

# Bylaws of Fairmont Park Church, LLC.

A Texas Non-profit Religious Corporation

June 2024

These Bylaws supersede all previously enacted Bylaws

## Article I Name

### Section 1.01 Name

The name of the Corporation is ***Fairmont Park Church, Inc.***

### Section 1.02 Principal Office

Fairmont Park Church, Inc. maintains its principal office at **10401 Belfast Road, La Porte TX, 77571**. The Elder Body of Fairmont Park Church, Inc. shall have full power and authority to change the principal office from one location to another. Any change of this location shall be recorded by the Church Clerk in these Bylaws, or this section may be amended to state the new location.

## Article II Purpose

Section 2.01 Purpose. Fairmont Park Church, Inc. is formed for any lawful purpose or purposes not expressly prohibited under Title 1, Chapter 2, or Chapter 22 of the Texas Business Organization Code, including any purpose described by Section 2.002 of the Texas Business Organization Code. Fairmont Park Church, Inc. is organized and shall be operated exclusively for religious, charitable and educational purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code (1986) as amended. Notwithstanding the forgoing, Fairmont Park Church, Inc. purposes also include the limited participation of Fairmont Park Church, Inc. in any other activities, including taxable activities, but only to the extent, the activities would be permitted by a tax-exempt organization.

Additionally, but without limitation, the purposes of Fairmont Park Church, Inc. (subsequently referenced in these bylaws as "Fairmont Park Church" or "FPC" or "The church") are:

- a) to promote the Christian Religion by any appropriate form of expression, within any available medium, and in any location, through the Church's current formation, or any combination of future formation of a church, ministry, charity, school, or benevolent institution, without limitation;
- b) to ordain, employ and discharge ordained ministers of the gospel, and others, to conduct and carry divine services at the place of worship of the Church, and elsewhere;
- c) to collect and/or disburse any and all necessary funds for the maintenance of the Church and the accomplishment of its purposes within the state of Texas and elsewhere;
- d) to make distributions to organizations that qualify as exempt organizations under section 501(c)(3) of the Internal Revenue Code (1986) as amended, and

e) to promote, encourage, and foster any other similar religious, charitable and educational activities; to accept, hold, invest, reinvest and administer any gifts, legacies, bequests, devices, funds and property of any sort or nature, and to use, expend, or donate the income or principle thereof for, and to devote the same to, the foregoing purposes of FPC; and to do any and lawful acts and things which may be necessary, useful, suitable, or proper for the furtherance of accomplishment of the purposes of FPC, provided, however, no act may be performed which would violate Section 501(c)(3) of the Internal Revenue Code (1986), as it now exists or as it may hereafter be amended.

### **Article III**

### **Church Doctrine**

Having been originally planted and established through the evangelical tradition of the Southern Baptist Convention, Fairmont Park Church is characterized by the following:

#### Section 3.01 The Centrality of Scripture

*'sola scriptura'* – This doctrine asserts that the Bible is the ultimate authority for faith and practice. The Bible reveals the gospel message—the good news of salvation through Jesus Christ. It emphasizes that all theological beliefs, ethical guidelines, and spiritual practices must align with the teachings found in the Bible.

*Inspiration and Inerrancy:* FPC affirms the divine inspiration of the Holy Bible. FPC believes that the Scriptures are breathed out by God and are therefore infallible and authoritative. The Bible is considered without error.

*Personal Encounter with God:* The Bible is more than a historical or theological document. It is a means through which individuals encounter God personally. Regular reading, study, and meditation on Scripture are essential for spiritual growth and intimacy with God.

*Christ-Centered:* FPC believes the entire Bible points to God's redemptive grace through Jesus Christ and salvation which comes through faith in Him and Him alone.

*Preaching and Teaching:* FPC worship services often feature expository preaching (to expound Scripture means to bring out of the text what is there and expose it to view). The pulpit is a focal point, emphasizing the importance of faithful proclamation of God's Word.

*Application to Life:* The Church seeks to apply biblical principles to daily life. FPC believes the Bible provides guidance for marriage, family and a maintaining a personal relationship with Jesus Christ through the Holy Spirit.

#### Section 3.02 Faithful Proclamation of the Gospel

Fairmont Park Church emphasizes the preaching of the good news of Jesus Christ. This proclamation holds central the tenet that of salvation through faith in Christ, and Christ alone via the following:

*Message of Salvation:* FPC emphasizes sharing the core message that salvation is available through faith in Jesus Christ. God imputed our sins on Jesus, while being beaten, scourged and nailed to the cross. Jesus took upon Himself the penalty of our sins, thereby allowing us to be forgiven. It is only through Jesus' death and resurrection, that we, through the forgiveness of sin, are now made righteous and justified before God.

*Conversion and Repentance:* FPC proclaims individuals can experience a personal relationship with God by turning from sin (repentance) and placing their trust in Jesus.

*Urgency and Compassion:* Faithful proclamation involves a sense of urgency. FPC believes people need to hear the gospel. It's also marked by compassion for those who haven't yet encountered Christ.

*Various Methods:* FPC utilizes different methods for proclamation, such as: preaching, teaching, witnessing, missionary work, and sharing personal testimonies.

## **Article IV**

### **Affiliation**

Fairmont Park Church, Inc. is autonomous and maintains the right to govern its own affairs, independent of any denominational control. Recognizing, however, the benefits of cooperation with other churches in the fulfillment of its purposes, Fairmont Park Church, Inc. may voluntarily affiliate with other churches and conventions by a passing majority vote of the Elder Body and Deacons.

## **Article V**

### **Membership**

#### Section 5.01 Purpose

Membership within the church is first and foremost to encourage the Member/New Member to thoroughly seek Jesus Christ and His will for his/her life by obeying God's laws. Once the member has accepted Jesus Christ as their Lord and Savior, he/she should show obedience through baptism by immersion (exceptions made by the Pastor and Elders). To be a member, potential members shall complete all of the current requirements of membership of FPC.

#### Section 5.02 Expectations

Members will be encouraged to;

- a) attend church worship services regularly.
- b) agree to give financially to the church regularly.
- c) be part of other church learning sessions other than just Sunday morning services, and
- d) find an area of service (volunteer) to help fulfill the needs of the church.

#### Section 5.03 Active Members

Members who complete the current membership process and regularly adhere to the recommendations of membership detailed in these bylaws and any Membership Covenant, shall be active and in good standing

Failure to meet these requirements will not automatically prevent any person from participating in church activities or worship services but can define that person as an inactive member.

#### Section 5.04 Voting by Members

Every active member, 16 years of age or older, shall have the right to vote on the following matters:

- a) the annual budget of the church,
- b) any loan that results in cumulative amount exceeding twenty percent (20%) of the current annual operating budget,
- c) the disposition of all assets of the church at any time, either one item or an accumulation of multiple items at one time, totaling more than twenty percent (20%) of the current annual operating budget,
- d) the merger or dissolution of the church,
- e) any change to these Bylaws,
- f) the calling of a Senior Pastor, and
- g) the removal of a Senior Pastor.

Voting by proxy is prohibited.

#### Section 5.05 Membership Removal

Members can be removed by the following actions:

- a) voluntary resignation of membership,
- b) transfer of Letter,
- c) death, or
- d) a decision made by the Elder Body.

## **Article VI Meetings**

#### Section 6.01 Public Worship

Meetings for Public Worship shall be held at such times and places as may be provided for under the direction of the Elder Body.

#### Section 6.02 Church Business Meetings

The Elder Body shall have the authority to call church business meetings, or special meetings, as needed.

Any Active member of the Church may request a call for a special meeting from the Elder Body if there arises a need or concern. The final decision to hold a special meeting upon the request of an Active member of FPC shall remain with the Elder Body.

#### Section 6.02(a) Frequency

There shall be at least one business meeting for members each year. The purpose shall be to vote on the Proposed Budget.

There shall also be at least one special meeting for members each year to discuss the budget. Additionally, a special meeting shall be held each year to inform members of the status of the Church's plans and visions, and to address concerns or questions by the members to the Elder Body. These special meetings may be held during or separate from any other business meeting. Special meetings shall be held separately from times dedicated to Public Worship.

#### Section 6.02(b) Business Meeting Process

Twenty-five percent of the active members roll shall constitute a quorum for conducting church business at any business meeting including any special meeting for the purpose of calling or dismissing a Senior Pastor.

It is anticipated that all business meetings shall be like family meetings (calmly discuss and prayerfully decide). Should the moderator determine that a meeting has become dysfunctional, "Robert's Rules of Order" procedure shall be implemented.

#### Section 6.03 Records of Proceedings

The church recognizes the importance of record keeping, not only as a legal matter as determined by the IRS, the Texas Business Organizations Code, and the Texas Non-Profit Code, but as a means of accountability and assurance to the active members it serves.

All Church business meetings or regular meetings held by Church Leadership or assigned committees and sub-committees shall record meeting minutes containing the following:

- a) the date and time of the meeting,
- b) committee meetings should include the names of the people who were present, those absent, and any guests,
- c) whether a quorum was established,
- d) the content of the discussions, including any alternatives to the proposed decisions,
- e) any action or resolution taken and the votes (for, against, abstention) that action, and
- f) documentation of any conflicts of interest, either financial or otherwise, and how it was addressed.

## **Article VII** **Senior Pastor**

#### Section 7.01 Role & Qualifications

The Senior Pastor shall be called by God and the church to be the leader and spiritual head of Fairmont Park Church. As such, he will meet at least the qualifications stated in 1 Timothy 3:1-7. Additionally, he should have leadership qualities sufficient to lead the church in accomplishing its God given mission. He will be the functional head of the church and will be expected to display wisdom in coordinating the affairs of the church.

#### Section 7.02 Selection

A Senior Pastor shall be chosen and called by the church whenever a vacancy occurs. The Pastor Search Committee will be formed consisting at minimum of the Personnel Committee, one representative from the Elder Body, and one representative from the Deacons. The Pastor Search Committee shall seek out a suitable Senior Pastor and only their recommendation will constitute a nomination.

While they search for a replacement, the Pastor Search Committee may appoint an interim Pastor from the current Elder qualified body of active members or choose a qualified person as Interim Pastor.

The Pastor Search Committee will bring forth for consideration only one man at a time to the Church for a vote. His election shall take place at a meeting called for that purpose, of which at least two week's written notice shall be given. An affirmative vote of three-fourths

of those active members present is necessary to elect a Senior Pastor. This vote shall be taken at all the regular Sunday meetings of Public Worship by a written ballot.

#### Section 7.03 Term

The Senior Pastor shall serve until the relationship is terminated by mutual consent unless the Elder Body and Deacons together with the Senior Pastor cannot come to an agreement regarding termination. The Elder Body and Deacons shall examine any grounds for dissatisfaction and shall confer with the Senior Pastor in order to remove the difficulty. If the difficulty cannot be removed, the Elders and Deacons may jointly call a church business meeting to discuss the question of dissolving the Senior Pastor relationship. This meeting shall be announced to all Active Members in writing two weeks in advance stating their recommendations in this matter. A two-thirds majority vote of the quorum is required to terminate the Senior Pastor's employment, which begins immediately. A temporary moderator shall be named from among the Elder Body or Deacons.

#### Section 7.04 Specific Duties

The Senior Pastor shall be the functional head of all paid personnel of the Church. He will provide recommendations to the Personnel Committee to fill positions in other ministerial/pastoral positions.

The Senior Pastor will be the moderator at membership meetings.

The Senior Pastor shall be the deciding vote in all Elder Body meetings in which there is a tie vote in decisions relating to the Church.

## **Article VIII** **Other Pastoral/Ministerial Staff**

#### Section 8.01 Role

Ministers/Pastors are called to serve in different roles for the furtherance of the mission of the Church. They generally are assigned ministerial and leadership duties in specific and major areas of Church life. Minister/Pastor roles are developed on a needs basis by Personnel Committee, with counsel of the Elder Body.

#### Section 8.02 Qualifications

Ministers/Pastors generally have the same qualifications as the Senior Pastor. He or she shall be called by God to be the spiritual and administrative head of a segment of the Church. As such, he or she will meet at least the qualifications stated in 1 Timothy 3:1-7. Additionally, each Minister/Pastor should have leadership qualities sufficient to lead the Church in his/her respective area in accomplishing its God given mission and purposes as outlined in these bylaws. Additionally, he or she:

- (a) must be a person of utmost integrity,
- (b) should have a lifestyle that exemplifies Christ,
- (c) should practice stewardship of possessions by tithing to the church, and
- (d) is expected to be faithful to the church.

### Section 8.03 Calling and Term

The Personnel Committee and/or Senior Pastor shall seek out candidates. Candidates may be questioned by leaders in and surrounding the areas of their specific calling or specialty. Conditions of the call, job descriptions, and compensation package will be developed by the Personnel Committee. After favorable discussion, and input and guidance by the Elder Body, the Personnel Committee will hire the Minister/Pastor. Generally, they will be hired for long-term purposes and their employment can be ended by the Personnel Committee through a simple majority vote, after advice and counsel from the Elder Body.

### Section 8.04 Church Staff

All personnel employed by the church shall act in accordance with the current Employee Handbook, as it may be revised, amended or restated from time to time.

The church will reserve employment for men and women who believe and confess essential biblical convictions and act in accordance with such as is determined and expressed in these bylaws as a whole (with special considerations by the Personnel Committee). Additionally, the church reserves the right to terminate the employment of any existing employee who fails to meet this general standard of faith and practice.

## **Article IX** **Elder Body**

### Section 9.01 Qualifications

An Elder shall be an active member of Fairmont Park Church in good standing, for a minimum of 2 years prior to selection. Each Elder is to meet standards described within 1 Timothy 3:1-7 and Titus 1:5-9.

### Section 9.02 Selection

Elder candidates are to be selected by the Senior Pastor & Elder Body.

### Section 9.03 Organization and Term

The Elder Body is to be made up of a minimum of 4 men (this includes the Senior Pastor). If an Elder's position is vacated, the minimum number will be filled within 60 days. The Elder Body will retain all authority with a number lower than the minimum required for those 60 days, if needed. Members are to serve 5-year terms, to be renewed if agreeable to the Elder Body. The Chairman of the Elder Body will be the Senior Pastor. The Senior Pastor will call meetings a minimum of once a quarter (although monthly meetings are desired), with additional meetings as needed.

### Section 9.04 Purpose & Function

The Senior Pastor is to present significant pastor-proposed changes to the Elder Body prior to implementation. The purpose is for the Elder Body to review proposed changes, develop ideas, make improvements and provide advice. However, after receiving feedback from the Elder Body, the Senior Pastor has full authority to make final decisions.

The Senior Pastor is to present to the Elder Body any non-budgeted expenditure greater than \$5,000.

The Elder Body is to provide advice to the Senior Pastor to address any situation not specifically addressed within the bylaws

The Elder Body's first priority is to FPC. If the Elder Body deems a behavior and/or conflict of interest exists between FPC and the Senior Pastor, the Elder Body is to first attempt to resolve the issue confidentially with the Senior Pastor. If this is unsuccessful, the Elder Body can meet without the Senior Pastor. The Elder Body can choose to meet with the chairmen of the Deacons and/or the Personnel Committee to address a plan forward.

The Elder Body will be involved, with the Personnel Committee, in hiring clerical staff.

The Elder Body shall have the authority to terminate the employment of clerical staff and/or non-clerical staff.

## **Article X**

### **Deacons**

The role of the Deacons is primarily to be servants of the church and its purposes as outlined in these bylaws.

#### Section 10.01 Responsibilities

Deacons are to be zealous to guard the fellowship and unity of the spirit within the church to help maintain peace. They are to seek and to know the physical, moral and spiritual needs and struggles of the members of the church and to encourage and develop all church attenders in the spirit of Jesus Christ. In this, the Deacons shall act as a voice and representative body for the active members of the church. They are to seek and to know the concerns, rumors, and strife within the church body, and to act swiftly and accordingly, partnering with the Elder Body, to resolve all matters and concerns according to the scriptures and the bylaws. Deacons are to attempt to handle trivial issues that could unnecessarily burden the staff/leadership of the church.

#### Section 10.02 Qualifications

Deacons may be men who meet the general qualifications as specified in 1 Timothy 3:8-13. (Romans 16:1-2). Deacons must be born again Believers of honest rapport, full of the Holy Spirit, and an active witness for Jesus Christ.

Deacon qualifications shall include, but not limited to:

- a) must be faithful to the church and body of Deacons,
- b) must have been an active Member of the church for one year and must maintain a lifestyle that exhibits high character and integrity,
- c) must have the support of the family in the responsibilities as a Deacon,
- d) must have a deep commitment to keep harmony among the membership,
- e) must be desirous of cooperation and support in uplifting church leadership in their duties as outlined in these bylaws,
- f) must practice stewardship of possessions by tithing to the church, and



g) must be open to ordination if qualified and selected.

#### Section 10.03 Selection and Term

Deacons shall serve on a rotating basis. Each year the Deacon Body shall review the needs of the church body and with counsel of the Elder Body to determine the number of Deacons required to fulfill the purpose of the church. The Deacon Body will then search the active members of the church for qualified persons to serve as a Deacon. Those selected will serve a 3-year term according to the needs of the church, with a year off rotation required before being reconsidered for the role of an active deacon.

#### Section 10.04 Organization and Meetings

The Deacon Body shall meet regularly to perform its responsibilities in support of the purpose of the church as outlined in these bylaws. They may organize themselves in such a manner, as their wisdom may direct them to achieve their purpose. They shall nominate a Deacon Chairman who will act as the functional head of the Deacon Body and facilitate all meetings. They shall monitor their own conduct and exercise internal self-discipline along with the guidance of the Senior Pastor. If needed, the Elder Body can assist in matters involving Deacon conflict.

The Deacons shall keep a record of all meetings in accordance with these bylaws.

## **Article XI** **Committees**

The Elder Body shall have all power and authority given to them in these bylaws to create, approve, and facilitate any manner of committee or sub-committee to meet the needs of the church in fulfilling its purpose as outlined in these bylaws.

#### Section 11.01 Standing Committees

Standing Committees include the Personnel Committee and the Finance Committee. Members of both committees shall be selected by the Elder Body. There should be a minimum of three members that serve on a five-year rotating basis. If a member of any standing committee cannot fulfill their function, they may only be dismissed by the Elder Body. If at any time there is a vacancy, the position shall be filled within six months of the vacancy.

##### Section 11.01(a) Personnel Committee

##### Section 11.01(a)(1) Purpose

The purpose of the Personnel Committee is to serve at the direction of the Elder Body to ensure adequate policies are in place for the church employees that will both protect the church and serve the employees. They will be pivotal in the search for new church staff as determined by the Elder Body. Additionally, they will act as a de facto Human Resources Department for all church staff, both ministerial and non-ministerial. They will recommend all forms of mediation and discipline regarding the vocational and lay staff as needed to the Elder Body.

The Personnel Committee shall be responsible for all hiring and termination of non-ministerial staff.

The Personnel Committee will provide consultation to the Elder Body regarding the ministerial staff; however, the hiring and termination will be done by the Elder Body.

#### Section 11.01(a)(2) Qualifications and Terms

Members of the Personnel Committee should be people with knowledge of organizational systems and should be business savvy. They should be known for their high integrity and ability to deal with people well. They should be varied in age and background and yet mature and wise.

#### Section 11.01(b) Finance Committee

##### Section 11.01(b)(1) Purpose

The purpose of the Finance Committee is to provide general financial counsel to the Elder Body as needed. They shall be consulted, and their approval is required, for all major legal considerations. Additionally, they shall be advised of any non-budgeted decisions exceeding \$5,000. They are to conduct periodic reviews of all church finances, including, but not limited to, compensation, budgeted and non-budgeted purchases, and any partnerships or joint venture arrangements. They are to conduct other financial and legal duties and activities as the Elder Body may designate for them, as long as their activities do not violate the authority or oversight outlined to another Church body as detailed in these bylaws.

##### Section 11.01(b)(2) Qualifications and Terms

The Finance Committee members should be knowledgeable of business matters. They should tithe and be faithful to God and His church. They should be recognized for their integrity. They should be committed to the Church and its well-being. They should be able to work with others in a spirit of harmony.

#### Section 11.02 Other Committees

Various other committees are both important and necessary to carry out the mission of God's church. Committees shall be added or removed as the need arises by the Elder Body; members will be appointed by and serve at the discretion of the Elder Body. Each committee formed shall have a definite purpose and specific organizational framework prior to their inception. A committee may be created and placed accordingly by the Elder Body, to be accountable to the Minister/Pastor who will serve as their resources person and be their mentor.

All formed committees shall keep record of all meetings in accordance with the Record of Proceedings of these bylaws.

#### Section 11.03 Deposits and Gifts

All funds of the Church shall be deposited to the credit of the church in financial institutions or other depositories that the Elder Body selects.

The Elder Body may accept on behalf of the Church any contribution, gift, bequest, or devise for the general purposes or any special purpose of the Church including, but not limited to, gifts of money, annuity arrangements, securities, and other tangible and intangible personal property, real property, and interest therein. The Elder Body may make gifts and give charitable contributions that are not prohibited by these bylaws, the Articles of Incorporation, state law, or any requirements for maintaining the Church's federal and state tax status.

#### Section 11.04 Limited Personnel Considerations

Understanding the possible limitations of qualified personnel to fulfill appropriate roles within church leadership and/or committees or sub-committees, all forms of familial connections between members of church leadership and/or committees or sub-committees should be considered prior to any appointment or selection. The Elder Body shall have the final decision in matters of conflicts of interest, including, but not limited to, the removal of voting power or complete removal of the member from their position.

All attempts should be made to prevent active members from participating in more than one position within the Staff, Elders, Deacons, and committees. This rule excludes the chairman of leadership bodies whose position, by design, requires them to participate in multiple roles.

## **Article XII LICENSING AND ORDAINING**

#### Section 12.01 Gospel Ministry and Deacon Ordination

Section 12.01(a) Gospel Ministry: Any male member of FPC who, having been examined and recommended by the Senior Pastor and Deacon Body to meet the requirements of I Timothy 3:1-7 and Titus 1:5-9, and approved by a simple majority of the examining body in favor, may be licensed to the gospel ministry and ordained.

Section 12.01(b) Deacon: Any male member of FPC who, having been examined and recommended by the Senior Pastor and Deacon Body to meet the requirements of I Timothy 3:8-13 and Acts 6:1-9, and approved by a simple majority of the examining body in favor, may be ordained as a deacon.

#### Section 12.02 Process

If the Senior Pastor and Deacon Body decide that a member possesses the scriptural qualifications for full ordination, they shall invite a reviewing council of deacons and/or ordained ministers to examine the qualifications of the candidate. The candidate is affirmed by a simple majority vote in favor.

#### Section 12.03 Revocation

Ordination may be revoked by a 2/3 majority of the Elders and Deacons.

## **Article XIII IDEMNIFICATION**

The Church shall indemnify any person who is or was an employee, trustee, deacon, elder or committee member of the Church against any liability asserted against such person and incurred in the course and scope of his or her duties or functions within the Church to the maximum extent allowable by law, provided the person acted in good faith and did not engage in an act or omission that is intentional, willfully or wantonly negligent, or done with conscious indifference or reckless disregard for the safety of others. The provisions of this

article shall not be deemed exclusive of any other rights to which such person may be entitled under any bylaw, agreement, insurance policy, vote of members, or otherwise.

## **Article XIV**

### **Amendments to By-Laws**

#### Section 14.01 Process

All proposed amendments are to be presented before the Elders Body. The Elder Body is to review the proposed amendment. The Elder Body is to vote on the amendment to determine if the amendment is to be voted on by the Church Membership for ratification.

- a) If the Elder Body unanimously approves the proposed amendment, the amendment is then submitted to the Church Membership for voting.
- b) If the Elder Body does not vote unanimously for the proposed amendment, a special voting meeting including the Chairpersons of Deacons and Personnel Committees is to be called within 30 days to discuss and vote on the amendment. If the members of the special team vote a simple majority or more, the amendment is to be submitted to the Church Membership.

Within 14 days of the proposed amendment being approved for Church Membership voting, the Senior Pastor is to announce the date, (within 30 days), with an explanation of the proposed amendment, of a Church business meeting in order to vote. Special meetings can be called to discuss the proposed amendment prior to voting.

#### Section 14.02 Vote Requirement

A two-thirds majority vote is required of the active church membership present on the specified Sunday church services for the amendment to pass.