

Mount Carmel Baptist Church of  
Asheville Inc.

Constitution and By-Laws

ARTICLES OF INCORPORATION  
OF  
MOUNT CARMEL BAPTIST CHURCH OF ASHEVILLE, INC.  
(Non-Stock)  
(Non-Membership)  
(Non-Profit)

We, the undersigned natural persons of the age of twenty-one (21) years or more, do hereby associate ourselves into a non-profit corporation under the laws of the State of North Carolina, as contained in Chapter 55A of the General Statutes of North Carolina entitled "Non-Profit Corporation Act", and the several amendments thereto, and to that end do hereby set forth:

1. The name of the corporation is MOUNT CARMEL BAPTIST CHURCH OF ASHEVILLE, INC. located at 200 Mount Carmel Road.
2. The period of duration of the corporation shall be perpetual.
3. The purposes for which the corporation is organized are:
  - a. To promote and foster the worship of God, the preaching of the Christian Gospel and to operate missions, churches, Christian service institutions and any type of Christian institution and ministry.
  - b. To organize, conduct and carry on worship services, other related activities, and undertakings for the general promotion of the Gospel of Jesus Christ and generally to foster the well-being and spirituality of all church members, friends and visitors.
  - c. To accept funds, contributions and tithes and to encourage the practice of stewardship of life among all of said members, friends and visitors.
4. Should there be net earnings of this corporation, above the necessary expenses, under no conditions shall any of same inure to the benefit of any individual whomsoever but, on the contrary same shall be applied either through this corporation or one similar to it for the purpose of propagating the Gospel of the Lord Jesus Christ on this earth.

5. This is a non-stock and a non-member corporation. This corporation shall operate as a non-profit corporation. In the event of the dissolution of this corporation any and all assets owned by it at the time of said dissolution shall be distributed to the Buncombe Baptist Association located in Asheville, North Carolina, or distributed for one or more of the purposes specified in Section 501 (c) (3) of the Internal Revenue Code of 1954.

6. The names and Post Office addresses of the incorporators are as follows:

NAME	ADDRESS
Dr. Ronnie Owen	52 O'Donald Road, Asheville, NC 28806
Jim Gaddy	33 Mount Carmel Road, Asheville, NC 28806
James C. Heise	1615 Jenkins Valley Road, Alexander, NC 28701

7. The address of the initial registered office of the corporation is 200 Mount Carmel Road, Asheville, Buncombe County, North Carolina 28806 and the initial registered agent of the corporation at such address is the pastor.

8. The corporation shall have a Board of Directors of not less than three (3), all of whom shall be members of the Church and shall be nominated and elected for such terms as may be specified by the By-Laws of the Mount Carmel Baptist Church of Asheville, Inc.

9. In addition to the general powers granted corporations under the law of the State of North Carolina, the corporation shall have full power and authority to perform all acts which may be deemed necessary or expedient for the proper and successful prosecution of the objects and purposes for which the corporation is created.

IN TESTIMONY, WHEREOF,            we have hereunto set our hands and affixed our seals this \_\_\_\_\_ day of \_\_\_\_\_, 1993

\_\_\_\_\_ (SEAL)

\_\_\_\_\_ (SEAL)

\_\_\_\_\_ (SEAL)

STATE OF NORTH CAROLINA, COUNTY OF BUNCOMBE

This is to certify on the \_\_\_ day of \_\_\_\_\_, 1993, before me, a Notary Public in and for said County and State, personally appeared

\_\_\_\_\_, and

\_\_\_\_\_

who, I am satisfied are the persons named in and who executed the foregoing Articles of Incorporation, and each acknowledged that he signed and delivered the same as his voluntary act and deed for the uses and purposes therein express.

IN TESTIMONY, WHEREOF, I have hereunto set my hand and official seal this

\_\_\_\_\_ day of \_\_\_\_\_, 1993.

\_\_\_\_\_

Notary Public

My commission expires:

# MOUNT CARMEL BAPTIST CHURCH OF ASHEVILLE

## Constitution and By-Laws

### Constitution

#### Preamble

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

#### I. Name

This body shall be known as Mount Carmel Baptist Church of Asheville, Inc. located at 200 Mount Carmel Road, Asheville, North Carolina 28806.

#### II. Objectives

To be a dynamic spiritual organism empowered by the Holy Spirit to share Christ with as many people as possible in our church, community and throughout the world.

To be a worshiping fellowship, experiencing an awareness of God, recognizing His person, and responding in obedience to His leadership.

To experience an increasingly meaningful fellowship with God and fellow believers.

To help people experience a growing knowledge of God and mankind.

To be a church which ministers unselfishly to persons in the community and the world in the name of Jesus.

To be a church whose purpose is to be Christ like in our daily living by emphasizing total commitment of life, personality and possessions to the Lordship of Christ.

#### III. Statement of Basic Beliefs

We affirm the Holy Bible as the inspired Word of God and the basis for our beliefs. This church subscribes to the doctrinal statement of "The Baptist Faith and Message" as adopted by the

Southern Baptist Convention in the year 2000. We voluntarily band ourselves together as a body of baptized believers in Jesus Christ personally committed to sharing the good news of salvation to mankind. The ordinances of the church are believer's baptism and the Lord's Supper.

We believe, based on the teachings of the Holy Scripture in both the Old and New Testaments, that marriage is an institution ordained by God from the foundation of the world, and intended as a lifelong union between one man born a male and one woman born a female.

Beginning with Genesis chapters 1 and 2 and reaffirmed by the teaching of Jesus Christ when He said, as recorded in Matthew 19:4-6, "Haven't you read, he replied, that at the beginning the Creator made them male and female and said for this reason a man will leave his father and mother and be united to his wife and the two will become one flesh. So they are no longer two, but one. Therefore, what God has joined together, let not man separate."

1 Corinthians 6:9-11 continues defining marriage by condemning certain lifestyles including adultery, prostitution and homosexuality. The Bible condemns all forms of sexual immorality and encourages Christians to flee from it because of its destructive effects and because the body of the Christian is the temple of the Holy Spirit.

As a result of our belief that the Scripture contained in the Holy Bible are the words of God, we cannot sanction, approve, support or promote in any way adultery, fornication (a sexual relationship between an unmarried man and woman; i.e. "living together"), pornography, pedophilia, polygamy, bestiality or homosexual unions.

As a result of our beliefs in the Holy Scriptures, as described previously, it is our policy that the facilities and grounds of this church, our members, our teachers, our leaders and our staff, may not be used or participate in any ceremony that in any way approves, celebrates, supports or allows same-sex union or a polygamist union or any other union which, in judgment of the church based on the Holy Scriptures, is inconsistent with our beliefs.

#### **IV. Church Covenant**

Having been led as we believe by the Spirit of God to receive the Lord Jesus Christ as our Lord and Savior 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, doctrines, and discipline; 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 personal devotions; to religiously educate our children; 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 engage through our personal practices and our influence to prevent the abuse of intoxicating beverages and drugs; the spread of pornography; and to be zealous in our efforts 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 teaching of our Savior to secure it without delay.

We moreover engage that if we no longer attend this church, 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.

## **V. Polity and Relationships**

The government of this church is vested in the body of believers who compose it. Persons duly received by the members shall constitute the membership.

All internal groups created and empowered by the church shall report to and be accountable only to the church, unless otherwise specified by church action.

This church is subject to the control of no other ecclesiastical body, but it recognizes and sustains the obligations of mutual counsel and cooperation which are common among Southern Baptist churches. Insofar as is practical and reasonable, this church will cooperate with and support the Buncombe Baptist Association, the Baptist State Convention of North Carolina, and the Southern Baptist Convention.

### **I. Church Membership**

#### **Section 1: General**

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

The membership reserves the exclusive right to determine who shall be members of this church and the conditions of such membership.

#### **Section 2: Candidacy**

Any person may offer himself or herself as a candidate for membership in this church. All such candidates shall be presented to the church at any regular church service for membership in any of the following ways:

- 1) By profession of faith in Jesus Christ and baptism according to the policies of this church.
- 2) By promise of a letter of recommendation from other Baptist churches of like faith and practice.
- 3) By statement of prior conversion experience and baptism by immersion when no letter is obtainable.

Should there be any dissent as to any candidate, such dissent shall be referred to the deacons for investigation and the making of a recommendation to the church within thirty (30) days. A three-fourths vote of those church members present and voting shall be required to elect such candidates to membership.

### **Section 3: New Member Orientation**

New members of this church are encouraged to participate in the church's new member orientation. Membership packets will be provided and new members will be notified as to the times for the classes.

### **Section 4: Rights of Members**

- 1) Every member of the church is entitled to vote at all elections and on all questions submitted to the church in conference, provided the member is present.
- 2) Every member of the church may participate in the ordinances of the church as administered by the church.

### **Section 5: Termination of Membership**

Membership shall be terminated in the following ways:

- 1) Death of a member.
- 2) Transfer of letter to another Baptist church.
- 3) Exclusion by action of this church.
- 4) Removal from the membership roll upon request.

### **Section 6: 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, other pastoral church staff and the deacons are available for counsel and guidance. The attitude of members toward one another shall be guided by concern for redemption rather than punishment.

Should some serious condition exist that would cause a member to become a liability to the general welfare of the church, the pastoral staff and the deacons will take every reasonable measure to resolve the problem in accordance with Matthew 18. If it becomes necessary for the church to take action to exclude a member, a three-fourths vote of the members present is required and the church may proceed to declare the person to be no longer in the membership of the church. All such proceedings shall be pervaded by a spirit of Christian kindness and forbearance.

The church may restore to membership any person previously excluded, upon request of the excluded person, and by three-fourths vote of the church members present upon evidence of the excluded persons' repentance and reformation involving spiritual counseling with the pastoral staff.

## **II. Church Officers and Committees**

All who serve as elected officers of the church (pastor, the pastoral staff, the deacons, a moderator, recording clerk, board of directors, personnel committee and finance committee)



shall be members of the church. All teachers and leaders of on-going and regular Bible studies shall be members of the church. Active non-members may serve as non-voting members of committees, but may not serve as officers of the church.

### **Section1: Church Officers**

The officers of this church shall be the pastor, the pastoral staff, the deacons, a moderator, a recording clerk, directors, personnel committee and finance committee.

- 1) The pastor is responsible for leading the church to function as a New Testament church. The pastor will lead the congregation, the organizations, and the church staff to perform the appropriate tasks.

The pastor is the leader of pastoral ministries in the church. As such he works with the deacons and the church staff to lead the church in the achievement of its mission, proclaim the gospel to believers and non-believers, and care for the church's members and other persons in the community.

The pastor, thus elected, shall serve until the relationship is terminated by his request or the church's request.

A pastor search committee shall be elected by the church to seek out a suitable pastor, and its recommendations shall constitute a nomination. Any church member has the privilege of making other nominations. The search committee shall bring to the consideration of the church only one name at a time. Election shall be by ballot, affirmative vote of three-fourths of those members present being necessary for a choice.

A pastor shall be chosen and called by the church whenever a vacancy occurs. The election shall take place at a meeting called for that purpose, of which at least one week's public notice has been given. The pastor may relinquish the office as pastor by giving at least three (3) months' notice to the church at the time of resignation. The church reserves the right to accept, decline or alter the terms of the resignation. The church may then declare the office of pastor to be vacant.

In instances of gross misconduct by the pastor or any other church staff member, the deacons and personnel committee shall recommend to the church in a scheduled business meeting or called business meeting that the office be declared vacant. The vote to declare the office vacant shall be by ballot an affirmative vote of three-fourths of the members present being necessary to declare the office vacant. The termination shall be immediate and the compensation, if any, shall be recommended by the personnel committee and approved by the church.

- 2) The pastoral staff shall be called and employed as the church determines the need for such offices. A job description shall be written and maintained by the personnel committee and adopted by the church. The church may vote to vacate such positions upon

recommendation from the personnel committee. The pastoral staff may relinquish their position giving at least thirty (30) days' notice to the church at the time of resignation. The church reserves the right to accept, decline or alter the terms of the resignation. The church may then declare the position to be vacant.

Pastoral staff shall be employed at the recommendation of a church-elected search committee and personnel committee. A three-fourths vote of members present at the business meeting shall be required to employ pastoral staff.

Non-pastoral staff members shall be employed as the church determines the need for their services. The church personnel committee shall recommend to employ or to terminate services of non-pastoral staff members. Employment and termination of service shall be with the recommendation of the senior pastor and, as appropriate, with the consultation of related committees of the church.

- 3) The church shall elect deacons by ballot at a regular meeting of the church. Deacons shall serve on a rotating basis. Each year the assigned term of office of one-third of the number of deacons shall expire, and election shall be held to fill vacancies and to add to the deacons such numbers the church size warrants. In case of death or removal or incapacity to serve, the church may elect a deacon to fill the unexpired term. After serving a term of three years, a deacon shall be eligible for re-election only after the lapse of one year.

In accordance with the meaning of the work and practice in the New Testament, deacons are to be servants of the church. Their ministry is to serve with the pastor and staff in performing the following tasks: leading the church in the achievement of its mission, proclaiming the gospel to believers and unbelievers and caring for the church's members and other persons in the community and the chairman of the deacons shall preside as the moderator at all business meetings, in his absence the vice-chairman shall preside. In the absence of both, the pastor shall preside.

- 4) The Budget and Finance Committee reports and records shall be audited annually by an auditing committee or public accountant. All church records are church property and shall be kept in the church office.
- 5) The church shall elect three or more Directors to serve as legal officers for the church. They shall hold in trust the church property. Upon a specific vote of the church authorizing each action, they shall have the power to purchase, sell, mortgage, lease, or transfer any church property. When the signatures of Directors are required they shall sign documents involving the purchase, sale, mortgage, lease, transfer or rental of property, or other legal documents related to church-approved matters. The Directors shall be nominated by the nominating committee and elected by the church.

## **Section 2: Church Committees**

The committees of this church shall be the Board of Directors, Budget and Finance Committee, Recording Clerk, Nominating Committee, Personnel Committee, Weekday Early Education (WEE) Committee, Properties Committee, the Constitution and By-Laws Committee and other committees as the church deems necessary to fulfill its mission (please refer to the current church Nominating Committee Report for the listing of all committees).

All committee members shall be recommended by the church Nominating Committee and approved by the church. Committee members' tenures will be recommended by the church nominating committee and approved by the church.

- 1) The Board of Directors shall serve as legal officers for the church.
- 2) The Budget and Finance Committee shall prepare and recommend an annual operating and mission's budget. The Committee shall oversee the implementation of the budget and make recommendations to the church as needed or as requested.
- 3) The Church Recording Clerk shall record and file minutes of all church business meetings. All church records are church property and shall be kept in the church office.
- 4) The Nominating Committee shall assist the church by recommending the staffing of all Church-elected leadership positions filled by volunteers.
- 5) The Personnel Committee shall assist the church in matters related to personnel administration; its work includes such areas as staff needs, employment, salaries, benefits, and personnel services.
- 6) The Weekday Early Education (WEE) Committee shall assist the church by coordinating all activities and ministries of various weekday programs and serving as liaison between the Child Enrichment Center (CEC) and the church.
- 7) The Properties Committee shall coordinate the care for all church property and buildings.
- 8) The Constitution and By-Laws Committee shall review the Church Constitution and By-Laws annually or as needed, to determine if revisions to the existing Constitution and By-Laws are needed and, if so, recommends needed revisions to the church body for adoption.
- 9) Ad Hoc committees may be appointed by the moderator or nominated by the nominating committee. In any case, the church body in business conference shall approve the members of the Ad Hoc committees.

### **III. Basic Church Programs**

The church shall maintain programs of Bible teaching; church membership training; new membership orientation; mission ministry and music ministry. The church shall provide the human resources, the physical resources, and the financial resources for the appropriate advancement of these programs.

- 1) The Sunday School shall be the basic organization for the Bible teaching program. Its tasks shall be to reach persons for Bible study; teach the Bible; witness to persons about Christ and lead persons into church membership. The Sunday School shall be organized by classes

or small groups, as appropriate for all ages, and shall be conducted under the direction of the Sunday School Director elected by the church.

- 2) Pastoral Staff and Committees shall serve as the training unit of the church. Its tasks shall be to equip church members for discipleship and personal ministry.
- 3) The Women's Ministry and On Mission Team comprise the women's mission organizations of the church.
- 4) The Men's Ministry and On Mission Team comprise the men's mission organizations of the church.
- 5) The church music program shall be under the direction of the Minister of Music.

#### **IV. Church Leadership Team**

The Church Leadership Team shall serve the church by leading in planning, coordinating and evaluating the ministries and programs of the church and its organizations.

Members of the Church Leadership Team shall be the pastor, pastoral staff members, Sunday School Director, Women's Ministry Coordinator, Men's Ministry Coordinator, On Mission Ministry Team Coordinator, Senior Adult Ministry Coordinator, Upward Ministry Coordinator, Vacation Bible School Coordinator, AWANA Commander, WEE Committee Chairman, Budget and Finance Committee Chairman and Chairman of the Deacons. Other chairpersons and committee members as needed or requested may also be in attendance.

#### **V. Church Ordinances**

##### **Section 1: Baptism**

The church shall receive for baptism persons who have received Jesus Christ as Savior by personal faith, profess Him publicly at any worship service, and indicate a commitment to follow Christ as Lord.

- 1) Baptism shall be by immersion in water.
- 2) The pastor, or whomever the church shall authorize, shall administer baptism. The Baptismal Committee shall assist in the preparation for, and the observance of baptism.
- 3) Baptism shall be administered as an act of worship during any worship service of the church.
- 4) A person who professes Christ and is not baptized after a reasonable length of time shall be counseled by the pastoral staff or deacons. If negative interest is ascertained on the part of the candidate, he or she shall be deleted from those awaiting baptism.

##### **Section 2: The Lord's Supper**

The church shall observe the Lord's Supper quarterly, unless otherwise scheduled by the church. The Pastor and deacons shall administer the Lord's Supper. The Lord's Supper Committee shall be responsible for the physical preparations.

#### **VI. Church Meetings**

### **Section 1: Worship Services**

The church shall meet regularly each Sunday morning, Sunday evening and Wednesday evening for the worship of Almighty God. Prayer, praise, preaching, instruction, and evangelism shall be among the ingredients of the services. The pastor or his designee shall direct the services for all the church members and for all others who may choose to attend.

### **Section 2: Special Services**

Revival services and any other church meetings essential to the advancement of the church's objectives shall be placed on the church calendar.

### **Section 3: Regular Business Meetings**

Church business meetings shall be on the second Sunday night of each month unless otherwise indicated. Items of business brought before the church by a church elected committee will require a three-fourths vote of members present. Any items of business brought before the church at a regular business meeting by an individual member will require a three-fourths vote of members present to be approved. Any item of business to be considered by the church that requires a church vote should be available to the church membership in writing at least two weeks prior to the scheduled meeting. Any items of business that requires expenditure must be forwarded to the proper committee for discussion and recommendation.

### **Section 4: Special Business Meetings**

The church may conduct called business meetings to consider matters of special nature and significance. A one-week notice must be given for the specifically called business meeting. The notice shall include subject, date, time, and place; and it must be given in such a manner that all resident members have opportunity to know of the meeting.

### **Section 5: Quorum**

The quorum consists of the members who attend the business meeting, provided it is a regular business meeting or one that has been properly called.

### **Section 6: Parliamentary Rules**

*Robert's Rules of Order, Revised* is the authority for parliamentary rules of procedure for all business, meetings of church, unless otherwise specified in these by-laws.

## **VII. Church Finances**

### **Section 1: Budget**

The Budget and Finance Committee shall prepare and submit to the church for approval an inclusive budget, indicating by items the amount needed and sought for all local and other expenses. Any expenditure not included in fiscal year budget requires a three-fourths vote of the church members present. Offering envelopes will be provided for the members use.

Any expenditure, budgeted or required by emergency, that is greater than \$500, must be pre-approved by the Budget and Finance Committee.

It is understood that membership in this church involves financial obligation to support the church and its causes with regular tithes and offerings.

### **Section 2: Accounting Procedures**

All funds received for any and all purposes shall be properly recorded on the books of the church.

A system of accounting that adequately provides for the handling all funds shall be the responsibility of the Budget and Finance Committee.

### **Section 3: Fiscal Year and Operation Year**

The church fiscal year shall be January 1 through December 31.

The church operating year shall be September 1 through August 31.

## **VIII. Church Policy Statement and Job Description**

The manual shall be kept in the church office and made available for use there by any member of the church. The church secretary shall maintain the manual. The Personnel Committee shall review the manual at least annually, with authority to recommend changes for the church to consider. Any church member or church committee may recommend suggested changes to the manual.

Addition, revision, or deletion of church policies requires: 1) the recommendation of the church officer or committee to whose areas of assignment the policy relates, 2) discussion by the Leadership Team, and 3) approval by the church.

## **IX. Amendments**

Changes in the Constitution and By-Laws may be made at any regular business meeting of the church provided each amendment shall have been presented in writing at a previous business meeting and copies of the proposed amendment shall have been furnished to each member present at both business meetings. Amendments to the Constitution and/or By-Laws shall be by three-fourths vote of church members present.