

THE ARTICLES OF INCORPORATION AND BYLAWS

OF

Hills View Evangelical Free Church

OF

Piedmont, South Dakota

PREAMBLE

Whereas, we, a body of evangelical believers in Jesus Christ, organized for the purpose of fellowship and propagation of the gospel of our Lord as recorded in the Holy Scripture, deem it wise that we have certain laws to serve as a criterion to work by; and help preserve the purpose and function of the local church; therefore be it resolved: that beginning with its legal adoption thereof we shall be governed by the following Articles of Incorporation and Bylaws.

ARTICLE I - NAME

The name of this organization, a non-profit religious corporation organized under the laws of the State of South Dakota, is Hills View Evangelical Free Church, an affiliate of the Evangelical Free Church of America.

ARTICLE II - PURPOSE

The purpose of this church shall be to work together for the unity, edification, discipline, and encouragement of believers that they might grow in grace and holy conduct, and seek to win souls for Christ and to further His cause on the mission fields at home and abroad.

We are to be one in Christ; committed to praying, teaching, and reaching. We are a body of believers led by God's word found in the Bible and exhibited by our core values as follows:

Centrality of God's Word – Scripture is complete, inspired by God without error and is the foundation for all teaching, preaching and living. 2 Timothy 3:16

Making Disciples – We recognize the importance of teaching and equipping believers for the work of service, the building of the body of Christ, and to proclaim the name of Christ to all the world. Matthew 28:19-20, Mark 16: 15-16, Ephesians 4:11-13

Passionate Prayer – Lift all things to Christ in personal, persistent, and passionate prayer, relying on Him to provide all resources, wisdom, direction, and knowledge of God. Matthew 6:33, 1 Thessalonians 5:17-18, Ephesians 1:16-19

Freedom in Christ – We value the freedom God has given us through Christ by loving others as ourselves and bearing one another's burdens in a spirit of grace and

gentleness, while not compelling others to a form of legalism. This freedom is not a covering for evil, but is to be used to glorify God, knowing that each individual is accountable for himself to God. 1 Peter 2:16-17, Galatians 3:11, 6:1-5, Romans 14:12-14
Nurturing Relationships – Respecting each individual's uniqueness and spiritual gifts, providing an environment for growth, love, kindness, compassion, and unity.
1 Peter 1:22-23, Mark 12:31

ARTICLE III - STATEMENT OF FAITH

The Evangelical Free Church of America is an association of autonomous churches united around these theological convictions:

God

1. We believe in one God, Creator of all things, holy, infinitely perfect, and eternally existing in a loving unity of three equally divine Persons: the Father, the Son and the Holy Spirit. Having limitless knowledge and sovereign power, God has graciously purposed from eternity to redeem a people for Himself and to make all things new for His own glory.

The Bible

2. We believe that God has spoken in the Scriptures, both Old and New Testaments, through the words of human authors. As the verbally inspired Word of God, the Bible is without error in the original writings, the complete revelation of His will for salvation, and the ultimate authority by which every realm of human knowledge and endeavor should be judged. Therefore, it is to be believed in all that it teaches, obeyed in all that it requires, and trusted in all that it promises.

The Human Condition

3. We believe that God created Adam and Eve in His image, but they sinned when tempted by Satan. In union with Adam, human beings are sinners by nature and by choice, alienated from God, and under His wrath. Only through God's saving work in Jesus Christ can we be rescued, reconciled and renewed.

Jesus Christ

4. We believe that Jesus Christ is God incarnate, fully God and fully man, one Person in two natures. Jesus—Israel's promised Messiah—was conceived through the Holy Spirit and born of the virgin Mary. He lived a sinless life, was crucified under Pontius Pilate, arose bodily from the dead, ascended into heaven and sits at the right hand of God the Father as our High Priest and Advocate.

The Work of Christ

5. We believe that Jesus Christ, as our representative and substitute, shed His blood on the cross as the perfect, all-sufficient sacrifice for our sins. His atoning death and victorious resurrection constitute the only ground for salvation.

The Holy Spirit

6. We believe that the Holy Spirit, in all that He does, glorifies the Lord Jesus Christ. He convicts the world of its guilt. He regenerates sinners, and in Him they are baptized into union with Christ and adopted as heirs in the family of God. He also indwells, illuminates, guides, equips and empowers believers for Christ-like living and service.

The Church

7. We believe that the true church comprises all who have been justified by God's grace through faith alone in Christ alone. They are united by the Holy Spirit in the body of Christ, of which He is the Head. The true church is manifest in local churches, whose membership should be composed only of believers. The Lord Jesus mandated two ordinances, baptism and the Lord's Supper, which visibly and tangibly express the gospel. Though they are not the means of salvation, when celebrated by the church in genuine faith, these ordinances confirm and nourish the believer.

Christian Living

8. We believe that God's justifying grace must not be separated from His sanctifying power and purpose. God commands us to love Him supremely and others sacrificially, and to live out our faith with care for one another, compassion toward the poor and justice for the oppressed. With God's Word, the Spirit's power, and fervent prayer in Christ's name, we are to combat the spiritual forces of evil. In obedience to Christ's commission, we are to make disciples among all people, always bearing witness to the gospel in word and deed.

Christ's Return

9. We believe in the personal, bodily and premillennial return of our Lord Jesus Christ. The coming of Christ, at a time known only to God, demands constant expectancy and, as our blessed hope, motivates the believer to godly living, sacrificial service and energetic mission.

Response and Eternal Destiny

10. We believe that God commands everyone everywhere to believe the gospel by turning to Him in repentance and receiving the Lord Jesus Christ. We believe that God will raise the dead bodily and judge the world, assigning the unbeliever to condemnation and eternal conscious punishment and the believer to eternal blessedness and joy with the Lord in the new heaven and the new earth, to the praise of His glorious grace. Amen.

ARTICLE IV - MEMBERSHIP

Section 1 - Application for Membership

1. This church shall receive as members only those who have by faith accepted Jesus Christ as their Lord and Savior and who by their lives manifest a born-again experience.

2. No person shall be excluded from membership because of sex, race, national or ethnic origin or color. Rather, the Elder Team shall examine all applicants for membership to determine if they are members of the Body of Christ, and to determine if they sincerely support the purpose of this local church as stated in Article II. If the Elder Team, in its sole discretion, determines that the moral and spiritual character of an individual would not support the stated purpose of this local church, then his/her application for membership shall be rejected.

3. Any person who qualifies per above and desires membership shall receive and complete a church covenant and return same to a Pastor or other Elder member. In addition, he/she must disclose and preclude disagreement with any of, and have a willingness to live in harmony with, all ten articles of the EFCA Statement of Faith and abide by the Articles of Incorporation, Bylaws and Policies of this church.

4. This person shall be required to share his or her personal testimony of faith in Christ with selected Elder Team members or those whom the Elder Team designates (two or more).

5. When the Elder Team is confident of the applicant's faith in Christ, assurance of salvation, desire to live the Christian life, and willingness to submit to the fellowship and discipline of this local Body, the Elder Team shall then post the names of the candidates publicly for two weeks. Any member of the church objecting must give to an Elder in writing a just cause in accordance with the Word of God and the Articles of Incorporation of this church why this candidate should not be accepted. Taking these objections into consideration, the Elder Team shall then vote on acceptance of these candidates into the membership of the church.

6. Those who are admitted to membership in the church shall be formally presented and given the right hand of fellowship at a service the following Sunday or as soon as can be arranged.

7. Pastors and their wives automatically become members with full voting privileges on receipt and acceptance of a call from the church.

Section 2 - Membership Roll

1. The membership roll shall be supervised by the Elder Team.
2. If any member should be absent from the church services for a period of six months, without communicating with the same, the elders shall endeavor to contact such member and unless he/she has an acceptable reason, the name of said member shall be removed from the roll and notified of this action.
3. The membership roll shall be reviewed by the Elder Team or those selected by that Team at least once each six months to determine if the needs of any members have been neglected, or if any name should be removed from the roll.

Section 3 - Discipline

1. If any member of the church is found to be living or teaching contrary to the Word of God and the Statement of Faith of this church, he/she shall be counseled in love by the Pastor or by the Elder Team. If efforts to bring repentance and restoration fail, then the Elder Team will follow the procedures outlined in the following passages of Scripture: Matthew 18:15-18; I Corinthians 5; II Corinthians 2:5-11; Galatians 6:1-2.
2. No accusation shall be considered by the church against any Elder or member unless presented in writing and supported by at least two witnesses. I Timothy 5:19.
3. Any member who has withdrawn or has been dismissed has no right or claim upon the church property, real or personal.

Section 4 - Junior Members

1. Candidates under the age of sixteen shall be received as junior members if they meet the requirements for membership.
2. A junior member may not make motions or vote but is encouraged to take part in the discussion of business.
3. Upon reaching the age of sixteen, a junior member may apply to receive the full rights and privileges of an adult member.

ARTICLE V - RELATIONSHIPS

Section 1 - Local Autonomy

This church is independent and free so far as relates to its internal organization and the regulation of its own affairs. It is in subjection to no ecclesiastical body, except by its own consent. It controls the admission, discipline and removal of its members according to its own understanding of the Word of God.

Section 2 - Denomination

Realizing the necessity and advantage of united effort, and being in general accord with the aim and scope of the Evangelical Free Church of America, this church, by vote of the congregation, has applied for and has been accepted for membership in such, and endeavors to cooperate with the Evangelical Free Church at large and its various functions that prove in accord with its purpose. We will actively participate in the Rocky Mountain District Ministry by attending the Annual District Conference, encouraging our pastoral staff to be involved in the monthly district area fellowship, and we will contribute 2% of our general income to the Rocky Mountain District general fund and the Rocky Mountain District church planting efforts for a total of 4%. In order to maintain its membership in the Evangelical Free Church of America, this church understands that: (1) Its Statement of Faith must be verbatim that of the EFCA and RMD, (2) Its Articles of Incorporation and Bylaws must conform to the policies and practices of the EFCA and RMD, and (3) Individuals applying for membership in this church must preclude disagreement with any of, and willingness to live in harmony with, all ten articles in the EFCA Statement of Faith.

ARTICLE VI - PROPERTY RIGHTS

1. This church shall have the power to buy, own, and sell property in its corporate name.
2. Conveyance or encumbrance of all or any church property may be made, provided, however, that any such action must receive at least a two-thirds majority affirmation of the membership of the church present at a meeting duly called pursuant to Article VII of the Articles of Incorporation of this church. Instruments of conveyance or encumbrance so authorized at any such meeting shall be executed in the name of the church by the President and Secretary of the church.
3. In the event of disagreement and division in the church membership (which God forbids), the church name and all church property shall be retained by those members remaining and adhering to the Articles of Incorporation and Bylaws.

4. In the event the church ceases to function or should the corporation be dissolved, the right, title, and interest in and to all of the real and personal property of the church shall accrue to the benefit of, and be vested in the Rocky Mountain District of the Evangelical Free Church of America or the successor to said Church Body, provided, however, that the Rocky Mountain District of the Evangelical Free Church of America or its successor organization shall at the time of designation, be exempt under Section 501 (c) (3) of the Internal Revenue Code of 1954, as amended, or under such successor provision of the Code as may then be in effect. If the Rocky Mountain District of the Evangelical Free Church of America is not so exempt from federal income tax at the time of dissolution of the church, then all of the real and personal property of the church shall be distributed to the Evangelical Free Church of America.

ARTICLE VII

Amendments, additions or changes to these Articles of Incorporation may be made at any business session of the church when said proposed amendments, additions or changes have been presented in written form and discussed at a previous regular or special meeting for discussion. If affirmation cannot be reached on the proposed changes, a three fourths majority is necessary for ratification. Articles III, V, VI and VII cannot be amended or changed.

By Laws

Section 1 - Statement of Government

1. Ultimate authority in the church shall reside in the membership of the congregation. They shall annually approve Biblically qualified Lay Elders. The Elder Team shall carry on the routine operation and government of the church as delegated by the congregational meetings.
2. The Elder Team will elect from its members the following officers each year: A President who shall be the Moderator of the church and Elder Team; a Vice President who shall be Vice Moderator of the church and Elder Team; and a Secretary for the congregation and Elder Team. These men shall serve as the corporate officers/trustees of the church.
3. The Elder Team shall appoint ministry teams and personnel needed to effectively and efficiently carry out the purpose of this church.

Section 2 - Elders

1. Qualifications

The Elders shall be members of this church who are mature, godly men, who fully support

the Bible and the Statement of Faith of this church and its Articles of Incorporation, Bylaws and Policies and who manifest the qualifications stipulated by the Scriptures (I Timothy 3:1-7; Titus 1:5-9). In case of question as to whether any man meets these requirements, the Elder Team may rule, subject to review by the congregation at the request of any member, or the congregation may rule directly.

2. Selection

A. It is the Holy Spirit who must select men for leadership. Only He knows the hearts and motives of men. His choices, however, must be expressed through human agency. Acts 6

B. Selection will be made on the basis of spiritual qualifications, leadership qualifications, and commitment to this church and to the Evangelical Free Church of America.

C. Prior to the Annual Business Meeting of the congregation, and at other times when new or additional Elders are needed, the Elder Team will ask the members of the congregation for suggestions of men who, in their estimation meet the qualifications of an Elder. Then an Elder sub-committee shall prayerfully evaluate and screen the suggestions according to the qualifications of an elder. They will then recommend potential Elders to the Elder Team. The Elder Team will prayerfully select from among these men all those who meet the qualifications of an Elder. The result of a nominee's evaluation shall be privately shared with him by the Elder Team. The Elder Team will submit their selections to the congregation for affirmation at any duly called business meeting.

3. Term of Service

A. Each Lay Elder shall be affirmed by the congregation each year. There shall be no limit to the number of terms an Elder may serve if he serves well and does not disqualify himself.

B. Any Elder who does not fulfill the qualifications or duties of his office, fails to attend three consecutive Elder Team meetings without good reason or does not regularly attend the stated services of the church shall, after notice and attempt to restore said member, be dismissed from the Elder Team.

4. Evaluation, Discipline and Accountability

The Elder Team shall evaluate itself and its members. It shall be a self-disciplining Team according to Matthew 18:15-20; II Thessalonians 3:14-15; I Timothy 5:19-20. However, the Elders are directly accountable to the Lord of the Church, Jesus Christ, for all their actions and decisions (Hebrews 13:17). They are also accountable to the congregation.

5. Function

The Elders will have essentially a three-fold function: (1) To build and develop their own families in the Lord (I Timothy 3:4-5); (2) To feed, shepherd and pray for the flock of God (John 21:15-17; Acts 10:17-32; Acts 6:1-4). This involves positive impartation of truth, refutation of error, praying and counseling with the Word for members and associates of the church, administration of discipline; and (3) To oversee and manage the entire ministry of this local Body (Acts 6:1-6; Acts 20:28; I Peter 5:2-3). This involves assessing the needs of the entire body, planning, evaluating, identifying those to assist in various areas of responsibility and empowering them to set policy and program in their various areas of ministry while holding the ministry teams and programs to the stated values of the church.

6. Basis of Authority

The basis of authority for all the deliberations and activities of the Elder Team shall be Scripture.

7. Decision Making Process

The Elder Team shall approach decisions in prayerful dependence upon the Holy Spirit. They shall earnestly seek to reach a unanimous decision without coercion. (As a last resort, the Elder Team shall take a vote to reach a decision with a three-quarter majority).

8. Quorum for Elder Team Meetings

A quorum for an Elder Team meeting shall consist of a three-fourths majority of the members of that team.

9. Organization

The Elder Team shall be self-organizing. That is, the various functions and areas of responsibility of the Elder Team shall be delegated among the Elder Team members on an annual basis. A Moderator of the Elder Team, other than a Pastor, shall be selected each year by the Elder Team. He shall call meetings and preside over both Elder and Congregational Business Meetings.

SECTION 3 - TEAMS

1. Adequate ministry teams and personnel shall be identified and maintained by the Elder Team as needed for effective and efficient service in the church.

2. The Team Leader of each respective ministry team shall be affirmed by the Congregation, and must be a member of the church.

SECTION 4 - AUXILIARY ORGANIZATIONS

Auxiliary organizations are those which are related to a national or district organization within the Evangelical Free Church of America. These local organizations are encouraged to function within the framework and principles of both the national or district organizations and the local church's Articles of Incorporation and Bylaws.

SECTION 5 - BUSINESS MEETINGS

1 - Scheduled Meetings

The congregation as a whole shall have at least one scheduled business meeting during the year. This will be the Annual Meeting held during the month of January on a date set by the Elder Team.

2 - Special Meetings

1. Special congregational business meetings may be called at any time by the Elder Team or by a written request by ten or more church members presented to the Moderator of the Elder Team.

2. These meetings, along with the stated purpose of the meeting, shall be announced publicly on two consecutive Sundays at the morning worship services or by written notice to the members and public announcement on one Sunday at the morning worship services.

3 - Voting Rights

Members sixteen years of age or older shall be eligible to vote.

4 - Fiscal Year

The fiscal year shall begin January 1st and end the following December 31st.

5 - Decisions

We will as a congregation operate under an affirmation of approval of all issues brought before the congregation through or by the Elder Team.

For issues such as the approval of an Elder each dissenting voter must be identified so that the Elder Team can investigate the objection(s) and determine the validity of the objection(s) and then report back to the congregation whether or not the Elder has been affirmed.

On issues of budget, property, etc., consensus of the congregation will be requested after an explanation of the policy or issue has been offered. Each issue may be amended by motion and vote during the meeting before affirmation is acted upon. If there are objections to the final proposal each dissenting person's concern will be investigated as to validity and the Elders will make a final determination as to whether the concern has enough merit to declare a lack of affirmation. However, if there is not an 80% affirmation of the members present on any given issue, the issue will be considered to be not confirmed by the congregation.

6 - Quorums

The voting members attending any business meeting which has been properly announced shall constitute a quorum to conduct business.

SECTION 6 - PASTORS

1 - The Calling of a Pastor

1. The Elder Team shall recommend qualified persons to the congregation for a Pastoral Search Team. Nominations may be made from the floor. The congregation shall affirm a Pastoral Search Team to secure suitable candidates for Seniors Pastor and other Pastoral positions. Counsel in regard to procedure and possible candidates is available through the Rocky Mountain Evangelical Free Church District Superintendent.

2. Candidates shall be presented to the congregation one at a time and shall be members of or willing and qualified to become members as soon as possible of the Ministerial Association of the Evangelical Free Church of America which requires a credential with the Evangelical Free Church of America.

3. The candidate shall have opportunity to preach at a church service(s) as the Elder Team may direct, and be interviewed by that Team. Candidates for Associate Pastor or other ministry staff positions may or may not be asked to preach but shall be given adequate opportunities to become acquainted with the congregation.

4. Once the Elder Team determines it has a man to recommend as a candidate for a call, the congregation shall be convened for a special business meeting. The recommendation should be presented with all the reasons for suggesting him as candidate. The congregation shall then be asked for affirmation to extend a call to the candidate. If he receives a three-fourths majority affirmation of the members present, the call shall be extended. If not, the matter goes back to the Elder Team and Pastoral Search Team for the presentation of new recommendations. No candidate may be presented to the congregation for an affirmation the second time until at least two other candidates have been considered and the congregation has acted upon them. Each

candidate shall be considered separately following his meeting with the Elder Team and the church.

5. The Elder Team shall notify the Pastor-elect of the action of the church immediately and upon his affirmative reply, make arrangements for his moving and installation.

2 - Termination of Office

1. A Pastor shall serve an unlimited term of service unless other arrangements are made at the time the call is accepted.

2. The relation between a Pastor and the church may be dissolved at the option of either, by the giving of a one month notice, or by mutual consent.

3. If a Pastor should radically depart from the Word of God in his conduct or in doctrine as contained in the Statement of Faith of the church, or demonstrate proven ineffectiveness in ministry, the Elders shall admonish him in love, and should this not have the desired result, said pastor shall be discharged by action of the church.

4. A Pastor may be discharged from his term of office by the church subject to the following conditions:

A. A Pastor may only be dismissed by the congregation at a properly called business meeting called specifically for that purpose.

B. After hearing the reasons for his recommended dismissal, a Pastor shall be accorded the right of stating his position before the congregation. He (and his family) shall absent himself at the time of final consideration/affirmation.

C. A ballot affirmation of simple majority of the members present shall make valid termination of the term of office of a Pastor.

3 - The Duties of the Senior Pastor

1. He shall perform all of the Scriptural duties of this office, and under the guidance of the Holy Spirit, have freedom of the pulpit. These shall include leading and preaching at the stated services of the church, overseeing the entire ministry of the church, administering the ordinances of the church, caring for the spiritual welfare of the members of the church and discipling and equipping lay people to serve in various ministries of the church.

2. He shall be a nonvoting member of the Elder Team, and an ex-officio member of all ministry teams, auxiliary bodies, and all other organizations of the church.

3. He shall hire fire and supervise all church staff in consultation with the Elder Team.
4. He shall not qualify for any elected office or appointed office on the Elder Team nor can he serve as the Church Moderator.
5. He shall also perform such other duties in connection with the work of the church as shall be delegated to and accepted by him.
6. He shall abide by the Word of God in his life, teaching and preaching, taking great care in all his conduct so as to be esteemed a man of respect in the congregation and community.

4 - The Duties of an Associate Pastor

1. He shall perform such duties in connection with the work of the church as prescribed by the Senior Pastor with the approval of the Elder Team and affirmed by the congregation.
2. He shall abide by the Word of God in his life, teaching and preaching, taking great care in all his conduct so as to be esteemed a man of respect in the congregation and community.

SECTION 7 – POLICY AND PROCEDURES

1. The Elder Team shall maintain a current policy manual which shall include policies, procedures, job descriptions, and all pertinent information and instructions for efficiency in the day-by-day operation of the church and church property.
2. The basis for all policy shall be the Holy Scripture. We believe in the separation of Church and State and will follow Holy Scripture where the Holy Scripture and the law differentiate.
3. The information contained in this manual may be amended or changed by the Elder Team as needed or at a congregational meeting. This manual shall be available to the congregation upon request.

SECTION 8 - AMENDMENTS AND PROVISIONS FOR BY-LAWS

Amendments, additions or changes to these Bylaws may be made at any business session of the church by a three-fourths majority affirmation when said proposed amendments, additions or changes have been presented in written form and discussed at a previous regular or special meeting for discussion.