulative indebtedness exceeding ten percent (10%) of the current, annual Church operating budget; (e) disposition of substantially all of the Church's assets; (f) merger or dissolution of the Church; (g) any proposed change to these Bylaws that would reduce, revoke or otherwise attenuate a right granted to the Church members in the then-current Bylaws; and (h) other actions deemed major and extraordinary by the Elders. For votes on actions deemed major and extraordinary, not required by the Bylaws but voluntarily initiated by the Elders pursuant to this Section, such votes may, in the sole discretion of the Elder body, be restricted to a subset of Church Members, e.g., those Members affiliated with one individual campus of the Church. Voting shall take place during public worship services or a special business meeting as determined in the sole discretion of the Elders. Only Church Members shall be permitted to vote on any matter under this Article XII. A simple majority, defined as a result greater than 50% when the number of affirmative votes are divided by the number of total votes cast, shall constitute a passing vote.

For votes on actions deemed major and extraordinary, and NOT required by the Bylaws, but voluntarily initiated by the Elders pursuant to this Section, such votes may, in the sole discretion of the Elder body, be restricted to a subset of Church Members.

Section B: Communications Concerning Voting. The time, place and nature of upcoming votes will be communicated to the Church at least fourteen (14) days in advance and Church Members shall have an opportunity to submit questions, comments and concerns, which will be considered by the Elders on a case-by-case basis. Voting results shall be communicated to Church Members not later than thirty (30) days following such vote.

Article VIII: Trustees

Section A: Role. The role of trustee is a not a biblical role. It is a required civil position in order for the church to acquire and dispose of real and personal property under the direction of the eldership

Section B: Selection. The Eldership serve as the trustees unless otherwise designated by the Eldership. The Eldership may select and install a trustee or board of trustees from any combination of church members in good standing, including elder or deacon.

Section C: Removal. Trustees may be removed by the Eldership at any time for any reason.

Article IX: Dissolution of the Church

In the event that internal or external factors render the dissolution of the church necessary, there will be a members meeting called where the proposal will be made known to the church, with a subsequent meeting to follow two weeks later where a vote will be taken.

In the event that no other resolution can be worked out, all assets and property belonging to Mercy Village Church and not required for the payment of debts will be conveyed to Huntington Community Church (Huntington, WV), with the Elders of Mercy Village Church performing all actions necessary to effect such conveyance.

Article X: Adoption of By Laws

Section A: These by-laws are heretofore ratified by the members of Mercy Village Church.

Section B: The Eldership adopts the By Laws set forth above as the church's By Laws.