



# METROPOLITAN COMMUNITY CHURCH OF CHARLOTTE

# BYLAWS

Revised 1/2010

## Article I – Name

The name of this church shall be The Metropolitan Community Church of Charlotte, also known MCC Charlotte.

## Article II – Affiliation

This church is a member congregation of the Universal Fellowship of Metropolitan Community Churches (UFMCC); ascribes to the government, doctrine, vision, mission, and values of UFMCC; and agrees to abide by the UFMCC Bylaws and decisions made by General Conference.

- A. **Successor Corporation** - The Universal Fellowship of Metropolitan Community Churches is the not-for-profit organization designated to receive the church's property in the event of dissolution or abandonment of the church or disaffiliation from the UFMCC, in accordance with UFMCC Bylaws.
- B. **Disaffiliation** – A decision to disaffiliate from the UFMCC shall require a two-thirds (2/3) vote of the Members present at a Congregational Meeting called for the purpose of disaffiliating and shall be decided in accordance with UFMCC Bylaws.

## Article III – Purpose

The purpose of this church is Christian fellowship, worship, witness, and service, borne in the cooperation, program development, and implementation of UFMCC and local church Bylaws, Standard Operating Procedures, and Policies.

## Article IV – Members and Friends

- A. **Criteria for Membership** – Any baptized Christian who has completed a membership class may become a Member by participating in the Rite of Membership. A **Member in Good Standing** is a Member who registers his/her attendance, provides identifiable financial support, makes a definite service contribution, and demonstrates interest and loyalty.
  1. **Membership List** – The list of Members in good standing shall be maintained by the church staff, who shall report changes monthly to the Board of Directors.
  2. **Membership Review** – The Board of Directors shall **review the membership list twice per year, in January and July to keep membership current**
    - a. A Member who does not have registered attendance, identified financial support, definite service contribution, and demonstrated interest and loyalty **within the preceding period of six (6) months** may be removed from the list of Members in good standing and placed on a list of inactive Members
    - b. The Board of Directors shall notify this Member in writing that the Member has been placed on a list of inactive Members and is not eligible to vote at any business meeting of the church.

- c. If the inactive Member has not attended, provided identifiable financial support, and demonstrated further interest or loyalty for a period of two (2) months immediately following notification, the Board of Directors shall have the authority, at its discretion, to drop any such Member from the local church membership roll.
  - d. The inactive Member may be restored to the list of Members in good standing by a vote of the Board of Directors without a public reception into membership.
  - e. The inactive Member who is not restored during the period of two (2) months immediately following notification shall be considered a former Member.
  - f. A former Member may be restored to the list of Members in good standing after completing a membership class and participating in the Rite of Membership.
3. **Right to Appeal.** A decision by the Board of Directors to drop an inactive Member from the local church membership roll may be appealed by the inactive Member 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, the inactive Member is not eligible to vote at any business meeting of the church.
- a. Appeal process. The request for an appeal shall be submitted to the Clerk of the Board of Directors within thirty (30) days following the date when the inactive Member was dropped from the local church membership roll.
  - b. The Board of Directors may consider the appeal and reverse its earlier decision without taking the matter to the Congregational Meeting.
  - c. Should the Board of Directors sustain its earlier decision and the inactive Member wish 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.
- B. **Friends of the Church** – A person who, for one reason or another, feels unable to become a Member but who supports the goals of the church and wants to be a part of the work of the church may be designated as a “Friend of the Church.”
- 1. The church shall not maintain a list of Friends of the Church.
  - 2. Limitations on Friends of the Church – Friends may serve on appointed committees and may participate in all activities of the church. Friends may not vote at Congregational Meetings or serve on the Board of Directors. Friends shall not be considered in determining the number of Lay Delegates.
  - 3. **Non-members may not be appointed as leaders of church ministries, but they may be appointed, by the pastor or the board, to lead a team to complete a specific task or project within a given time frame.**
- C. **Discipline of Members and Friends** – The church cannot condone disloyalty or unbecoming conduct on the part of any Member or Friend. The Board of Directors is empowered to remove by majority vote any Member or take other appropriate disciplinary action.
- 1. **Right to Appeal** – 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 or Friend shall remain under discipline and shall retain the right to vote at regular and Special Congregational Meetings, including the Congregational Meeting held to consider the appeal..

- a. Appeal Process - The request for an appeal shall be submitted to the Clerk of the Board of Directors within thirty (30) days following the date when the inactive Member was dropped from the local church membership roll.
- b. The Board of Directors may consider the appeal and reverse its earlier decision without taking the matter to the Congregational Meeting.
- c. Should the Board of Directors sustain its earlier decision and the inactive 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.

## **Article V – Congregational Meetings**

Government of the church is vested in its Congregational Meeting, which exerts the right to control of its affairs, subject to the provisions of the UFMCC Articles of Incorporation, Bylaws, or documents of legal organization, and the General Conference.

- A. **Time and Place** - An annual Congregational **Meeting shall be held each year the first Sunday in December.** The time and place of the annual Congregational Meeting shall be determined by the Board of Directors.
  
- B. **Notification** – The Board of Directors shall notify Members in writing at least two (2) weeks in advance.  
  
**Notification may be made electronically via email 3 weeks in advance, but members must RSVP receipt of notification by replying or responding to the email within one week of the email. Any member not acknowledging receipt (i.e. not responding) will be handed a copy in person at church or mailed a written notice by US Postal Service at least two weeks prior to the date of the congregational meeting.**
  
- C. **Voting Rights** – Each Member in good standing has the right to vote. Proxy or any other form of absentee voting shall not be allowed.
  
- D. **Votes Required for Approval** – Decisions, including elections, **requires approval by a vote of more than sixty six and two thirds percent (66 2/3%)** of those Members present and voting, unless otherwise required by UFMCC Bylaws or otherwise stated in these local church Bylaws.
  
- E. **Quorum** – **In order to transact business, no less than forty percent (40%)** of the Members in good standing must be present.
  
- F. **Agenda** – The agenda for Congregational Meetings shall be determined by the Board of Directors. The agenda shall include, but not be limited to, election of members to the Board, election of Lay Delegates in the appropriate year, presentation of financial report, approval of budget, and receiving reports from the Board of Directors and the Pastor.
  
- G. **Voting** – **All votes shall be taken by secret ballot.** Votes of affirmation from the floor are not permitted.  
  
**However, secret ballots are not required for receiving or approving standard reports typically presented at congregational meetings.**

- H. **Special Congregational Meetings** – In addition to the annual Congregational Meeting, special Congregational Meetings may also be held. Special Congregational Meetings are governed by the same rules as those pertaining to the Annual Congregational Meeting.
1. Calling a Special Congregational Meeting – 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.
  2. The nature and purpose of the special Congregational Meeting shall be stated in the petition and in notices and written into the agenda.

## **Article VI – Local Church Administrative Body**

- A. **Name** – The local church administrative body shall be the Board of Directors, which is authorized to provide administrative leadership for MCCC, subject to approval of the Congregational Meeting.
- B. **Responsibilities** – The Board of Directors shall be responsible for providing the church with a set of Bylaws, which are subject to approval by Congregational Meeting and the Elder serving the Region and for submitting the approved Bylaws to the Elder serving the Region.

The Board of Directors shall also have charge of all matters pertaining to the documents of legal organization and incorporation, church property, risk management, and physical and financial affairs of the church.

The Board of Directors shall also be responsible for collecting and disbursing funds, keeping adequate church records, and making timely reports to the Congregation and UFMCC.

- C. **Qualifications** – to be eligible to run for a position in the Board of Directors, the candidate:
1. must be a Member in good standing of MCC Charlotte for at least one (1) year before applying to run;
  2. have experience in the areas of financial planning, administration, and policy development;
  3. not be in violation of MCC Charlotte’s Conflict of Interest policy, which states: More than one person from a household, family, or committed relationship; someone who is a church employee; or someone who is a Clergy Candidate or In Formation shall not be eligible to serve on the Board of Directors.
- D. **Composition** – the board will be composed of eight (8) elected members, plus the Pastor, who shall serve as Moderator.
- E. **Term of Office** – The term of office for elected members of the Board of Directors shall be two-year staggered terms elected at the annual Congregational Meeting. Members may run for a maximum of three consecutive terms of two years each. However, if a member was appointed to serve a vacant position until the next congregational election, that period will not count towards this limit maximum.
- F. **Meetings** – The Board of Directors shall meet at least once a month or no fewer than ten (10) times a year. Except for executive sessions, meetings shall be open to the congregation and to the public to attend as Observers without voice or vote.

1. Minutes – Minutes and financial reports shall be available to Members of the church following their approval by the Board of Directors. Minutes shall include a record of those present and decisions made. A copy of the minutes shall become part of the permanent church records.
- G. **Quorum** – No less than a majority of the members of the Board of Directors, including the Moderator, must be present in order to transact business. If the Moderator is unable to attend, a meeting of the Board of Directors may be conducted with the consent of the Moderator; in such instance, no less than a majority of the members of the Board of Directors must be present. If the Moderator is incapacitated or otherwise unable to consider granting consent, no less than a majority of the members of the Board of Directors, including the Vice-Moderator, must be present.
- H. **Official Officers** – The official officers of the church are Moderator, Vice-Moderator, Clerk, and Treasurer.
1. **Election of Officers** – During the first meeting following elections to the Board, the Board of Directors shall elect from among its members persons to fill the positions of Vice-Moderator, Clerk, and Treasurer. The term of office for officers, except for Moderator, shall be one (1) year.
    - a. Moderator – The Pastor shall serve as Moderator of the Board of Directors.
    - b. Vice-Moderator – The Vice-Moderator shall serve as Moderator of the Board in the absence or upon the request of the Pastor.
    - c. Clerk – The Clerk shall be responsible for ensuring the maintenance of official correspondence and church records, and for ensuring that accurate records are kept of all meetings of the Board of Directors and of the Congregation. The Clerk is the officer authorized to receive petitions submitted to the Board of Directors.
    - d. Treasurer – The Treasurer shall be responsible for ensuring the preparation and maintenance of all financial records. This shall include a monthly financial report to the Board and an annual financial report to the Congregation. The monthly and annual financial reports shall reflect receipts, disbursements, and outstanding financial obligations.
  2. The officers of the church shall not serve in any other position within the church.
- I. **Vacancies** – In the event of a vacancy on the Board of Directors, the Board may appoint a qualified Member to fill the vacancy until the next Congregational Meeting, when an election shall be held to fill the unexpired term.
- J. **Discipline** – The church cannot condone disloyalty, unbecoming conduct, or dereliction of duty on the part of any member of the Board of Directors. Therefore, the Board of Directors may remove by a majority vote of the full Board of Directors any of its members guilty of the above, with the exception of the Pastor who must be disciplined in accordance with the UFMCC Bylaws. A petition submitted to the Clerk and signed by *twenty-five percent (25%)* of the Members in good standing of the congregation may also initiate such a procedure.
1. Right to appeal – A disciplined member of the Board of Directors may appeal the action to the congregation at its next regular Congregational Meeting or at a Special Congregational Meeting which may be called for this purpose. The decision of the Congregational Meeting is final. Until the Congregational Meeting to consider the appeal, the position held by the disciplined member of the Board of Directors shall be considered vacant.

- K. **Limitation of Liability:** No director or officer of the church shall be liable for any act or failure to act by any other director or officer of the Church or by any employee of the Church.

No director or officer of the Church shall be liable for any loss arising from any fault in the title to any property acquired by the Church.

No director or officer of the Church 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 director or officer of the church 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 director's or officer's own willful neglect or fraudulent or criminal actions.

- L. **Indemnity** – The church shall protect every director 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 VII – Pastor**

- A. **Role** – The Pastor is the UFMCC clergy person with a license to practice 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. The Pastor shall also fulfill such other roles and responsibilities as are stated in the UFMCC Bylaws and the policies of the church.
1. **Interim Pastoral Leader** – In the event that a UFMCC clergy person is not available to serve as Pastor, the Board of Directors may request the Regional Elder to appoint an Interim Pastoral Leader, who shall be subject to a background check. The term of office of the Interim Pastoral Leader shall be one (1) year. If the Interim Pastoral Leader is a Member of MCCC, then the Interim Pastoral Leader shall have the authority to fulfill all of the roles and responsibilities of Pastor. If the Interim Pastoral Leader is not a Member of MCCC, then the Interim Pastoral Leader shall have the authority to fulfill all of the roles and responsibilities of Pastor, except that the Interim Pastoral Leader shall serve as Moderator of the Board of Directors and Congregational Meetings, with voice but no vote.
- B. **Responsibilities** – The Pastor shall have authority for ordering all worship services of the church; determining when other worship services will be held, subject to approval of the Board of Directors; appointing compensated and uncompensated church staff, subject to the approval of the Board of Directors; and determining compensation, vacation periods, and titles of office of the church staff, subject to approval of the Board of Directors. The Pastor shall serve as a voting member of the Board of Directors, Moderator of the Board of Directors 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, including but not limited to the duty of serving as Moderator of the Board of Directors and of Congregational Meetings.
- C. **Pastoral Covenant** – The Board of Directors and Pastor shall develop a covenant between the Pastor and the church. The covenant shall include a job description and address such matters as compensation that is consistent with equitable local standards, benefits, allowances, and leave. All provisions of the covenant shall be subordinate to the Bylaws of the UFMCC.

1. Conference Expenses – The congregation shall, when financially able, fund the Pastor’s transportation, registration, and per diem at General and Regional Conferences.
- D. **Pastoral Vacancy** – 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. Composition of Pastoral Search Committee – The Pastoral Search Committee shall consist of thirteen (13) members, including the eight (8) members of the Board of Directors and five (5) additional members elected at a Congregational Meeting.
  2. Election of Pastor – To be elected, the candidate presented by the Pastoral Search Committee must receive eighty-five percent (85%) of the votes cast.
- E. **Termination of Relationship** – 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 VIII – Conflict Resolution**

When there are conflicts or difficulty within the church that cannot be resolved, including conflicts between the Pastor and congregation, the Board of Directors, 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 UFMCC Bylaws.

- A. **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 Directors and be signed by at least twenty-five percent (25%) of the members in good standing.
  2. The Board of Directors may initiate the process of removing the Pastor from office by a vote of three-fourths (3/4) of the full Board of Directors.
  3. The Clerk shall send a copy of the completed petition or motion of the Board of Directors to the Regional Elder within three (3) days.
  4. The Pastor shall remain fully compensated until the final action of the congregation.

### **Article IX – Lay Delegate**

The church shall elect one (1) 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 this church.

- A. **Election** – The Lay Delegate shall be elected at the next regular Congregational Meeting following each General Conference. A majority of the votes cast shall be required to elect.

- B. Term of Office** - The term of office of Lay Delegate shall be three (3) years for a maximum of two consecutive terms. However, if a member was appointed to serve a vacant position until the next congregational election, that period will not count towards this limit maximum.
- C. Qualifications** – to be eligible to run for a position as a Lay Delegate, candidates must:
1. be Members in good standing of MCCC for at least one (1) year before applying;
  2. have experience in the areas of parliamentary procedures, through knowledge of UFMCC and MCCC polity;
  3. not be in violation of MCC Charlotte’s Conflict of Interest policy, which states: More than one person from a household, family, or committed relationship; someone who is a church employee; or someone who is a Clergy Candidate or In Formation shall not be eligible to serve on the Board of Directors
  4. have the ability to travel to all scheduled General and Regional Conferences.
- D. Duties** – The duties of the Lay Delegate shall be to represent the congregation at General and Regional Conferences, to communicate with the congregation regarding UFMCC concerns and policies.
- E. Funding** - The congregation shall, when financially able, fund the Lay Delegate’s transportation, registration, and per diem at General and Regional Conferences.
- F. Discipline** – The church cannot condone disloyalty, unbecoming conduct, or dereliction of duty on the part of any Lay Delegate. Therefore, the Board of Directors may remove by a majority vote of the full Board of Directors any Lay Delegate guilty of the above. A petition presented to the Board of Directors and signed by twenty-five percent (25%) of the Members in good standing of the congregation may also initiate such a procedure.
1. **Appeal of Discipline** – A disciplined Lay Delegate may appeal the action to the congregation at its next regular Congregational Meeting or at a special Congregational Meeting which may be called for this purpose. The decision of the Congregational Meeting is final. Until the Congregational Meeting to consider the appeal, the position held by the disciplined Lay Delegate shall be filled by an Interim Lay Delegate appointed by the Board of Directors.
- G. Vacancy** - In the event of a vacancy in the Lay Delegation, the Board of Directors shall appoint a qualified Member in Good Standing to fill the vacancy until the next Congregational Meeting, when an election shall be held to fill the unexpired term.

## **Article X – Church Finances**

- A. Authorized Signatures** – Any church bank or other financial accounts shall require two signatures for withdrawals; all members of the Board of Directors and designated staff members shall have signature authority, as determined by the Board of Directors.
- B. Limit on Expenditures** – The Pastor shall have the authority to commit church funds within the adopted budget in any amount not to exceed five percent (5%) of the annual budget; any expenditure that is greater than that amount requires the approval of the Board of Directors. The Board of Directors shall have the authority to commit church funds within the adopted budget in any amount not to exceed ten percent (10%) of the annual budget; any expenditure greater than that amount requires congregational approval.

- C. **Fiscal Year** – For the purpose of reporting to UFMCC, the fiscal year of the church shall be the calendar year.
- D. **Church Budget** – The Board of Directors shall be responsible for presenting to the Congregational Meeting for adoption an annual operating budget that reflects anticipated receipts and disbursements. The adopted budget may be amended, as needed, by a two-thirds (2/3) vote of the Board of Directors, which shall immediately notify the Members of the Church that such amendment has been made.
  - 1. **Budget Year** – The annual budget of the church shall cover the period from January 1 through December 31.
  - 2. **The current budget shall remain in effect until such time as a new budget is adopted by the Annual Congregational Meeting, no later than December 31 of each year.**
- E. **Board of Pensions Assessments** – The Board of Directors shall report quarterly to the UFMCC the number of members in good standing for each month within the quarter and shall remit the Board of Pensions assessments as set by General Conference. The report and remittance are due to the Board of Pensions on or before the tenth (10<sup>th</sup>) day of the month following the quarter reported.
- F. **UFMCC Contributions** – The Board of Directors shall report all church receipts each month to the UFMCC, and with that report shall remit a percentage of the funds reported. The minimum percentage of funds to be remitted shall be determined by General Conference.

### **Article XI – Adoption and Amendments**

- A. **Adoption** – These Bylaws shall become effective immediately upon adoption by the Congregational Meeting and approval by the Regional Elder.
- B. **Amendments** – 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 Directors no later than sixty (60) days prior to the Congregational Meeting 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. Amendments that are necessitated by amendments made to the UFMCC Bylaws shall not require approval by the congregation.

### **Article XII – Conflicts of Interest**

- A. No paid staff person shall be a family member, or member of the same household, or in a committed relationship with a member of the Board of Directors, or other paid staff person.
- B. No family member, or member of the same household, or person in a committed relationship with a paid, or other staff member, or member of the Board of Directors shall have access to financial contribution records.

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*This Revision was approved by the MCCC Congregation at its annual meeting on January 17, 2010.*