



# CONSTITUTION AND BYLAWS

**Church on the Hill – San Jose  
First Baptist Church – San Jose**

## **Article I Name and Principle Office**

### **Section 1. Name**

The legal name of this church since 1850 has been “The First Baptist Church of San Jose,” and it is commonly known as “Church on the Hill of San Jose” (COTH).

### **Section 2. Principle Office**

The principle office of COTH is located at 500 Sands Drive, San Jose, CA 95125.

## **Article II Purpose, Mission, and Corporation**

### **Section 1. Purpose and Mission Statement**

Church on the Hill is a missional community living in dynamic relationship with Jesus Christ and making disciples by expressing His love and truth in our church, city, and world.

### **Section 2. Corporation**

COTH is a Christian/Religious Corporation, founded and registered in the State of California, not for gain or individual profit; and its property, real or personal, shall only be used for the furtherance of its stated Purpose and Mission.

## **Article III Core Doctrine**

### **Section 1. The Bible**

We believe the Bible is the fully inspired Word of God in both the Old and New Testaments, without error in the original manuscripts, written

under the inspiration of the Holy Spirit, the supreme authority in all matters of faith and conduct, and still penetrates people's hearts today.

2 Timothy 3:15-17; 2 Peter 1:20-21; Psalm 119:160; Proverbs 30:5; Hebrews 4:12; 2 Peter 3:15-16; 1 Timothy 5:18; 1 Corinthians 14:37; John 17:17

## **Section 2. The Trinity**

We believe that there is one living and true God, eternally existing in three persons: the Father, the Son, and the Holy Spirit. We believe they are equal in every divine perfection and execute distinct but harmonious functions in the work of creation, providence, and redemption.

John 1:3, 10; Matthew 3:16-17; Matthew 28:19; 1 Corinthians 12:4-6; 2 Corinthians 13:14; 1 Peter 1:2; Ephesians 1:3-14

## **Section 3. God the Father**

We believe in God the Father, an infinite, unchanging, personal spirit, perfect in holiness, wisdom, sovereignty, and love. We believe He concerns Himself mercifully in the affairs of humanity, that He hears and answers prayer, and that He saves from sin and death all who come to Him through Jesus Christ.

Genesis 1:1,26,27; Psalm 90:2; John 3:16; Psalm 68:5; Psalm 89:26; Matthew 6:9; Matthew 26:39; 2 Peter 1:17; 2 John 1:3

## **Section 4. God the Son, Jesus Christ**

We believe in Jesus Christ, God's one and only Son, conceived by the Holy Spirit. We believe in His virgin birth, sinless life, miracles, and teaching. We believe in His substitutionary atonement. We believe in His bodily resurrection, ascension into heaven, perpetual intercession for His people, and personal visible return to reign forever as King of earth. We believe Jesus is the exact representation of the Father's being and the Christian's best example for holy conduct.

Matthew 1:22-23; Isaiah 9:6; John 1:1-5,14; John 10:25-30; Mark 10:45; Hebrews 4:14-16; 2 Corinthians 5:18; Romans 1:3-6; Acts 1:9-11; Titus 2:11-13; 1 Thessalonians 4:16

## **Section 5. God the Holy Spirit**

We believe the Holy Spirit convicts the world of sin, righteousness, and judgment. We believe the Holy Spirit regenerates, sanctifies, and empowers all who believe in Jesus Christ. We believe that the Holy Spirit actively and permanently lives inside every believer in Christ from the moment of salvation, and that He is an abiding helper, teacher, and guide.

John 16:7-15, 14:16-17; Acts 1:8; 1 Corinthians 2:12, 3:16; Ephesians 1:13-14; Galatians 5:25; Ephesians 5:18; Romans 8:9-11

## **Section 6. Creation**

We believe in the scriptural account of creation; that God created out of nothing the universe and all that is in it, including people.

Genesis 1-2; Psalm 19:1-2; Psalm 104; Jeremiah 10:12; Colossians 1:16; Revelation 4:11

## **Section 7. Humanity**

We believe that men and women were created in the image of God for relationship with God. However, they fell from their original state through their disobedience to God in the garden; and since then all people are sinners by nature and by choice. We believe that people are separated from God by sin, and cannot by themselves be rejoined to God by their own effort or merit.

Genesis 1:26-31; Psalm 8:3-6; Isaiah 53:6a; Romans 3:23, 6:23; Isaiah 59:2

## **Section 8. Salvation**

We believe Jesus' death and resurrection are the only way for humanity to be restored to their relationship with God. We believe salvation is a free gift of God only by God's grace through faith in Jesus Christ, apart from any human merit. We believe those who repent of their sins and trust in Jesus Christ as Savior are saved and are immediately a part of the kingdom of God.

Romans 6:23; Ephesians 2:8-9; John 14:6; Titus 3:4-7; Romans 5:1; John 10:29; I Peter 1:3-5

## **Section 9. The Church**

We believe in the universal Church as the family of God, a living spiritual body of which Christ is the head. The Church consists of all saved people commanded and empowered to share the Gospel of Jesus Christ to a lost world. We believe in the local church, consisting of a community of Jesus' followers, baptized on credible profession of faith, and committed to worship, evangelism, instruction, spiritual growth, and serving.

Ephesians 1:22-23; Matthew 16:18; Hebrews 10:25; 2 Timothy 2:19; Ephesians 4:11-16; Matthew 28:19-20; Luke 6:40

## **Section 10. The Christian Life**

We believe Christians will strive to glorify God; grow to be more like Jesus; love one another; exhibit the Fruit of the Spirit; faithfully steward their time, talents, and resources for the kingdom of God; and reach unbelievers with the love and truth of Jesus.

Romans 15:5-6; 2 Timothy 1:8-9; Luke 6:40; Galatians 5:22-23; Matthew 28:19-20; John 13:34

## **Section 11. The Ordinances: Baptism and Communion.**

We believe that the Lord Jesus Christ has committed two ordinances to the Church: Baptism and Communion. We believe that Christian Baptism is the immersion of a believer in water in the Name of the Father, Son, and Holy Spirit. We believe that Communion was instituted by Christ for the commemoration of His death, the elements being symbolic. We believe that these two ordinances should be observed until the return of the Lord Jesus Christ.

Matthew 28:19; Acts 2:38; Romans 6:4; Mark 14:22-23; 1 Corinthians 11:23-26

## **Section 12. Religious Liberty**

We believe that each Church is independent and must be free from interference by any ecclesiastical or political authority; that, therefore, Church and State must be kept separate as having different functions, each fulfilling its duties free from dictation or patronage of the other.

Ephesians 4:15, 5:23; Galatians 2:7-8

## **Section 13. Second Coming**

We believe in the personal, visible, and premillennial return of the Lord Jesus Christ for His followers when Jesus will reign forever on Earth.

Psalms 2; Daniel 2:44; Revelation 11:15; 1 Thessalonians 4:13-18; 1 Corinthians 15:50-58; Revelation 20:1-6

## **Section 14. Eternity**

We believe all people were created to exist forever, and will experience bodily resurrection and judgment. We believe Jesus' followers will receive eternal life with God in a real place known as heaven and also be rewarded for works done in this life and unbelievers will be eternally separated from God in a real place known as hell.

John 3:16-18; Romans 6:2; Revelation 20:10-15; Matthew 25:46; 1 John 5:13; 2 Thessalonians 1:5-10; Matthew 5:12; Revelation 22:12

# **Article IV Government**

## **Section 1. Autonomy**

The government of COTH is vested in the body of believers who compose it and is subject to no other control or outside governing body.

## **Section 2. Accountability**

COTH governance is one of mutual accountability between the Board of Elders, the Lead Pastor, the Ministry Staff, and the Members.

- a. The Board of Elders governs the church and provides accountability and encouragement for the Lead Pastor.
- b. The Lead Pastor establishes the vision and leads the Ministry Staff and the Board of Elders.
- c. The Ministry Staff equips and supports the Members.
- d. The Members carry out the COTH vision and elect the Elders.

## **Section 3. Authority**

All authority not explicitly given to the Board of Elders or to any Officer as provided in this Constitution and Bylaws is reserved in and to COTH. COTH reserves the right at any time to amend, supplement or revoke, in whole or in part, this Constitution and Bylaws as described in Article X.

## **Section 4. Association**

COTH, in recognition of the value of mutual counsel and cooperation, maintains voluntary association with Venture Church Network, also

known as the Conservative Baptist Association of America (CBAmerica). The Board of Elders can, with a two-thirds vote, decide to associate or disassociate with this or any other ministry network. These relationships will continue as long as the Board of Elders is assured of biblical positions of these associations in fulfilling our mandate from the Head of the Church, the Lord Jesus Christ.

### **Section 5. Ministry Partnerships**

COTH, in recognition of its calling to the Kingdom of God, launches and supports ministry partners with a two-thirds vote of the Board of Elders.

- a. COTH may help launch new ministries under the organizational umbrella of COTH with the intent of developing self-sustaining ministry organizations.
- b. COTH may actively seek and associate with other churches and ministry organizations that are willing to partner for kingdom causes.
- c. The Board of Elders may also be the board of directors for other COTH ministry organizations.

## **Article V Membership**

### **Section 1. The Membership**

The Membership of COTH shall consist of all persons whose names appear on the Membership Roll.

### **Section 2. Admission to Membership**

Applications for Membership shall be referred by the Ministry Staff to the Board of Elders for approval and acceptance into Membership. There are no age restrictions on Membership.

### **Section 3. Requirements for Membership**

- a. Profession of faith in Christ as personal Savior, followed by immersive Baptism in water by a Christian Church.
- b. Completion of the “Introduction to Church on the Hill” course in which the purpose, mission, ministry, and membership requirements are described in depth.
- c. Completion of membership application form for Board of Elders’ approval.
- d. For reinstatement of membership after expulsion or a period of inactivity, requests are approved by a two-thirds vote of the Board of Elders.

### **Section 4. Membership and Voting Responsibility**

- a. On any matter coming before COTH for its determination, each Member age 16 or older shall be entitled to one vote, which shall be exercised in person and not by proxy. All such matters shall be determined at a business meeting of COTH held in accordance with this Constitution and Bylaws by the vote of a majority of the Members present and voting.

- b. Voting Members shall have the responsibility and right to vote on the following matters:
  - (1) Elder nominations
  - (2) The annual COTH budget
  - (3) The call and/or termination of the Lead Pastor
  - (4) Alteration or amendments to the Constitution and Bylaws
  - (5) Any transaction involving real estate or real property. Transactions may include the acquisition, purchase, indebtedness, or disposition related to said assets or property.
- c. All other fiduciary or COTH business matters shall be the responsibility of the Board of Elders, serving within their capacity as the Board of Directors for the corporation.

## Section 5. Meetings of Members

- a. *Worship Services.* Public services for worship shall be held weekly under normal circumstances. Other public services for worship may be held at such other occasions as are deemed best for the advancement of the cause of Christ, by direction of the Lead Pastor and/or the Board of Elders.
- b. *Business Meetings*  
All matters to be brought before the Church must first be referred to the Board of Elders, who may in turn refer the matter to a COTH Committee to which the consideration of said matter belongs.
  - (1) Meeting Procedures
    - (a) *Calling of Meetings.* Notice, including agenda of any Business Meeting, must be given from the pulpit on two successive Sundays in advance of the meeting.
    - (b) *Location of Business Meetings.* All COTH meetings at which the vote of the Members is sought on any matter shall be held on COTH property at a location noted in the advance announcement of the meeting. Virtual meetings and virtual voting are permitted in conjunction with or in place of the in-person meeting when adverse circumstances prevent members from gathering, as determined by a majority vote of the Board of Elders. This determination by the board of Elders applies to any business meeting where members vote.
    - (c) *Quorum of Members.* The Members present at any business meeting shall constitute a quorum.
    - (d) *Acting Moderator.* In the absence of the Lead Pastor or during the vacancy of the Pastorate, the role of moderator shall pass first to the Chairman of the Board of Elders, and then to the next in succession of Officers from that Board, depending on who is present at the time of the meeting.
  - (2) Meeting Types
    - (a) *The Annual Business Meeting.* The annual business meeting will be held the month following the close of

the fiscal year. The purpose of the meeting shall be for the approval of nominated Elders, approval of the annual budget, and other business transactions as set forth in the meeting agenda.

- (b) *Informational Meetings* are held prior to the Annual Business Meeting to discuss agenda items slated for that meeting.
- (c) *Special Business Meetings*. Special meetings of the Membership may be requested by any of the following: the Lead Pastor plus at least two Elders, a two-thirds vote of the Board of Elders, or a written request of at least 50 voting Members. Such meetings must occur within 90 days of the request.

## **Section 6. Members Making Complaint**

Members desiring to make a complaint pertaining to COTH leadership, programs, policies, decisions, teaching, or other similar ministry functions must submit their complaint in writing along with their name to the Board of Elders who will then do the following:

- a. Investigate the complaint as appropriate to be able to weigh the matter and determine whether Article V, Section 6 (making a complaint) or Section 7 (pertaining to discipline of Members) applies.
- b. Provide a written response in a timely manner and take action as necessary for resolution.
- c. Keep a record of all such complaints, outcomes, and communications, submitted to the Business Office for filing.

## **Section 7. Discipline of Members**

The Board of Elders shall oversee any matters regarding discipline of Members.

- a. The primary purpose of discipline is to effect reconciliation.
- b. All cases of discipline, whether of private or public character, shall be conducted in the spirit of New Testament teachings, the specific rules of which are set forth in Matthew 18:15-17.
- c. A Member under discipline can be denied any and all rights of Membership up to and including meetings and gatherings of COTH.
- d. The Board of Elders will direct or request an investigation regarding the charges made.
- e. If found guilty of the charges, the Member will be given the opportunity to repent and be reconciled with the body of believers; but if said Member is unrepentant, this Member may be excluded from Membership by a majority vote of the Board of Elders.

## **Section 8. Termination of Membership**

Membership shall be terminated for any of the following reasons:

- a. Death of the Member
- b. Written request by the Member that his or her name be removed from the Membership Roll

- c. A member who is absent for one year or more and fails to contribute financially to COTH may be removed from the Membership Roll by a majority vote of the Board of Elders.
- d. Vote of the Board of Elders to withdraw fellowship from a member as described in Section 7

## **Article VI Elders and Officers**

### **Section 1. Board of Directors**

The Board of Elders collectively serves as the Board of Directors for COTH in its standing as a Religious Corporation. The Board of Elders is the only board of COTH and is made up of members who are elected at COTH's Annual Business Meeting.

### **Section 2. Qualifications of Elders**

- a. An Elder is to be a man recognized by the church as one who lives the life expressed in 1 Timothy 3:1-7, Titus 1:5-9, and 1 Peter 5:1-4. He is to be a man of godly character in his private and public life. He is to have a relationship with the Lord Jesus and with God's Word that is reflected in his personal life. He should be a demonstration of the life of Christ as a result of his dependence on the Word of God. He is to inspire others to want to follow his example of living for the Lord Jesus. He is to seek to keep the unity of the faith in love and reflect a life of loyalty to God's Word, the Ministry Staff, and God's Church.
- b. An Elder, except for the Lead Pastor, may not be a church employee.
- c. Any Elder candidate that is married to a Staff person [Staff is defined as any paid employee of COTH] must first be approved by a three-quarters vote of the Board of Elders. No more than one-third of the Board of Elders at any one time may be married to Staff.
- d. Any accusations against an Elder must be handled in agreement with 1 Timothy 5:19-20, and in accordance with Article V, Sections 6 and 7.

### **Section 3. Officers of the Board of Elders**

- a. All Officers of the Board of Elders shall have been a Member of COTH for at least one year. One individual may hold up to two officer positions. However, the Chairman and Vice Chairman shall not be the same person.
  - (1) *Chairman/President.* The Chairman of the Board of Elders shall be the President of the Corporation and lead the meetings of the Board of Elders.
  - (2) *Vice Chairman/Vice President.* The Vice Chairman of the Board of Elders shall be the Vice President of the Corporation.
  - (3) *Secretary.* The Secretary of the Board of Elders shall be the



Secretary of the Corporation and record all official meeting minutes of the Board of Elders and all other business meetings to be submitted to the Business Office for filing.

- (4) *Treasurer*. The Treasurer of the Board of Elders shall be the Treasurer of the Corporation and serve on the Finance Committee.
- b. At the first regular meeting of each year following the Annual Business Meeting, the new Board of Elders shall elect from their number a Chairman, Vice Chairman, Secretary, and Treasurer.

#### **Section 4. Duties of the Board of Elders**

The Elders, in their role as the Board of Directors for the corporation and as the Board of Elders of COTH shall have the following responsibilities:

- a. Provide spiritual accountability to the Lead Pastor regarding all matters of COTH.
- b. Govern the church by providing policies that enable COTH to focus on its Purpose and Mission, and to transact all business on behalf of COTH as provided for in these Constitution and By-laws, other regulations, or as directed in qualified Business Meetings, including stewardship of the finances, COTH property, and all other ministry resources.
- c. Determine, by a two-thirds vote, whether the welfare of COTH requires an Interim Pastor, and if so, define the responsibilities of the Interim Pastor.
- d. Exercise all other powers, rights, and duties as the directors of the corporation.

#### **Section 5. Membership and Meetings of the Board of Elders**

- a. *Membership of the Board of Elders*
  - (1) The Board of Elders shall consist of the Lead Pastor and at least six, but no more than twelve, additional men.
  - (2) Elders shall all be at least twenty-one years of age.
  - (3) Elders shall serve for a term of three years. An Elder may be elected to serve two consecutive terms and then must be off the Board of Elders for one year before being eligible again.
  - (4) In the event an Elder needs to leave the Board of Elders prematurely, the Board of Elders will determine by two-thirds vote if that vacancy needs to be filled and the person to fill that position until the next Annual Business Meeting of the church.
- b. *Meetings of the Board of Elders*
  - (1) The Elders shall meet regularly at such time and place as they may determine.
  - (2) Special meetings may be called by the Chairman of the Board of Elders, the Lead Pastor, or a majority of the Board of Elders giving notice thereof to each Elder.
  - (3) A quorum shall consist of at least fifty percent of the members of the Board of Elders.

- (4) Unless otherwise stated in this Constitution and Bylaws, decisions are reached by a two-thirds vote of the Elders present at the meeting.

### **Section 6. Election of Elders**

- a. Any Member may recommend the name of any other Member who meets the qualifications of Eldership outlined in Article VI, Section 2, by providing that name in writing to the Board of Elders for consideration.
- b. All new Elder candidates must first be approved by a two-thirds vote of the existing Board of Elders, except as specified in Article VI, section 2.c.
- c. The Board of Elders shall present the name(s) and a brief biography of those candidates to the church Membership to be approved. This notification shall be done in writing and made available to all voting Members prior to the Annual Business Meeting wherein the vote shall take place. This notification shall be made in the worship service on two successive Sundays in advance of the meetings.
- d. The election of Elders shall be held at the Annual Business Meeting.
- e. All voting Members may vote in person at the Annual Business Meeting for the nominated candidates.

### **Section 7. Committees**

COTH may have Standing Committees and Special Committees. All committees report to and function under the authority of the Board of Elders. Chairs of all Standing and Special Committees will be appointed by the Lead Pastor with prior consultation with the Board of Elders. Other members of each committee may be nominated by any Member and approved by the existing Committee and the Board of Elders. All approvals are by two-thirds vote. All committee members are to be Members of the Church. All committee terms are for one fiscal year and a maximum of six years followed by a year off. Each committee will have a minimum of one Elder as a member.

- a. *Standing Committees*  
Three of the Standing Committees—the Finance, Personnel, and Facilities Committees—are operations committees and can be fulfilled as one or more committees as deemed appropriate by the Board of Elders. No spouse of a COTH employee shall serve as a member of the operations committees.

- (1) *Finance Committee*

This committee shall provide accountability over all COTH financial matters under the direction of the Board of Elders.

- (a) This committee shall, at least 30 days prior to the Annual Business Meeting, present their recommendation in writing to the Board of Elders for approval on a proposed budget for the coming fiscal year.

- (b) This committee shall perform such other duties as the Board of Elders may direct.
  - (c) This committee shall be responsible for assuring the execution of an annual audit or financial compilation of all funds and any other financial records by a professional outside accounting firm.
  - (d) The Chairman of the Finance Committee shall be the Pastor of Business Administration or a staff member appointed by the Lead Pastor with prior consultation with the Board of Elders and shall be an ex-officio member of this committee.
  - (e) The Treasurer of the Board of Directors shall be a member of the Finance Committee.
- (2) *Personnel Committee*  
 This committee shall supervise the Human Resource (HR) policies of COTH, including those matters related to compensation; recruiting; hiring; reviewing; and dismissal of staff.
- (a) The Chairman of the Personnel Committee shall be the Pastor of Business Administration or a staff member appointed by the Lead Pastor with prior consultation with the Board of Elders and shall be an ex-officio member of this committee.
  - (b) At least 90 days prior to the Annual Business Meeting, the Personnel Committee shall set guidelines for salary and benefits for the coming year including cost of living, and merit raises for the staff. The recommendation will be given to the Lead Pastor and Business Administrator to allocate the raises for final approval by the Board of Elders.
  - (c) At least 60 days prior to the Annual Business Meeting the Personnel Committee shall present in writing to the Board of Elders and the Finance Committee a recommended personnel budget for the coming year.
  - (d) The salary of the Lead Pastor will be recommended by the officers of the Board of Elders and approved by the Board of Elders.
  - (e) The Personnel Committee shall perform such other duties as the Board of Elders may direct.
- (3) *Facilities Committee*  
 This committee shall provide accountability over the development, operation, and maintenance of the COTH facilities (property, infrastructure, grounds, and buildings).
- (a) The committee shall submit a proposed annual facilities operations budget 90 days prior to the Annual Business Meeting to the Finance Committee for their review and approval.

- (b) At least 60 days prior to the Annual Business Meeting the Facilities Committee shall present in writing to the Board of Elders and the Finance Committee a recommended facilities budget for the coming year.
  - (c) The Chairman of the Facilities Committee shall be the Pastor of Business Administration, a staff member, or a volunteer appointed by the Lead Pastor with prior consultation with the Board of Elders and shall be an ex-officio member of this committee.
  - (d) This committee shall perform such other duties as the Board of Elders may direct.
- (4) *Missions Committee*  
 This committee shall exercise supervision over all global missionary interests, activities, and the missionary budget of COTH.
- (a) The Lead Pastor will designate a staff member as an ex-officio member of the Missions Committee with prior consultation of the Board of Elders.
  - (b) The Chairman may be any member of the Missions Committee as designated by the Lead Pastor with prior consultation with the Board of Elders.
  - (c) At least 60 days prior to the Annual Business Meeting, the Missions Committee shall present in writing to the Board of Elders and the Finance Committee a recommended missions budget for the coming year. The Missions Committee shall perform such other duties as the Board of Elders may direct.

b. *Special Committees*

The Board of Elders may appoint such other committees as it may consider necessary and will also be responsible for appointing the Chairmen and membership of these committees. Such committees may include the following committee, or any other committees deemed necessary by the Board of Elders.

(1) *Search Committee*

When it is necessary to call a Lead Pastor, the Board of Elders shall name a representative Search Committee, consisting of four members of the Board of Elders and four members.

- (a) *Chairman:* The Chairman of the Search Committee shall be the Chairman of the Board of Elders.
- (b) The Board of Elders shall be in charge of establishing an Interim Lead Pastor while the Search Committee searches for the new Lead Pastor. The Board of Elders along with the Pastor of Business Administration will set the remuneration for the Interim Lead Pastor.
- (c) The Search Committee shall take necessary steps to secure a new Lead Pastor. In seeking a suitable man,

the committee shall consider suggestions from its members and may enlist the services of an outside search firm to assist in the search. The Search Committee shall investigate the merits of every man under consideration in regard to personal character, education, ministerial record, preaching ability, and ministry references in determining his fitness as Lead Pastor. When a suitable man has been found, and three-fourths of the Search Committee are in agreement, they shall recommend him to the Board of Elders for consideration. If three-fourths of the Board of Elders is in agreement, the Board of Elders shall recommend him to the Church and have him teach for at least one Sunday, for the purpose of issuing a call and establishing a voting date for the Membership.

## **ARTICLE VII**

### **Pastoral and Ministry Staff Employment**

#### **Section 1. Lead Pastor**

a. *Calling the Lead Pastor*

The call of the Lead Pastor shall come before the Church at a Special Business Meeting, notice of such meeting and its purpose having been read from the pulpit on two successive Sundays prior to the Special Business Meeting. An affirmative vote of three-fourths of the voting members present shall be necessary to extend a call to anyone under consideration. Only one candidate shall be presented to the Church at a time. The vote shall be by written ballot.

b. *Qualifications of the Lead Pastor*

The Lead Pastor is to be an ordained pastor in agreement with Baptist theology as defined in COTH's Core Doctrine. He is to be a man of godly character, taking I Timothy 3:1-7 and I Peter 5:1-4 as his directive in ministry. He is to have a relationship with the Lord Jesus and to God's Word that is reflected in his personal life. By his private and public ministry, he is to be an example that motivates people to want to follow the Lord Jesus Christ.

c. *Duties of the Lead Pastor*

- (1) Establishes the vision and leads the Ministry Staff to implement the vision.
- (2) Oversees the preaching of the Gospel of Jesus Christ, administration of the ordinances, care of the Membership, and growth of the Church's spiritual life.
- (3) Hires and releases all personnel with prior consultation with the HR Department and the Board of Elders.

- (4) Serves as an ex-officio member of the Board of Elders with the same rights as an Elder, and leads the Board of Elders.
  - (5) Is an ex-officio Member of all committees of COTH and its other organizations.
  - (6) Serves as church moderator at all business meetings except Special Business Meetings regarding the dismissal of the Lead Pastor.
- d. *Resignation of the Lead Pastor*  
The Lead Pastor may resign with thirty days written notice to the Board of Elders before the resignation can be presented to the Church.
- e. *Dismissal of the Lead Pastor*  
All action to dismiss the Lead Pastor shall be referred to the Board of Elders for its consideration before action is taken by the Church. Consideration may be given to dismiss the Lead Pastor based on “due cause” regarding the beliefs, actions, or decisions of the Lead Pastor which may cause harm to COTH. All accusations against the Lead Pastor must be handled according to 1 Timothy 5:19-20. The Board of Elders shall also be required to consider any written request for the dismissal of the Lead Pastor when signed by one-tenth of the voting Membership. If three-fourths of the entire Board of Elders agrees there is adequate and verifiable grounds for dismissal of the Lead Pastor, such action shall be taken at a Special Business Meeting. Notice of such meeting and its purpose must be provided to the congregation in writing on two successive Sundays prior to the Special Business Meeting. The vote to dismiss must be approved by a majority vote of Members present, and shall be by written ballot.

## **Section 2. Pastors, Directors, and Staff**

- a. *Church Staff Employment*  
All Pastors, Directors, and all other Staff shall be employed and/or released by the Lead Pastor or his designate with the prior consultation with the HR Department and the Board of Elders. A three-fourths majority approval vote of the Board of Elders is required to hire the wife of an Elder for any Staff position. A three-fourths majority of the Board of Elders may vote for the removal of any Staff, other than the Lead Pastor.
- b. *Qualifications and Duties*  
All staff who have regular interaction with the congregation must be people of godly character with the requisite experience and education to fulfill the roles and responsibilities outlined in their position profile/job description. They are to have a vibrant and personal relationship with the Lord Jesus and with God's Word that is reflected in their lives. By their private and public ministry, they are to be an example that motivates believers and

unbelievers alike to want to follow the Lord Jesus Christ. All staff members are to serve with the Lead Pastor and the Church in the bond of unity and loyalty.

## **Article VIII Finances and Real Property**

### **Section 1. Finances**

Necessary finances for conducting the Church, its program, and its missionary outreach shall be obtained through voluntary tithes and offerings given by Members and attendees of COTH. Love offerings may be taken as necessary by the Lead Pastor. Additional pledges, faith promises, and fund-raising projects may be made as deemed advisable by the Board of Elders and the Lead Pastor. The Church shall be empowered to receive gifts, legacies, donations, and physical property.

### **Section 2. Real Property**

No real property shall be purchased, nor shall property used in the ministry of the Church be sold, assigned, or pledged as collateral of security unless such action is first approved by the Membership. Such approval shall be had only by a two-thirds vote of the Members present and entitled to vote at a special meeting of the Membership for that purpose.

### **Section 3. Dissolution**

COTH may be dissolved only with a two-thirds vote of the Board of Elders with subsequent approval by a two-thirds vote of the voting Members present at a Special Business Meeting. Upon dissolution or other termination of COTH, all remaining assets of COTH, after payment in full of all its debts, obligations, and necessary final expenses, or after the making of adequate provision therefore, shall be distributed to one or more Christian non-profit organizations as shall be chosen by the then existing Board of Directors of COTH.

## **Article IX Fiscal Year and Corporate Seal**

### **Section 1. Fiscal Year**

The Fiscal Year of COTH shall be from January 1 through December 31 of each year.

## Section 2. Corporate Seal



## Article X Amendments to the Constitution and Bylaws

### Section 1. How Amended

This Constitution and Bylaws may be amended at the Annual Business Meeting of COTH or at a Special Business Meeting of COTH called for that purpose. A copy of the proposed amendment will be posted on the church website and made available to any church Member for pick up at the church office at least two weeks before the meeting. Passage of amendments to the Constitution and Bylaws requires a two-thirds vote of the Members present.

### Section 2. Adoption

The adoption of this Constitution and Bylaws as revised shall void all previous COTH Constitutions and Bylaws, and shall be in force and in effect from this date forward, January 26, 2014.

—Adopted January 27, 2013

—Modified January 26, 2014  
December 7, 2014  
January 29, 2017  
January 31, 2021