

BYLAWS

OF

METROPOLITAN COMMUNITY CHURCH OF EL PASO

Approved by Congregational Meeting on September 7, 2007
As amended by Congregational Meeting on 22 February 2009
As amended by Special Congregational Meeting on 8 November 2009
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Proposed Changes for 2019

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METROPOLITAN COMMUNITY CHURCH OF EL PASO

BYLAWS

ARTICLE I. NAME AND PURPOSE

The name of this church shall be Metropolitan Community Church of El Paso, Incorporated (also referred to as MCC El Paso), an affiliate of the Universal Fellowship of Metropolitan Community Churches (UFMCC). The purpose of MCC El Paso is to minister to the spiritual, physical, and emotional needs of the members of the community in their quest for spiritual wholeness.

ARTICLE II. DOCTRINE, SACRAMENTS AND RITES

The Doctrine, Sacraments, and Rites of MCC El Paso shall be in accordance with UFMCC Bylaws.

ARTICLE III. MEMBERSHIP

MCC El Paso affirms that church membership is a commitment to be a part of the church at work. Membership shall be held as a privilege which shall involve some responsibility.

- A. A member in good standing is defined as someone who has attended a membership class, who has accepted an offer of membership, and who offers time, talent and treasure to the church.
- B. The membership roll shall be reviewed annually no later than the first Sunday in October by the Board. The Board shall prepare a list of members for whom there is no record of a donation of time, talent and treasure within the past year and determine if these members should be placed on the inactive roll.
- C. Any decision to move members to inactive status shall be made by the Board.
 1. The Pastor shall attempt to contact each member placed on the inactive roll for the following purposes:
 - a. To inform the member that he/she has been moved to inactive status.
 - b. To let the member know he/she is valued and missed.
 - c. To identify problems between the member and church that can be resolved.
 2. An inactive member may remain in inactive status indefinitely, until a change is initiated by the inactive member.
 3. Inactive members are considered friends of the church and may participate in all activities of the church, but may not vote at Congregational Meeting or serve on the Board of Servants.

- D. If a member who has been moved to inactive status believes that this decision has been made in error, that member may request that the Board reconsider its action.
- E. The Church does not condone conduct on the part of any member that clearly violates the teachings of the New Testament. Prior to considering any complaint against a member by a third party on account of an allegation of such conduct, the Board shall require that proof of compliance with the teaching of Matthew 18:15-17 be demonstrated. If the Board finds compliance has been demonstrated, it shall then determine whether the allegations, if true, violate any doctrine of the Church and, if so, whether the violation is likely to have a material, adverse effect upon the church and its ministry or witness within the community. The Board of Servants is empowered to remove, by a two-thirds majority vote, any member or take other appropriate disciplinary action.
 - 1. The action of the Board may be appealed to the next regular Congregational Meeting or a Special Congregational Meeting called for that purpose. The decision of the Congregational Meeting is final. Pending the outcome of the appeal of discipline, the disciplined member shall remain under discipline.
 - a. The request for an appeal shall be submitted to the Clerk of the Board of Servants within thirty (30) days following the date when the member was notified of disciplinary action.
 - b. The Board of Servants may consider the appeal and reverse its earlier decision without taking the matter to the Congregational Meeting.
 - c. Should the Board of Servants sustain its earlier decision and the member wishes the appeal to continue, the request shall be included as an agenda item for the next regular Congregational Meeting or a Special Congregational Meeting called for the purpose of considering the appeal.
- F. Resignation of membership is a serious matter; however, any member may discontinue their membership by making a request to the Pastor or the Clerk of the Board.
- G. Membership may be transferred by making a request to the Pastor or the Clerk of the Board.
- H. Membership may be reinstated by the Pastor following completion of a reclamation appointment. Should the Pastor decide to not reinstate active membership, an appeal may be made to the Board of Servants to reinstate membership.

ARTICLE IV. BOARD OF SERVANTS

- A. The board of servants shall consist of the moderator (Pastor) who shall serve for the duration of their employment by the congregation and a minimum of three (3) elected members. Elected members shall be Vice Moderator, Clerk and Treasurer. One additional member shall be elected for every 25 members for a total of six

elected members. Board members shall be members in good standing of MCC El Paso.

- B. Conflict of Interest – More than one person from a household, family, or committed relationship; someone who is a church employee; or someone who is a Clergy Candidate shall not be eligible to serve on the Board of Directors
- C. Term of Office – The term of office for members of the Board of Directors, except the Pastor, shall be two-year staggered terms, with half being elected at each annual Congregational Meeting. shall be three year staggered terms. A member may serve a second term if duly elected, however, after a second term this member will not be eligible to hold office again for four years.
- D. Election Process.
 - 1. Members interested in Board service shall signify their intention to the Pastor or Vice Moderator prior to the election. A list of potential servants shall be announced during worship services the week prior to congregational meeting to allow time for prayer, reflection and discernment. The list will also be e-mailed to members who have provided their addresses. Anyone deciding to withdraw their name from consideration may do so at the congregational meeting.
 - 2. Persons wishing to be considered for a position on the board must have been a member in good standing of the congregation for a minimum of one year. This is to ensure that the member has had the opportunity to have observed the operations and to have shown their dedication of the congregation.
 - 3. During the congregational meeting, members shall vote to fill the open seats of Vice moderator, Clerk or Treasurer. As board membership grows there shall be up to 3 seats at large. Members will cast one vote for each open at large seat. Election is determined by a simple majority.
 - 4. In the event no one runs for an open position, the board upon suggestion/nomination by pastor may appoint any member in good standing to serve as board member until the next general membership meeting.
 - 5. Board positions will end on an alternating year basis. (ie. Half of the board positions will be up for election each year.) Board members shall take office at the next monthly board meeting
- E. Duties and Responsibilities. Board members are accountable to the Congregational Meeting.

1. Because Board members represent the congregation, they must be active in the life of the congregation. It is expected of a Board member to attend a service in the majority of weeks in any given quarter.
2. Board members will actively promote the financial well-being of the church through offerings, receiving the offerings, and assisting in counting offerings as needed.
3. Board members shall help in the establishment of the church by providing for a place to worship, its financing, maintenance and security, and providing a centrally accessible place for public church records at the church.
4. Board members, acting as a whole, shall be responsible to manage the business affairs of the Church, including, but not limited to, developing an annual budget, entering into and authorizing the signature of contracts for such purposes as they deem appropriate, ensuring compliance with contractual obligations, and the timely payment of obligations.
5. Board members shall advise the Pastor, provide constructive feedback, and represent the congregation.
6. Board members shall follow the practices and procedures of the Board, to include adhering to the agenda and utilizing servant leadership.
7. The Board will meet at least once a month. Newly elected Board members will assume office at the first regular board meeting following the election.
 - a. Meetings are open to the congregation and shall be announced to the congregation in advance.
 - b. The Board may vote to go into “executive session” (defined as Board members only) at any time. The Board shall be in executive session when personnel issues are discussed.
8. The Vice Moderator shall:
 - a. Moderate Board meetings when requested to do so by the Moderator, or in the absence of the Moderator.
 - b. Assist the Moderator as requested.
 - c. The Vice Moderator is elected by the Congregational Meeting.
 - d. The Vice Moderator shall be designated as the Registered Agent on the Articles of Incorporation, and shall be responsible for updating the Registered Agent/physical address of the church with the Texas Secretary of State’s office every five (5) years, or as changes occur.
 - e. As required, the Board shall empower the Vice Moderator or another Board member as authorized signatory on contracts, such as leases or other business transactions entered into by the church.
9. The Board shall select from the members at large one member to serve as Treasurer and one member to serve as Clerk, at the first regular Board meeting following the election.
 - a. The Treasurer shall:
 - (1) Maintain the financial records of the church.
 - (2) Pay the bills of the church as authorized by the Board.

- (3) Prepare a monthly financial report, and present the report to the Board at regular meetings.
- (4) Complete monthly reports to UFMCC and Region in the format provided by them.

b. The Clerk shall:

Maintain records of Board actions to include minutes of board meetings. Distribute copies of the minutes to the Board following each meeting.

- (1) Maintain records of congregational meetings.
- (2) Serve as a designated Board member to receive congregational petitions and requests for Board action.
- (3) Sign, as official signatory for the Board, certain records such as transfer of membership and certification of employment.

F. Resignation and Vacancies.

- a. In the event of a resignation, death, or removal of a Board member the board upon suggestion/nomination by pastor may appoint any member in good standing to serve as board member until the next general membership meeting.
- b. At the next congregational meeting, an open election shall be held for a replacement for the remainder of the original term.
- c. In the event all board members resign, the pastor in their sole discretion may appoint any member in good standing to fill all board positions until the next general congregational meeting.
- d. Any Board member who misses three (3) Board meetings in a six (6) month period, without notification, shall be subject to removal from the Board at the discretion of the Pastor and Board.
- e. The Board shall maintain a pool of former Board members who would be willing to serve the Board to fill a vacancy until the next election. Appointment from this pool would be consistent with the bylaws and be made by majority vote of the seated Board.

G. The Board of Servants may remove by majority vote of the full Board any Board member who does not fulfill the duties and responsibilities of Board members as listed in the Bylaws.

H. No member of the Board of Servants shall be liable for any act or failure to act by any other member of the Board of Servants or by any employee of the church. No member of the Board of Servants shall be liable for any loss arising from any fault in the title to any property acquired by the church. No member of the Board of Servants shall be liable for any loss arising from any fault in any security in which the church might invest, or from bankruptcy, insolvency, or wrongful act by any person to whom the church might entrust any of its property. No member of the Board of Servants shall be liable for any loss due to error of judgment or oversight on his/her part, or for any other loss whatsoever occurring in the carrying out of the duties of his/her office, unless this loss arises from the member's own willful neglect or fraudulent or criminal actions.

- I. The Church shall protect every Member of the Board and Officer of the Church against all costs arising in relation to his/her relations with the Church, unless they are occasioned by his/her own willful neglect or fraudulent or criminal actions.

ARTICLE V. PASTOR

- A. The Pastor is a clergy person who has been called by God and elected by the church to be responsible for the duties of teacher, preacher, and spiritual leader until such time that the relationship is terminated.
- B. The Board of Servants and Pastor shall develop a contract between the Pastor and the church. The contract shall include a job description and address such matters as compensation that is consistent with equitable local standards, benefits, allowances, and leave.
- C. In the event of a vacancy in the position of Pastor, a Pastoral Search Committee shall be responsible for presenting a qualified candidate for election at a Congregational Meeting. The Pastoral Search Committee shall develop and implement the pastoral search process, in consultation with the Regional Elder.
 1. The Pastoral Search Committee shall consist of seven (7) members, including three (3) members selected by the Board of Servants from the membership of the Board and four (4) additional members elected at a Congregational Meeting.
- D. The Pastor shall have authority for ordering all worship services of the church; and, subject to the approval of the Board of Servants, determining when other worship services will be held, appointing compensated and uncompensated church staff, and determining compensation, vacation periods, and titles of office of the church staff. The Pastor shall serve as a **voting member non-voting member** of the Board of Servants, Moderator of the Board of Servants and of Congregational Meetings, personnel director, and as the primary spokesperson of the church to the community. The Pastor may delegate such duties as seem wise.
- E. To the best of its ability, the congregation shall fund the Pastor's transportation, registration, and per diem at General and Regional Conferences.
- F. The Pastor and congregation may choose at any time to terminate their relationship through mutual agreement. Unilateral failure to renew the Pastor's contract shall not constitute removal of the Pastor from office. No petition for removal of the Pastor based on irreconcilable differences is valid unless preceded by the process of conflict resolution, as referred to in Article VIII.

ARTICLE VI. LAY DELEGATE/ALTERNATE LAY DELEGATE

- A. Lay Delegate

1. The church shall elect one lay person for every one hundred (100) members in good standing, or part thereof, to serve as Lay Delegate. The Lay Delegate shall be a member in good standing of the church.
 2. The Lay Delegate shall be elected by majority vote at Congregational Meeting, and shall serve a term of three years.
 3. The Lay Delegate shall represent the congregation at General and Regional Conferences, to communicate with the congregation regarding UFMCC concerns and policies.
 4. To the best of its ability, the congregation shall fund the Lay Delegate's transportation, registration, and per diem at General and Regional Conferences.
- B. Alternate Lay Delegate: The church shall elect one Alternate Lay Delegate for each Lay Delegate elected. The election, term of office, and funding shall be the same as for the Lay Delegate.
- C. Should the Lay Delegate or Alternate Lay Delegate not fulfill the duties and responsibilities listed in the Bylaws, they may be removed from their position by majority vote of the Board of Servants.

ARTICLE VII. MEMBERSHIP MEETINGS

- A. Regular congregational meetings shall be held annually, the first Sunday in December.
1. The agenda shall include, but not be limited to, election of members to the Board, election of Vice-Moderator in the appropriate year, election of Lay Delegates in the appropriate year, presentation of financial report, approval of budget, and receiving reports from the Board of Servants and the Pastor.
- B. A special Congregational Meeting may be called either by (a) majority vote of the Board, (b) the Pastor, or (c) a petition signed by at least twenty-five percent (25%) of the Members and submitted to the Clerk.
- C. In order to conduct business, no less than twenty percent (20%) of members in good standing must be present.
- D. Members will be notified one month prior to the annual meeting, and two weeks prior to a special congregational meeting. Notification will be made via church announcement. E-mail notification will be provided to members who have made their addresses available.
- E. A congregational member may submit items of consideration for the agenda to the Board of Servants three weeks prior to the annual congregational meeting and one week prior to a special congregational meeting. The agenda will be set by the Board of Servants and available to the congregation two weeks prior to the annual meeting or one week prior to a special congregational meeting.
- F. Members in good standing shall have voting rights at all congregational meetings. Proxy or any other form of absentee voting shall not be allowed.
- G. Decisions, including elections, require approval by a vote of more than fifty percent (50%) of those members present and voting, unless otherwise required by UFMCC Bylaws or otherwise stated in these local church bylaws.

- H. All votes for positions shall be taken by secret ballot. Votes of affirmation from the floor are not permitted.
- I. Notwithstanding any other provisions of these by-laws contained, at any membership meeting where the issue to be determined is the call of a new pastor, an affirmative vote of eighty percent (80%) of the members present and voting shall be required before the call shall be authorized.

ARTICLE VIII. CONFLICT RESOLUTION

- A. When there are conflicts or difficulty within the church that cannot be resolved, including conflicts between the Pastor and congregation, the Board of Servants, the Pastor, any Lay Delegate, or a petition signed by a minimum of thirty-three percent (33%) of the members in good standing may invite intervention by the Regional Elder to resolve the conflict, in accordance with the UFMCC Bylaws.
- B. Removing the Pastor from Office – The church shall follow the process as outlined in the UFMCC Bylaws for removing the Pastor from office for disloyalty, unbecoming conduct, dereliction of duty, or when irreconcilable differences arise that cannot be resolved through mutual agreement.
 - 1. Any petition to initiate the process of removing the Pastor from office must be submitted to the Clerk of the Board of Servants and be signed by at least twenty-five percent (25%) of the members in good standing.
 - 2. The Board of Servants may initiate the process of removing the Pastor from office by a vote of three-fourths (3/4) of the full Board of Servants.
 - 3. The Clerk shall send a copy of the completed petition or motion of the Board of Servants to the Regional Elder within three days.
 - 4. The Pastor shall remain fully compensated until the final action of the congregation.

ARTICLE IX. FINANCIAL ADMINISTRATION

- A. An annual budget shall be prepared and presented to the Board by the Treasurer not later than the regular September Board meeting. Upon Board approval, the budget shall be presented for final approval by the membership at the congregational meeting.
- B. The annual budget of the church shall cover the period from January through December.
- C. The approved budget may be amended, as needed, by a two-thirds (2/3) vote of the Board of Servants, which shall immediately notify the members of the Church that such amendment has been made.
- D. The Pastor shall have the authority to commit church funds within the approved budget in any amount not to exceed five percent (5%) of the annual budget; any expenditure greater than that amount requires the approval of the Board of Servants.

- E. The Board of Servants shall have the authority to commit church funds within the approved budget in any amount not to exceed ten percent (10%) of the annual budget; any expenditure greater than that amount requires congregational approval.
- F. For the purpose of reporting to UFMCC, the fiscal year of the church shall be the calendar year.
- G. Any church bank or other financial accounts shall require two signatures for withdrawals, one of which shall be that of a church officer; all members of the Board of Servants shall have signature authority.

ARTICLE X. AMENDMENTS

- A. These Bylaws become effective upon approval by a two-thirds (2/3) vote of the members present at any duly called congregational meeting and approval by the Regional Elder.
- B. These Bylaws may be amended or repealed at any duly convened Congregational Meeting. Proposed amendments or repeals shall be submitted in writing to the Board of Servants no later than thirty (30) days prior to the Congregational Meeting at which the proposal is to be considered. Adoption of the amendment or the repeal shall require approval by a two-thirds (2/3) affirmative vote and is subject to approval by the Regional Elder.

ARTICLE XI. DISSOLUTION AND DISAFFILIATION

- A. In the event of the abandonment or dissolution of MCC El Paso, all property, including any financial assets, shall revert to the use of the UFMCC General Conference acting as the successor 501 (c) (3) corporation.
- B. A decision to disaffiliate from UFMCC shall require a two-thirds (2/3) vote of the members present at a congregational meeting called in accordance with MCC Bylaws for the purpose of disaffiliating.

Additional Resources:

- **Sample Policy Manual For The Local Church** – UFMCC Website listed under resources
- **Board of Director Training Manual** - UFMCC Website listed under resources
- **Treasurer Manual**– UFMCC Website listed under resources
- **Deacon Manual**– UFMCC Website listed under resources

- **Lay Delegate Manual**– UFMCC Website listed under resources
- **501(c)(3) Topics**– UFMCC Website listed under resources