

**ROCKAWAY BEACH
BAPTIST CHURCH, Inc.**

Constitution & Bylaws

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Rockaway Beach Baptist Church, Inc.

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Constitution & By-Laws Of Rockaway Beach Baptist Church, Inc.

PREAMBLE

So that all practices of Rockaway Beach Baptist Church, Inc. may be done decently and in order and in accordance with the accepted tenets of our faith, we the members of this Church establish, declare, and adopt the following Constitution and Bylaws to which we voluntarily submit ourselves to be governed thereby.

ARTICLE 1

NAME, LOCATION, AFFILIATION

Section 1- Name: This congregation of believers shall be known as the Rockaway Beach Baptist Church, Inc. (hereinafter referred to as “Church”). The Church is and shall be understood to include all related, extension, and auxiliary ministries.

Section 2- Location: It is a New York Nonprofit Religious Corporation with the principal offices in Queens, New York.

Section 3- Affiliation: The Church is autonomous and maintains the right to govern its own affairs, independent of any denominational control. Recognizing, however, the benefits of cooperation with other churches in world missions and otherwise, this Church may voluntarily affiliate with any churches (Christian Churches and ministries) of like precious faith.

ARTICLE 2

PURPOSE

Section 2.01 Ministry Activities. Rockaway Beach Baptist Church, Inc. is a congregation organized as a church exclusively for charitable, religious, and educational purposes within the meaning of Section 501 (c) (3) of the Internal Revenue Code of 1986 (or the corresponding provision of any future United States Revenue Law), including, but not limited to, for such exempt purposes as the establishing and maintaining places of religious worship, the building, maintaining, and operating of churches, parsonages, secondary schools and colleges, chapels, radio stations, television stations, rescue missions, print shops, daycare centers (nurseries), camps, retreat centers, assisted living and retirement centers, orphan homes and any other ministry that the Church may be led of God to establish in order to fulfill the Great Commission as stated in Mathew 28:18 - 20, and to exercise all other powers conferred upon it by its charter or by the applicable nonprofit corporation law of the state of Florida: and all in accordance with

its bylaws as the same may be hereinafter amended.

2.02 Specific Activities. Rockaway Beach Baptist Church, Inc. exists to glorify God by carrying out two primary functions:

- a. **Evangelism:** To fulfill part one of our Savior's Great Commission to the Church to make disciples (Christ-followers) in our community, country, and in the nations abroad (Matthew 28:19-20; Mark 16:15; Acts 1:8). This is why our Church exists in the world. This involves reaching unsaved people for Christ through weekly loving outreach visitation and by building relationships with them at home, work, and at play.
- b. **Edification:** To fulfill part two of our Savior's Great Commission to the Church to teach Christ-followers so they as individuals, and the Church as a whole, will grow to full maturity in Christ, will honor and glorify God, will become a community of believers, and will become a dynamic witness in the world. This involves baptizing people after they have trusted Christ and adding them to the Church membership, teaching people how to become functioning followers of Christ through practical teaching and preaching of the Word of God, and connecting or assimilating members of the Church in a meaningful way to a small group (such as a Sunday school class) which will provide fellowship and build Biblical community in our Church.

2.03 Other Legal Activities. The Corporation's purposes also include the limited participation of the Corporation in any other legal activities, including taxable activities, but only to the extent, the activities would be permitted by a tax-exempt organization.

2.03 Ordination Activities. The Church shall also ordain, license and/or commission men to the Gospel ministry; evangelize the unsaved by the proclaiming of the gospel of the Lord Jesus Christ; educate believers in a manner consistent with the requirements of Holy Scriptures, both in Sunday and weekday schools in the United States and any foreign country; and engage in any other ministry that the Church may decide to pursue from time to time in obedience to the will of God.

2.04 Other Religious Activities. This Corporation is also organized to promote, encourage, and foster any other similar religious, charitable and educational activities; to accept, hold, invest, reinvest and administer any gifts, legacies, bequests, devises, funds and property of any sort or nature, and to use, expend, or donate the income or principal thereof for, and to devote the same to, the foregoing purposes of the Corporation; and to do any and all lawful acts and things which may be necessary, useful, suitable, or proper for the furtherance of accomplishment of the purposes of this Corporation.

ARTICLE 3 STATEMENT OF FAITH

Section 1- STATEMENT OF FAITH:

(A) The Holy Scriptures:

We believe that the Holy Bible is the verbally (every word) and plenary (complete) inspired Word of God as contained in the original manuscripts; that it is truth without any admixture of error for its matter; and is and therefore shall remain to the end of the age the only complete and final revelation of the will of God to man; the true center of Christian union and the supreme standard by which all human conduct, creeds, and opinions should be tried. By the "Holy Bible" we mean the Canon, that collection of sixty-six books from Genesis to Revelation, which, as originally written, does not only contain and convey the Word of God but is the very Word of God. By "inspiration" we mean that the books of Bible were written by holy men of old as they were moved by the Holy Spirit of God in such a definite way that their writings were supernaturally and verbally inspired (2 Timothy 3:16-17; 2 Peter 1:20-21). We also believe that the King James version of the Bible is divinely preserved Word of God for the English-speaking people (Psalm 12:6-7). Because of its accuracy, majesty, time-proven reliability, and widespread familiarity, it has enjoyed a miraculous manifestation of God's approval all during its history and use. Furthermore, the King James Version of the Bible will be the only version that is used for all teaching and preaching.

(B) THE TRUE GOD:

We believe that there is one, and only one, living and true God, an infinite, intelligent Spirit, the Maker and Supreme Ruler of Heaven and Earth (Genesis 1:1; Psalm 90); that He is inexpressibly glorious in holiness and worthy of all possible honor, confidence, and love; that in the unity of the Godhead (the Trinity), there are three Persons, the Father, the Son, and the Holy Spirit, being equal in their nature, attributes, and perfections and executing distinct but harmonious offices in the great work of redemption and in the accomplishments of His eternal plan and purpose (1 John 5:6-12).

1. God the Father:

We believe that God the Father is the first Person of the Godhead (Trinity); that He is the initiator of the salvation of mankind, sending His only Son to die as a perfect sinless sacrifice for the sins of mankind (John 3:16); and that all who repent of their sin and receive His Son, our Savior, Jesus Christ, as

their personal Lord and Savior by faith, will be reconciled back to God the Father, will have the once broken relationship restored, and will be the recipients of eternal life forever with God. Also, in following the perfect example of our Savior Jesus Christ, believers are to pray to God the Father who hears and answers the prayer of His people (Matthew 6:5-15; Luke 11:1-9).

2. God the Son:

We believe in the essential deity and the virgin birth of our Lord Jesus Christ; that He is eternal with the Father, was begotten of the Holy Spirit, and in miraculous manner; that He was born of Mary, a virgin, as no other person was ever born of a woman, and that He is both the Son of God and God the Son (John 1:1-2). He is both true man, one person with two natures, tempted in all points like as we are, yet without sin. We believe that His death was a substitutionary death for the appeasement of His Father, and for the sins of the whole world. WE believe in His bodily resurrection, ascension, and pre-tribulation, pre-millennial return (John 3:16; Philippians 2:6-7; Luke 1:26-35; 2 Corinthians 5:21; 1 John 2:2; 1 Corinthians 15:3-4; 1 Thessalonians 4:13-18; Revelation 20:1-10).

3. God the Holy Spirit:

We believe that the Holy Spirit is a divine person; eternal and equal with God the Father and God the Son and of the same essence (Isaiah 48:16-17; I John 5:7); that He was active in the creation (Genesis 1:2; Job 33:4); that in the unbelieving world He restrains evil, and the evil one, until God's purpose is fulfilled; that He convicts of sin, of judgment and of righteousness; that He bears witness of the truth of the Gospel in preaching and testimony; that He is the agent in the new birth; that He seals, empowers, guides, teaches, bears witness with, sanctifies, and helps the believer (John 14:17; Romans 8:14-27; 1 Corinthians 12:13; Ephesians 3:16). Furthermore, we believe that the gifts of tongues, miracles, and healings (1 Corinthians 12-14) were temporary spiritual gifts granted by the Holy Spirit for use in the early church as signs to the Jews, giving the Apostles credibility and authenticity. We believe according to Scripture that these gifts are no longer in use, and any such related practices will not be pursued nor tolerated in the church. Using Acts 1:8 and Galatians 5:22 as our criteria for evaluation, we believe that the evidence of the fullness of the Holy Spirit in the life of the believer is boldness to witness for our Lord and Savior Jesus Christ.

(C) The Creation:

We believe the Genesis account of creation is to be accepted literally and not allegorically or figuratively (Genesis 1); that the creation was accomplished in six (6), twenty-four (24) hour days (Genesis 1:5,8,13,19,23,31; 2:2; Exodus 20:11); that man was created directly in God's own image and after His own likeness (Genesis 1:26,27); that man's creation was not a matter of evolution or evolutionary change of species or development through interminable periods of time from lower to higher forms; that all animal and vegetable life were made directly by God, and God's established law was that they should bring forth only "after their kind." We deny any form of atheistic or theistic evolution (Romans 1:19, 20).

(D) The Fall of Man:

We believe that God created man (Adam) in innocence and in His own image, and by voluntary transgression, he sinned against God and fell from his sinless and happy state of perfection (Genesis 3), in consequence of which, all mankind (those born after Adam) are now sinners, totally depraved, and therefore under just condemnation without defense or excuse and are guilty before God (Romans 5:12; Psalm 51:5; Romans 3).

(E) The Doctrine of Salvation:

We believe that the salvation of sinners (all mankind) is wholly of grace through the mediatorial offices (work) of the Son of God who by the appointment of the Father freely took upon Him our nature, yet without sin and honored the divine law by His personal obedience and by His death made a full and vicarious atonement for our sins; that His atonement was not merely an example but was the voluntary substitution (propitiation) enthroned in Heaven and is uniting in His wonderful person the tenderest sympathies with divine perfection. He is in every way qualified to be a suitable, a compassionate, and an all-sufficient Saviour (Hebrews 2:9; II Corinthians 5:21; Hebrews 10:4-14; I John 2:2).

We believe that salvation, the gift of eternal life, is divinely initiated, is instantaneous, and not a process. It is wholly apart from works and is upon the sole condition of faith in the Lord Jesus Christ and never without genuine repentance. We believe that repentance and faith are solemn obligations and also inseparable graces wrought in our souls by the quickening Spirit of God; thereby, being deeply convinced of the way of salvation through Jesus Christ, we turn to God with unfeigned contrition, confession, and supplication for mercy; at the same time, we heartily receive the Lord Jesus Christ and openly confess Him as our only and all-sufficient Saviour. In order to be saved, the sinner must be born

again, personally receiving Christ as Savior, being regenerated by the power of the Holy Spirit through faith in God's Word and becoming the recipient of a new nature. The great Gospel blessing which Christ secures to such as believe in Him is justification, that judicial act of God accompanied by the pardon of sin and the imputation of divine righteousness, not because of any works of righteousness on our part, but solely through faith in the Redeemer's blood. The believer who has exercised personal faith in the Lord Jesus Christ is completely justified and in possession of eternal life, which is eternally secure (Jeremiah 8:6; John 1:11-12; 3:3-6, 16; 10:28-29; Acts 17:30; 26:30;; Acts 13:39; Romans 2:4; 2 Corinthians 7:9-10; Ephesians 2:8-10; 1 Timothy 2:5-6; Hebrews 4:2; 1 Peter 1:18-23; 2 Peter 1:4).

(F) The Eternal Security and Assurance of Believers:

We believe that all the redeemed, once saved, are kept by God's power and are thus eternally secure in Christ forever (John 6:37-40; 10:27-30; Romans 8:1, 38-39; 1 Corinthians 1:4-8). We also believe that it is the privilege of believers to rejoice in the assurance of their salvation through the testimony of God's Word, which, however clearly forbids the use of Christian liberty as an occasion to live a life of sin (Romans 13:13-14; Galatians 5:1; Titus 2:11-15).

(G) The Church:

We believe that a New Testament church consists of an assembly of believers, who have been baptized by immersion, who have united together for the express purpose of fulfilling the "Great Commission" which consists of worship, evangelism, edification, fellowship, discipleship, and instruction. We believe that the officers of the Church are ordained pastors and deacons, whose qualifications, claims, and duties are clearly defined in the Scriptures (1 Timothy 3:1-13; Titus 1:6-9). We believe that the Church observes two ordinances: baptism, and the Lord's Supper (communion), and that they have no saving power.

We hold that the local church has the absolute right of self government, free from the interference of any hierarchy of individuals or organizations; and that Christ is the Head of the church and superintends over the work of the local church through the Holy Spirit (Ephesians 1:19-23); that it is scriptural for the true churches to cooperate with each other in contending for the faith and for the furtherance of the Gospel (Jude 3); that every church is the sole and only judge of the measure and method of its cooperation on all matters of membership, of policy, of government, of discipline, of benevolence, and that the will of the local Church is final (Matt 18:15-20; Acts 5:29; 1 Corinthians 6:1-8). We are opposed to the ecumenical movement, neo-orthodoxy, new evangelicalism, liberalism, and modernism that

emphasizes an unequal yoke with unbelievers, experience over Biblical truth, higher criticism that weakens innerancy of the scriptures, social application of the gospel, and any other beliefs which abandon the historic fundamentals of the Christian faith in an attempt to accommodate biblical Christianity and make it more acceptable to the modern mind.

(H) The Righteous and the Wicked:

We believe that there is a radical and essential difference between the righteous and the wicked; that such only as through faith are justified in the name of the Lord Jesus and sanctified by the Spirit of our God are truly righteous in His esteem (Romans 8:1-10); all such as continue in impenitence and unbelief are in His sight wicked and under the curse (Romans 3:19-23), and this distinction holds among men both in life and after death in the everlasting conscious blessedness of the saved and the everlasting conscious punishment of the lost (Rev 20:11-15).

(I) Baptism and the Lord's Supper:

We believe that New Testament baptism is the immersion in water of a born-again believer in the name of the Father, of the Son, and of the Holy Ghost, with the authority and approval of the local church to show forth in a solemn and beautiful emblem our faith in the crucified, buried, and risen Savior, as it pictures our death to sin and resurrection to a new life (Matt 28:19,20); that it is pre-requisite to the privileges of church membership and to the observing of the Lord's Supper.

We believe the Lord's Supper should always be preceded by solemn self-examination and that the sacred use of unleavened bread and the fruit of the vine are to commemorate together the dying love of Christ until He returns (Matt 26:26-29; I Corinthians 11:30). The prerequisites to participation in the Lord's Supper are those laid down by Christ and his apostles as a church ordinance that include (1) Salvation (I Corinthians 11:27-29), (2) Baptism (Matthew 28:19-20; Acts 2:41, 46), (3) Church membership (Acts 2:46-47; I Corinthians 11:18, 22), and (4) an orderly walk (I Corinthians 11:27-29). A disorderly walk designates a course of life in a church member, which is contrary to the precepts of the gospel including immoral conduct, disobedience to the commands of Christ, heresy (teaching false doctrine), and schism or promotion of division and dissension in the church. The New Testament accounts indicate that the Lord's Supper was observed only at regularly appointed meetings of local churches, and thus we believe that scrutiny of qualifications for participation in the Lord's Supper remains with the local church (Luke 22:19, 20; 1 Corinthians 11:23-26).

(J) Civil Government:

We believe that civil government is of divine appointment for the interest and good of human society; that magistrates (leaders of our nations) are to be prayed for (I Tim 2:1-3), conscientiously honored and obeyed except only in things opposed to the will of our Lord Jesus Christ, the only Lord of conscience, coming Prince of the Kings of the earth (Acts 5:29; Romans 13:1-5).

(K) The Doctrine of Last Things:

We believe in the personal, bodily, pretribulational, premillennial, and imminent return of our Lord Jesus Christ for His church. Christ will rapture (catch up) all born again believers in the air to be with Him forever (1 Thessalonians 4:15-17; 1 Corinthians 3:12-14). The unbelievers left behind will go through a seven-year period called the Tribulation, after which Christ shall return visibly to the earth to set up His kingdom of 1,000 years of righteous rule; after this, the unbelievers of all ages will stand at the Great White Throne to be judged and cast into the Lake of Fire, separated from God forever, while the believers spend eternity in the fullness of joy and in the presence of our Lord forever (Revelation 20:11-15).

(L) Missions and Missionaries:

We believe that all men everywhere are lost and condemned and that the command to go and preach the Gospel to the entire world is clear and unmistakable, and that this commission was given to local churches. Following New Testament precedent and example, we believe that all missionary endeavors should be under the ultimate sponsorship of the local congregation, and that no mission board should ever misconstrue its purpose to attempt to hold or to assign authority to itself (Matt 28:19, 20; Acts 13)

(M) The Grace of Giving:

We believe that God's method of financing His earthly work of spreading the Gospel to all nations, the care of the churches, and the support of the ministry is by the tithes and offerings of God's people. We believe that they are to be given to the Lord through His church, or storehouse, and are to be distributed as directed by the leadership of the Holy Spirit as the need arises. We believe that the time to tithe is upon the first day of the week. We also believe that everyone is accountable to the Lord for a minimum standard of giving of one-tenth of one's income, and that offerings are to be given above the tithe as God has prospered the individual (Mal 3:8-10; I Corinthians 16:2).

(N) Satan and the Fallen Angels:

We believe that Satan is real. He is a created being who sinned and became the arch enemy of God and His creation. He is the chief adversary of God's children.

He seeks to keep men from God; and when he cannot succeed in this, he seeks to weaken the testimony and effectiveness of Christians. He has at his command a great host of fallen angels (demons) to carry out his purposes. He is not omnipotent and can be overcome by the power of God. His doom is sealed in the Lake of Fire (Hell) forever and ever (Ezekiel 28:12-19; Isaiah 14:12-14; Revelation 12:10; 20:10).

(O) Human Sexuality:

We believe that God has commanded that no intimate sexual activity should be engaged in outside of marriage between a man and a woman. We believe that any form of homosexuality, lesbianism, bisexuality, trans-sexuality, bestiality, incest, fornication, adultery, and pornography are sinful perversions of God's gift of sex (Genesis 2:24; 19:5,13; 26:8-9; Leviticus 18:1-30; Romans 1:26-29; I Corinthians 5:1; 6:9; I Thessalonians 4:1-8; Hebrews 13:4).

(P) Marriage, Divorce, and Remarriage:

We believe that marriage was instituted by God to be a permanent union between a man and a woman, and therefore, we are highly opposed to same sex marriages. We further believe that God hates divorce and intends marriage to last until one of the spouses dies. Although divorced and remarried persons or divorced persons may hold positions of service in the Church and be greatly used of God for Christian service, they may not be considered for the offices of pastor or deacon (Malachi 2:14-17; Mark 10:2-12; Romans 7:1-3; I Timothy 3:2,12; Titus 1:6).

(Q) Abortion and Euthanasia:

We believe that human life begins at conception, and that the unborn child is a living human being. Abortion constitutes the unjustified, unexcused taking of unborn human life. Abortion is murder. We reject any teaching that abortion of pregnancies due to rape, incest, birth defects, gender selection, birth or population control, or the mental well-being of the mother are acceptable (Job 3:16; Psalms 51:5; 139:14-16; Isaiah 44:24; 49:1,5; 20:15-18; Luke 1:44).

We believe that life is sacred and any act of putting to death a person suffering from a distressing disease, illness, or health problem from injury (euthanasia or mercy killing) for his or her own good is virtually an instance of self-deification usurping a right that belongs to God (Psalm 68:20; II Kings 5:7; Job 1:21; 2:6; Hebrews 9:27).

(R) Lawsuits between Believers:

We believe that Christians are prohibited from bringing civil lawsuits against other Christians or the Church to resolve personal disputes. We believe the Church possesses all the resources necessary to resolve personal disputes between members (Article IV, Arbitration of Disputes). We do believe, however, that a Christian may seek compensation for injuries from another Christian's insurance company as long as the claim is pursued without malice or slander (I Corinthians 6:1-8; Ephesians 4:31-32).

Section 2- AUTHORITY OF STATEMENT OF FAITH:

The statement of faith does not exhaust the extent of our faith. The Bible is the sole and final source of all that we believe. We believe that the foregoing Statement of Faith accurately represents the teaching of the Bible, and therefore is binding upon all members and guests who participate or take part in any activity of the Church.

Section 3- COVENANT:

We understand that our testimony as Christians requires our personal commitment to the Lord Jesus Christ and separation from sin. We further realize that as members of this Church, we represent the Lord Jesus Christ as well as this local church. Therefore, we believe that the ultimate priority in life is to know and love the sovereign God, and purpose to glorify Him in all that we do, seeking to build our goals around His priorities, as they are taught and revealed in His word (Psalm 31:23; 119:2; Matthew 6:24-33; 22:34-40; John 4:23; Philippians 3:7-10).

We consider our bodies to be the living temple of God and acknowledge His demand that our bodies be kept clean from sin and that it be daily set apart for His use (Romans 12:1-2; II Corinthians 6:14-18; I Peter 1:14-16). We regard marriage to be a biblical and holy institution and will endeavor to conduct ourselves in such a manner so as to continually strengthen our homes and marriages (if applicable) and the marriages of those around us (Genesis 2:21-25; Proverbs 6:32; Matthew 5:27,28; Hebrews 13:4). We purpose to guard our tongues and keep our words in harmony with the word of God. We further intend to avoid gossip and unkind speech which is neither helpful nor necessary (Psalm 19:14; Proverbs 14:28; Luke 6:45; Ephesians 5:29-32; Philippians 4:8; James 1:19).

We do also endeavor to be faithful to the church of Jesus Christ in the areas of prayer, attendance, service, and scriptural giving, which includes giving weekly cheerfully and regularly at least ten percent (10%) of our weekly incomes (Luke 18:1; Hebrews 10:25; Psalm 100:2; II Corinthians 9:6,7). We aspire to use our lives as a positive, godly testimony to those who do not know Jesus Christ as their personal Savior and purpose to become consistent personal soul winners (Psalm 126:5-6; Proverbs 11:30; Matthew 5:13-16; John 15:8). We respect God-ordained authority in the local church and pledge ourselves to submit and pray for those in authority that they might function according to the principles, standards, and doctrines of God's

word (I Thessalonians 5:12-13; I Timothy 5:17; Hebrews 13:7,17).

We purpose that our activities and conduct will be used as a means of encouragement and growth to other believers, and in no way be used to weaken their biblical convictions and/or hinder their spiritual progress (Proverbs 28:10; Matthew 18:6; Romans 14:13; I Corinthians 8:9-13). We believe the Bible is the inspired, infallible, and inerrant word of God in the English language and that God's word is the final authority for our lives (Psalm 19:7-9; 119:11, 44,128,167; II Timothy 3:16; II Peter 1:20, 21).

We further acknowledge that differences of opinion and/or misunderstandings easily surface under even the best of conditions, and purpose to communicate openly, honestly, and lovingly with those we have offended or those who have offended us, following the principles as given in the word of God regarding such situations (Matthew 18:15-17; Ephesians 4:15; Colossians 4:6). We understand the importance of maintaining a positive testimony for Jesus Christ regarding one's personal appearance and will dress modestly as an expression of inner godliness (Colossians 3:17; I Timothy 2:9, 10; I Peter 3:1-7).

We moreover refuse to defile our minds with sinful and/or questionable literature, music, movies and television programs. We will further abstain from sinful dancing, gambling, oath-bound secret societies and partnerships with unbelievers, the use, possession or distribution of tobacco, alcohol, and non-medicinal narcotic or hallucinogenic drugs, along with all forms of sexual immorality (Psalm 101:3; Proverbs 19:27, 20:1; Habakkuk 2:15; Romans 12:21, 14:8; I Corinthians 10:31; II Corinthians 5:17; Colossians 3:17; I Thessalonians 5:22; James 4:4).

BYLAWS

These Bylaws (these "Bylaws") govern the affairs of Rockaway Beach Baptist Church, Inc., a New York Nonprofit Corporation (the "Church"). The church is organized under the New York Non Profit Religious Corporation Law.

ARTICLE 4 MEMBERSHIP

Section 1- QUALIFICATIONS FOR MEMBERSHIP:

The members of the Church will be those who have confessed Jesus Christ as their personal Savior, and who have been scripturally baptized by immersion after their profession of faith in Jesus Christ, and who have been received into the membership of the Church by a majority of the qualified voting members present (those who regularly attend the services of the Church and conduct themselves in compliance with Article 4, Section 3 of the Bylaws as determined by the

Pastor and/or Deacons and any amendments thereto) and with any one of the following conditions:

(A) Profession.

- a. By profession of faith in Jesus Christ as Savior and baptism by immersion

(B) Letter.

- a. By transfer of letter from another Bible-believing church of like faith and practice.

(C) Statement.

- a. By statement of faith and baptism by immersion in a church of like faith and practice.

Section 2- PROCEDURES FOR MEMBERSHIP:

(A) All requests for membership will be made to a Pastor, a Deacon, or another leader designated by the Pastor.

(B) Upon making a request for membership, the person will be given a membership packet consisting of a questionnaire, a letter of explanation, and a copy of the Church's Constitution and Bylaws.

(C) The applicant(s) will meet with the Pastor, a Deacon, or other person(s) designated by the Pastor (membership committee), and will give a testimony of their salvation in Christ and will indicate agreement with and adherence to the Church Constitution and Bylaws and leadership of the church.

(D) During a church service, applicants will present themselves to be publicly received by the congregation.

Section 3- DUTIES OF MEMBERS:

Upon becoming a member of this Church, in addition to following the covenant contained in Article 3, Section 3 of the Constitution and any amendments thereto, each one further covenants to honor, esteem, and pray for the Pastor, and to recognize his authority given him by God in spiritual affairs of the Church; to have a Christ-like love for all members of the Church; to support the Church in prayer; to weekly attend services unless providentially hindered; to regularly remit tithes, offerings, and other financial support as the Lord enables; and, in

accordance with Biblical commands, to live a lifestyle consistent with the beliefs and practices of the Church according to the Scriptures.

This congregation of called-out believers, organized to carry out the Lord's work, functions not as a pure democracy, but as a church body under the Headship of the Lord Jesus Christ and the direction and leadership of the Pastor as the under shepherd. Membership to this Church does not afford individuals with any property, contract, or civil rights based on principles of democratic government. Determination of the internal affairs of the Church are ecclesiastical matters and will be determined exclusively by the Church's own rules and procedures. The Pastor will oversee and/or conduct all aspects of the activity of this Church (Hebrews 13:17). The Deacons shall give counsel and assistance to the Pastor as requested by him (Acts 6:3,4; 1 Timothy 3:8-13). Members may not vote to initiate any church action, but rather, the vote of members is to confirm and ratify the direction of the Church as determined by the Pastor and/or Deacons.

Section 4- TRANSFER OF MEMBERSHIP:

- (A) A letter of transfer from this church to unite with any other church of like faith and order shall be granted upon request from such church. A letter of dismissal from this church shall be granted with regard to members who wish to unite with churches which are not of like faith and order.
- (B) No member may hold membership in another church while being a member of this Church. If any member unites in membership with another church while a member of this Church, that person will be automatically terminated from the membership without notice.

Section 5- DISCIPLINE OF MEMBERS:

(A) GROUNDS:

Discipline is an exercise for which the Church is responsible (Matthew 18:15-20; Luke 17:3; John 20:23; Ephesians 5:11; 1 Timothy 5:20; 2 Timothy 4:2; Hebrews 13:17). The purpose of church discipline is to promote repentance and restoration through exposing sinful, ungodly behavior in a member of the Church. Any member of the Church is subject to church discipline on the basis of unscriptural conduct or doctrinal departure from the Statement of Faith, Polity, Constitution and Bylaws, and any amendments thereto, and/or other rules promulgated by the leadership of the Church.

(B) PROCEDURE:

The Church will follow the disciplinary procedure set forth in Matthew 18:15-18 when dealing with a church member. This section does not involve the disciplining or dealing with employees of the Church regarding employment issues. The Pastor and Deacons will be the standing committee on discipline and may act for the Church and place a member under discipline or exclude a member for church publicly. All alleged offenses must be made in writing to the Pastor or Discipline Committee as appointed by the Pastor for consideration. No member of the Church will have the right to accuse any member of the Church publicly.

The procedure of church discipline consists generally of the following steps:

1. The Pastor or designated member of the Deacon Body will discuss the charges with the member in an effort to resolve the matter privately.
2. If the first step does not resolve the matter, then the member will meet with the Pastor and Deacons in an effort to resolve the matter privately. The decision of the Discipline Committee will be final. A member found guilty may be dismissed from membership depending on the circumstances of each case.

Section 6- MEMBERSHIP STATUS:

Members of the Church shall have the rights, privileges, and responsibilities of membership. Minors who are members have voting privileges automatically at the age of 18.

Section 7- ERASURE OF MEMBERSHIP:

If any member fails to attend at least (6) regular services of Rockaway Beach Baptist Church, Inc., during period of (6) months, the member will be automatically erased from the Church's membership roll. The same policy may apply to a member Rockaway Beach Baptist Church, Inc. who is actively involved in a church elsewhere. Once a member is removed from the Church roll, a former member may regain membership by the method described in Section 1 of this article. The process of erasure should not be viewed as disciplinary action; it is only an effort to be faithful stewards of the members under our care. This policy of erasure will not apply to those elderly, shut-in, or medically ill members Rockaway Beach Baptist Church, Inc. who are physically unable to attend services of the Church. Neither shall this policy of erasure apply to those members in the Armed Forces of the United States serving in a location away from home, college students attending away from home, or full-time Christian workers serving in ministry locally, or who travel in the performance of their ministry.

ARTICLE 5

ARBITRATION OF DISPUTES

Section 1- PURPOSE OF ARBITRATION:

The purpose of arbitration is to avoid civil lawsuits before a court of law inasmuch as the Scriptures require Christians to take their disputes to the saints and not to the civil courts (1 Corinthians 6:1-8). All disputes which may arise (1) between any member of the Church and the Church itself, or (2) between any member of the Church and any pastor, officer, director, employee, volunteer, or other member of the Church, shall be resolved by final and binding arbitration if efforts to mediate or conciliate the dispute have failed (Matthew 18:15-20). This does not prevent any member, pastor, officer, director, employee, or volunteer of the Church from seeking compensation for injuries from another Christian's insurance company as long as the claim is pursued without malice or slander (Ephesians 4:30-31). The arbitration process is not a substitute for any disciplinary process set forth in the Constitution or Bylaws of the Church, and shall in no way affect the authority of the Church to investigate reports of misconduct, conduct hearings, or administer discipline. Any matter not provided for herein shall be governed by the provision of the Uniform Arbitration Act.

Section 2- NOTICE OF ARBITRATION:

Either party to the dispute may initiate the arbitration process by filing with the other party a written request for arbitration within a reasonable time after the dispute has arisen and efforts to mediate or conciliate have failed. In such a case, the member and the Church shall each name an arbitrator, and the two so selected shall name a third.

Section 3- QUALIFICATION OF ARBITRATORS:

All arbitrators must be born-again believers who are members of Rockaway Beach Baptist Church, Inc. or some other church of like faith and doctrine, be legally classified as an adult, have some prior experience or exposure to arbitration, mediation, or conciliation, and further have at least five years of church membership in his/her present church, two of which must have been in a leadership capacity in their respective church. The third arbitrator chosen by the other two shall disclose, before accepting the appointment, any financial or personal interest in the outcome of the arbitration, and any existing or past financial, professional, family, or social relationships which are likely to affect impartiality or which might reasonably create an appearance of partiality or impartiality or which might reasonably create an appearance of partiality or bias. Either of the parties to the arbitration, regardless of the stage of the arbitration process, may, on the basis of such disclosures, disqualify such a person from further participation. The arbitration process shall not proceed until the third arbitrator is selected.

Section 4- PROCEDURES OF ARBITRATION:

The arbitrators shall appoint the time and place for the hearing and cause notification to be

served personally or by registered mail not less than fifteen (15) days before the hearing. Appearance at the hearing waives such notice. The arbitrators may adjourn the hearing from time to time as necessary and, on request, may postpone the hearing to a later date. The arbitrators may hear and determine the controversy upon the evidence produced, notwithstanding the failure of a party duly notified to appear. The parties are entitled to be heard, to present evidence material to the controversy, and to cross-examine witnesses appearing at the hearing. All arbitrators shall conduct the hearing, but a majority of them may determine any question and render a final award. If during the course of the hearing an arbitrator for any reason ceases to act, he/she shall be replaced in the same manner in which he/she was originally selected. The arbitrators may in their absolute discretion admit as evidence any affidavit or declaration concerning the matters in dispute, a copy thereof having been given at least three (3) days previously to the party against whom the same is offered, but the person's evidence so taken shall be subject to cross-examination by such party.

The arbitration procedure is understood to be the sole and exclusive remedy available to the Church, its Pastor, directors, officers, employees, volunteers, or any member. Therefore, all members, including the Pastor, directors, officers, employees, and volunteers waive all rights to litigation of any matter of any kind before any administrative body or court of any kind, except to compel enforcement of this arbitration procedure or any award rendered by the arbitrators.

SECTION 5- POWER OF ARBITRATORS:

The arbitrators shall have the power to order and direct what they shall deem necessary to be done by either of the parties relating to the matters in dispute. Cost of the arbitration shall be determined and assessed by the arbitrators. Any submission of a dispute to arbitration shall not be revoked by the death of any party to the dispute, and award shall be binding upon the parties to such dispute and their heirs and successors.

SECTION 6- DECISION OF ARBITRATORS:

The decision of the arbitrators shall be final and binding on both parties, and both parties submit themselves to the personal jurisdiction of the courts of New York, city, state, and federal, for the entry of a judgment confirming the arbitrators' award.

If a dispute has the potential of resulting in an award of monetary damages, then use of this arbitration procedure is conditioned on acceptance of the procedure by the liability insurer of the Church, and the insurer's agreement to honor any arbitration award up to any applicable policy limits.

ARTICLE 6
OFFICERS AND DIRECTORS

SECTION 1--CHURCH OFFICERS AND DIRECTORS:

(A) OFFICERS:

The officers and directors of this Church shall consist of the following: a Pastor who shall serve as the President and Director of the Corporation; members of the Deacon Body of which the Chairman of the Deacons shall serve as the Vice President and a Director of the Corporation, and the Treasurer of the Deacons shall serve as the Treasurer and a director of the Corporation.

If the Church is without a sufficient number of qualified men to serve as Deacons, the Pastor may appoint Trustees and/or a Finance Committee to act on behalf of the Church to assist in handling any and all matters of legal, business, or church matters until such time the Pastor shall appoint the Deacon Body.

(B) ELIGIBILITY:

Only members of the Church in good standing according to Article 4, Section 3 of the Bylaws are eligible for election or appointment to any office of the Church. Officers of all organizations, other than Deacons, shall be elected by their respective organizations after having been approved by the Pastor. No man will be elected or appointed to any office of the Church who is an employee of the Church or who receives any form of compensation so as to avoid any issue of conflict of interest. Compensation includes direct and indirect remuneration, as well as gifts or favors that are substantial in nature.

(C) INDEMNIFICATION:

To the extent not inconsistent with the laws of the state of New York, every person who is or was a director, officer, member, employee, volunteer, or agent of the Corporation shall be indemnified by the Corporation against all liability and reasonable expense that may be incurred by him in connection with or resulting from any claim, action, suit, or proceeding (a) if such director, officer, member, employee, volunteer, or agent is wholly successful with respect thereto or (b) if not wholly successful, then if such director, officer, member, employee, volunteer, or agent is determined to have acted in good faith, in what he reasonably believed to be the best interest of the Corporation and, in addition, with respect to any criminal action or proceeding, is determined to have had no insurance covering the Corporations' liabilities and obligations under reasonable cause to believe that this conduct was

unlawful. The Pastor and Deacons are authorized and empowered to purchase insurance covering the Corporation's liabilities and obligations for protecting directors, officers, members, employees, volunteers, or agents.

(D) LIABILITY:

No director, officer, deacon, or any agent or representative duly authorized in any of the foregoing capacities shall be liable to the Corporation for monetary damages for an act or omission in any such capacity, except and only for the following:

1. A breach of the involved duty or loyalty to the Corporation;
2. An act or omission not in good faith or an act or omission that involves intentional misconduct or knowingly a violation of law;
3. A transaction from which the involved person gained any improper benefit whether or not such benefit resulted from an action taken within the scope of his/her duty; or
4. An act or omission by the involved person for which liability is expressly provided by law.

SECTION 2—SELECTION AND TERM OF OFFICE:

(A) PASTOR:

1. **Qualifications.** If the prospective candidates for Pastor meet the qualifications found to be in accord with the Word of God (1 Timothy 3:1-7; Titus 1:6-9), Statement of Faith, and doctrinal position of the Church, the prospective candidates may be contacted one at a time to set up an interview with the Pulpit Committee and may be invited by the Pulpit Committee to be heard by the congregation.
2. **Selection.** In selecting a Pastor, the Pulpit Committee shall consist of the Deacons, who shall secure names and qualifications of potential candidates for the pastorate. The selection process includes a more detailed explanation (not included here) of the Biblical qualifications and guidelines for selecting the Pastor. After hearing the candidate preach, and after the Pulpit Committee lovingly questions him thoroughly, the Pulpit Committee may duly call a special church business meeting for the purpose of voting on the candidate in question. The call shall be extended at a duly called meeting of the Church, at which a quorum is present, with a three-fourths vote of the majority of voting members present, voting and qualified (regularly attend the services of Rockaway Beach

Baptist Church, Inc. and conduct themselves in compliance with Article 4, Section 3 of the Bylaws and any amendments thereto) provided that said meeting was announced two (2) Sundays before the vote was taken.

3. **Term of Office.** The Pastor is elected indefinitely. He shall serve as long as he feels led of God to serve. Upon termination of service, at least a (30) day written notice is required from either the Pastor or the Church.
4. **Removal from Office.** The removal of the Pastor for apostasy (divergence from the Statement of Faith [Article 3]) or for immoral or unethical practices shall be made only after due trial by the Deacons and at a duly called meeting of the Church, at which a quorum is present, with a three-fourths vote of the majority of voting members present, voting and qualified (regularly attend the services of Rockaway Beach Baptist Church, Inc. and conduct themselves in compliance with Article 4, Section 3 of the Bylaws and any amendments thereto). The severance of the relationship between the Pastor and the Church due to doctrinal, immoral, or unethical reasons may be considered at a duly called meeting of the Church at which a quorum is present provided notice to the effect shall have been given to the membership two (2) Sundays prior to said church business meeting.
5. **Resignation.** In the event the Pastor should resign, the resignation will become effective when mutually agreed upon by the Pastor and Deacons.

(B) DEACONS:

1. **Qualifications.** All prospective candidates for the office of Deacon shall meet the qualifications found in 1 Timothy 3:8-13 and Acts 6:1-7. All prospective candidates must be in agreement with the Statement of Faith, doctrinal position of the Church, and Constitution and Bylaws. The number of Deacons will be determined by the Pastor with counsel from the Deacons.
2. **Selection.** The selection of Deacons shall be as follows: candidates for the office of Deacon shall be nominated by the Pastor and current Deacons. Those who meet the Biblical qualifications and have successfully completed the Deacon Training Course, will be presented to the congregation for confirmation (a simple majority shall be necessary to confirm Deacons). All Deacon Candidates must be men at least twenty-one (21) years of age and members of this local church for at least twelve (12) months prior to selection.
3. **Term of Office.** Deacons shall serve for a term of three years, and may be reconfirmed upon satisfactory service, provided they are still qualified and willing to continue service.

4. **Removal from Office.** Any Deacon who neglects his duties and responsibilities or who is not in agreement with the Word of God, Statement of Faith, and doctrinal position of the Church may be removed from his office by the Pastor or Deacons, or, if necessary, such action may be ratified by congregational action at a special meeting of the membership duly called for such purpose.
5. **Resignation.** In the event that any Deacon should resign, the resignation shall take effect as submitted with a written acknowledgement by the Pastor. Any Officer, Director, or Deacon may resign his position at any time by giving written notice of his resignation to the Pastor and/or Chairman of the Deacons, if the office of Pastor is vacant.

ARTICLE 7 DUTIES OF OFFICERS

SECTION 1—PASTOR (Biblical):

- (A) The founding Pastor has been selected, ordained, and approved by the sponsoring church, Rockaway Beach Baptist Church, Inc. of New York.
- (B) The Pastor shall be the leader of the Church; shall preach and teach the Word of God; shall have the spiritual oversight of the Church; shall be administrator of the ordinances of the Church; shall serve as the moderator at all meetings of the Church for the transaction of business (except when the business directly concerns the Pastor, then the Deacon Chairman shall preside); shall supervise the teaching ministry of the Church; shall tenderly watch over the spiritual interest of its membership; and shall organize and develop the ministries of the Church. The Pastor shall serve as Corporation President and Director; it shall be his duty to inform publicly all newly elected officers of the particular function and responsibility of their respective offices.
- (C) The Pastor shall be in charge of all employees of the Church and related ministries. The Pastor has the authority, and he alone (except at times when the Church may be without a Pastor, then the majority of Deacons), to hire and fire employees of the Church and related ministries. The Pastor shall also have the responsibility of writing all job descriptions for staff and lay positions. All employees will answer to the Pastor, unless he authorizes differently. If the Church is without a Pastor, the Chairman of the Deacons shall serve as moderator for all duly called meetings of the Deacon Body and/or congregation. The Pastor shall be an ex-officio member of all boards and committees of the Church and its related and accessory organizations “with power to vote.” The Pastor shall be free to choose the means and methods by

which he exercises the ministry that God has given him concerning all of the activities of the Church.

SECTION 2—DEACONS (Biblical):

(A) CHURCH RESPONSIBILITIES:

The Deacons shall assist the Pastor in promoting the spiritual welfare of the Church and in organizing and developing its ministries. They shall make proper provision for the observance of the ordinances of the church, and members of the Deacon Body shall assist the Pastor in serving the Lord's Supper. They shall also assist the Pastor in home visitation, in other personal work, and in all other evangelistic efforts of the Church. The Deacons can also serve as Trustees if all constitutional requirements have been met, but are not mandatory. They shall assist the Pastor and Trustees with financial matters as necessary and seek to aid in securing the funds necessary to maintain and advance the work of this Church and cooperate with the Pastor in providing leadership. The Deacons shall further assist the Pastor, at his request, in caring for the administrative needs of the church-related ministries.

SECTION 3—TRUSTEES (Administrative):

(A) CORPORATE RESPONSIBILITIES:

The Trustees shall be appointed as Directors of the Corporation. The Trustees can be comprised of men from the Deacon Body as well as others appointed by the Pastor. The Trustees shall serve to assist the Pastor and the Church with financial, legal, and corporate decisions pertaining to such. The Trustees shall also approve the annual Church budget and missionary support before submitting to the Church for approval and assist in securing the funds necessary to maintain and advance the work of this Church and cooperate with the Pastor and Deacons in providing leadership. The Trustees shall, from their own membership, elect a Chairman who shall serve as the Vice-President of the Corporation, a Treasurer who shall serve as the Treasurer of the Corporation, and a Secretary who shall serve as the Secretary of the Corporation, of which all appointments are subject to approval of the Pastor. They shall also serve as trustee directors for the Church or any related ministry as deemed necessary.

(B) TERM OF OFFICE. Trustees shall serve for a term of three years, and may be reconfirmed upon satisfactory service, provided they are still qualified and willing to continue service.

(C) REMOVAL FROM OFFICE. Any Trustee who neglects his duties and responsibilities or who is not in agreement with the Word of God, Statement of Faith, and doctrinal position of the Church may be removed from his office by the Pastor or Deacons, or, if necessary, such action may be ratified by congregational action at a

special meeting of the membership duly called for such purpose.

- (D) **RESIGNATION.** In the event that any Trustee should resign, the resignation shall take effect as submitted with a written acknowledgement by the Pastor. Any Officer, Director, or Deacon may resign his position at any time by giving written notice of his resignation to the Pastor and/or Chairman of the Deacons, if the office of Pastor is vacant.

SECTION 4—SPECIFIC POWERS:

The Pastor, Deacons, and the Trustees shall exercise the following specific powers and authorize the Finance Committee, if any, to perform acts binding the Corporation:

(A) **REAL AND PERSONAL PROPERTY:**

They shall have the authority to purchase, hold, lease, or otherwise acquire real and personal property on behalf of the Church and its related ministries and to take real and personal property by will, gift, or bequest on behalf of the Church and its related ministries; to institute and settle lawsuits; to establish pension plans; and other business endeavors essential to perpetuate the exempt purposes of the Church.

(B) **FINANCIAL MATTERS:**

They shall be able to sell, convey, alienate, transfer, lease, assign, exchange, or otherwise dispose of Church property and to mortgage, pledge, or otherwise encumber the real and personal property of the Church and its related ministries, to borrow money and incur indebtedness for the purposes and the use of the Church and its related ministries; and in the name of the Church to cause to be executed, issued, and delivered for the indebtedness promissory notes, bonds, debentures, or other evidence of indebtedness; and to secure repayment of loans, mortgages, or other obligations of the Church.

(C) **FINANCIAL OBLIGATIONS:**

The Church and its activities will be supported exclusively with the tithes and offerings of God's people. Under no circumstance will the Church condone any sales, suppers, or other solicitation from people outside the membership for the purpose of meeting its present or future financial obligations. This does not include functions that are done in regard to school or Sunday school promotions, teen activities, etc.

(D) **RELATED MINISTRIES:**

They shall conduct and carry out all other ministry business activity on behalf of and in the interest of the Church and its related ministries, provided such actions are consistent with the law.

(E) CORPORATE DISSOLUTION:

They shall exercise all powers necessary for the dissolution of the Church Corporation if such action is mandated by a vote of the Church membership.

**ARTICLE 8
COMMITTEES**

SECTION 1—FINANCE COMMITTEE:

The Deacons and Trustees of Rockaway Beach Baptist Church, Inc. shall function as the Finance Committee. As deemed necessary the Pastor may appoint a number of Deacons to serve as the Church's Finance Committee in place of the entire Deacon Body.

(A) FINANCIAL AFFAIRS:

The purpose of the Finance Committee is to assist the Pastor in reviewing the financial affairs of each ministry and to make recommendation as requested by the Pastor. The Finance Committee can consist of members of the Deacon Body as well as the Trustees approved by the Pastor. They shall be appointed by the Pastor and shall serve as long as they are members of the Deacon Body and/or Trustees. The number of members of the Deacon Body and Trustees appointed to serve on the Finance Committee shall be determined by the Pastor and Deacons. The Finance Committee is responsible for the adoption of the church budget and for approving the budgets of all related ministries. The Finance Committee shall approve missionary support before submitting to the Deacon Body and Church for approval. The Finance Committee is authorized to borrow money, to purchase, to lease, to exchange, to transfer, to acquire, or to dispose of real and personal property on behalf of the Corporation, with approval from the Pastor and Deacon Body.

(B) BUDGETING:

Purchases made on behalf of the Church and its ministries not included in their respective budget are hereby authorized in accordance with the following procedures:

(1) Purchases in Excess of Budget Line Items:

- a. **Purchases up to ½ of 1% (.005) of annual Budget Tithes & Offerings:**

The Pastor may approve the purchase of these items.

b. **Purchases over .005% up to 1% of annual Budget Tithes and Offerings:**

The Pastor and Finance Committee must approve.

c. **Purchases over 1% of annual Budget Tithes and Offerings:**

The Pastor, Finance Committee and Church must approve.

d. **Emergencies.** Emergencies needing repair that would disrupt ministry operations such as electrical, plumbing, telephones, air-conditioning, etc., may be approved by the Pastor and Finance Committee followed by a notification to all of the Finance Committee and Church or its respective ministry.

e. **Real Property.** The Pastor, Finance Committee and the Church must approve the purchase or disposal of real property belonging to the Church or one of its related ministries.

(2) Purchases in Excess of Non-Budgeted Line Items:

a. Items up to \$500.00 may be approved by the Pastor.

b. Items over \$500 must be approved by the Pastor and Finance Committee up to \$5,000. Items over \$5,000 must be approved by the Church.

(3) AUDIT BOOKS:

The Pastor and/or Finance Committee may appoint an independent Certified Public Accountant or a Certified Church Accountant that shall audit the books of the Corporation after the close of the fiscal year or as otherwise determined to be necessary.

(C) LEGAL DOCUMENTS:

The Pastor and Finance Committee shall authorize to be executed all contracts and legal documents in the name of the Church or its related ministries and may authorize the Pastor or his representative to enter into, sign, and deliver any instrument or documents in a representative capacity as an officer, director, or agent of the Church.

(D) BANKING SELECTION:

The Pastor and Finance Committee shall select all banks, trust companies, or other depositories for funds to be deposited from time to time on behalf of the Church or its related ministries including extension ministry accounts. All contributions which are deductible contributions under Section 170 (c)(2) and 509 (a)(1) of the Internal Revenue Code and Regulations as they now exist or as they may hereafter be amended shall be considered as given unto the Lord and are not refundable except as otherwise provided under the Uniform Management of Institutional Funds Act.

(F) DISBURSING FUNDS:

The Finance Committee shall approve checking accounts, drafts, and other orders for the payment of monies out of the funds of the Church or its related ministries including extension ministry accounts in which at least one (1) officer or director shall be authorized to sign on each and every account.

(G) FINANCIAL STATEMENTS:

The Finance Committee shall approve all financial statements of the Church and its related ministries and shall cause all disbursements to be paid by check except miscellaneous petty cash disbursements.

(H) KEY EXECUTIVE COMPENSATION:

So long as the Senior Pastor is living and willing, he shall serve as full-time Senior Pastor of Rockaway Beach Baptist Church, Inc. and shall be entitled to reasonable compensation for such services. The specific amount of the Senior Pastor compensation shall be set by the members of the Board of Trustees excluding the Senior Pastor; however, such compensation shall be reasonable and commensurate with the services rendered and shall be comparable to the compensation paid by organizations similar to Rockaway Beach Baptist Church, Inc. to comparably qualified persons for comparable duties. Such compensation shall also be comparable to the historical compensation paid by Rockaway Beach Baptist Church, Inc. to its Senior Pastor, adjusted for reasonable annual adjustments for increased costs-of-living and for changes in the size, scope and nature of the organization's activities.

(I) Ministry Leadership Team Members, including the Senior Pastor, Deacons, and Finance Committee shall not receive compensation of any kind for their services to the Ministry Leadership Team. The Ministry Leadership Team may adopt a resolution providing for payment to Members for expenses of attendance, if any, at a meeting of the Ministry Leadership Team. A Ministry Leadership Team Member may serve as an employee of the Church and receive reasonable compensation for those services. In regard to the Senior Pastor or other key executive

employees his compensation shall be determined by the Independent Finance Committee (as defined in Section 1.H.05).

(2) Setting and approval of key executive employee compensation arrangements:

Compensation arrangements of key executive employees of the Corporation shall be approved in advance by an authorized body (as defined in Section 1.H.05) of the Corporation who shall have obtained and relied upon appropriate data as to comparability (as defined in Section 1.H.07) prior to making its determination. The authorized body shall adequately document (as defined in Section 1.H.08) the basis for its determination concurrently with making that determination.

(3) Key executive employee: For purposes of this article, the term “key executive employee” includes the officers, directors and trustees of the Corporation and any individual who has powers and responsibilities similar to officers, directors and trustees of the Corporation. The term includes any person who, regardless of title, has ultimate responsibility for implementing the decisions of the Board of Directors, for supervising the management, administration, or operation of the Corporation as a whole, or for managing the finances of the Corporation as a whole. The term does not include the heads of separate departments or smaller units of the Corporation, as these individuals do not have management responsibilities for the Corporation as a whole.

(4) Family members of key executive employees: Compensation arrangements of family members (as that term is defined in Treas. Reg. §53.4958-3(b) (1)) of key executive employees shall be reported to an authorized body (as defined in Section 1.H.05) of the Corporation at least annually.

Compensation arrangements of family members (as that term is defined in Treas. Reg. §53.4958-3(b)(1)) of key executive employees that are not commensurate with non-family member employees of the Corporation for individuals in similar positions with similar duties and experience shall be approved in advance by an authorized body (as defined in Section 1.H.05) of the Corporation who shall have obtained and relied upon appropriate data as to comparability (as defined in Section 1.H.07) prior to making its determination. The authorized body shall adequately document (as defined in Section 1.H.08) the basis for its determination concurrently with making that determination.

(5) Governing body authorized to set key executive employee compensation arrangements.

The term “authorized body” shall include the Board of Directors (aka Ministry Leadership Team) composed of any individuals permitted under State law or the Corporation’s By-laws to serve on such a body, to the extent that the body is permitted by State law to act on behalf of the Board of Directors. However, such authorized body shall be composed solely of individuals who do not have a conflict of interest (as defined in Section 1.H.06) with respect to such compensation arrangement.

(6) Absence of conflict of interest: A member of the governing body authorized to approve key executive employee compensation arrangements does not have a conflict of interest with respect to a compensation arrangement only if the member:

(a) Is not a disqualified person (within the meaning of Treas. Reg. §53.4958-3) participating in or economically benefiting from the compensation arrangement, and is not a member of the family (as defined in Treas. Reg. §53.4958-3(b)(1)) of any such disqualified person;

(b) Is not in an employment relationship subject to the direction or control of any disqualified person participating in or economically benefiting from the compensation arrangement;

(c) Does not receive compensation or other payments subject to approval by any disqualified person participating in or economically benefiting from the compensation arrangement;

(d) Has no material financial interest affected by the compensation arrangement;
and

(e) Does not approve a transaction providing economic benefits to any disqualified person participating in the compensation arrangement, which in turn has approved or will approve a transaction providing economic benefits to the member.

(7) Appropriate data as to comparability: The authorized body has appropriate data as to comparability if, given the knowledge and expertise of its members, it has information sufficient to determine whether the compensation arrangement in its entirety is reasonable. Relevant information shall include, but is not limited to, compensation levels paid by similarly situated organizations, both taxable and tax-exempt, for functionally comparable positions; the availability of similar services in the geographic area of the Corporation; current compensation surveys compiled by independent firms; and actual written offers from similar institutions competing for the services of the individual for whom the compensation arrangement is being set.

(8) Adequate Documentation: The written or electronic records of the authorized body shall note:

(a) The terms of the compensation arrangement that was approved and the date it was approved;

(b) The members of the authorized body who were present during debate on the compensation arrangement that was approved and those who voted on it;

(c) The comparability data obtained and relied upon by the authorized body and how the data was obtained; and

(d) Any actions taken with respect to consideration of the compensation arrangement by anyone who is otherwise a member of the authorized body but who had a conflict of interest with respect to the compensation arrangement.

If the authorized body determines that reasonable compensation for a specific arrangement is higher or lower than the range of comparability data obtained, the authorized body must record the basis for its determination.

(9) Documentation outlined in this section shall be duly recorded in the minutes of the authorized body before the latest of the next meeting of the authorized body or 60 days after the final action or actions of the authorized body are taken. Such records shall be reviewed and approved by the authorized body as reasonable, accurate and complete within a reasonable time period thereafter.

(I) INSURANCE AND BONDING:

The Finance Committee shall secure reasonable insurance or bonding as deemed necessary designed to protect against losses resulting from those who handle church or related ministry funds, money, securities, or other tangible personal property as defined by the insurance or bonding policy.

(J) VOTING:

A majority of the number of the Finance Committee, then in office shall constitute a quorum for the transaction of business at any meeting of the Finance Committee. The Finance Committee members present at a duly called or held meeting at which a quorum is present may continue to transact business even if enough Finance Committee Members leave the meeting so that less than a quorum remains. However, no action may be approved without the vote of at least a majority of the number of Finance Committee Members in attendance required to constitute a quorum. If a quorum is present at no time during a meeting, a majority of the Finance Committee Members present may adjourn and reconvene the meeting one time without notice.

In the case where the Finance Committee shall, by reason of deadlock (whether because an even number of Members is seated on the Committee, or because certain Members are absent even though a quorum is present, or because of abstention, or for any other reason) be unable to reach a conclusive vote on any issue before the Committee, then, in such instance, the President-Senior Pastor shall cast a ballot which shall be known as a “majority ballot”, so that an official act or decision may be taken by the Committee. The

majority ballot shall be cast in addition to the regular Member's vote cast by the "President-Senior Pastor."

SECTION 2—PULPIT COMMITTEE:

(A) MEMBERS:

The Pulpit Committee shall consist of all members of the current Deacon Body.

(B) EXTENDING A CALL PROCEDURE:

The Pulpit Committee shall recommend extending a call to a prospective pastoral candidate in accordance with Article 6, Section 2 (A) of the Bylaws and any amendments thereto.

ARTICLE 9 MEETINGS

SECTION 1- MEETINGS FOR WORSHIP:

Unless otherwise determined by the Pastor, the Church shall meet each Sunday for public worship and at least once during the week for Bible teaching and prayer. All appointments for public worship and Bible teaching and the arrangements thereof including time and place shall be under the control of the Pastor and/or Deacons, if the Church is without a Pastor.

SECTION 2- SPECIAL MEETINGS:

(A) BUSINESS MEETINGS:

The Pastor (or Deacons if the office of Pastor is vacant or the Pastor is the subject of possible disciplinary action) may duly call a special meeting to consider matters of church business and administration without prior notice unless otherwise provided by the Constitution or any amendments thereto.

(B) CHURCH MEETINGS:

Bible conferences, missionary conferences, and revivals may be held, as the Pastor deems beneficial.

SECTION 3- QUORUM FOR MEETINGS:

Thirty (30) percent of the voting membership shall constitute a quorum at any meeting; a simple majority of voting members, voting and qualified (regularly attend the services of Rockaway

Beach Baptist Church, Inc. and conduct themselves in compliance with Article 4, Section 3 of the Bylaws and any amendments thereto) shall be necessary to carry action, except in the case of calling or dismissing a Pastor, then fifty (50) percent of the voting members shall constitute a quorum with three-fourths (3/4) majority vote (note exception: Article 6, Section 2, A, 04).

SECTION 4- FISCAL YEAR:

The fiscal year of the Church shall begin January 1 and end December 31.

SECTION 5- RULES OF ORDER:

All questions of order shall be governed by the Church as set forth in the Scriptures and Church Bylaws and any amendments thereto and any other special rules of order the Church may adopt in keeping with the spirit of Christian love and fellowship.

SECTION 6- BUSINESS MEETINGS:

Each member of the Church of at least (18) years of age shall be entitled to vote in all matters of business. All regular and special business meetings shall be called and held at any time and place designated (except as otherwise deemed necessary by the Constitution and Bylaws and any amendments thereto) by the Pastor and/or Deacons and shall be so opened and closed with prayer for divine guidance and blessing. All recommendation for motions when requested shall be presented by the Pastor or Moderator. The Pastor or Moderator shall call for the motion to be acted upon. All seconds to the motion will be made by adult men only.

SECTION 7- VOTING:

Voting may be cast orally, by show of hands, or by secret ballot. The Pastor and/or Deacons will govern the method used. The members of the Church shall not be entitled to vote by proxy on any matter, unless otherwise provided by the Constitution and Bylaws and any amendments thereto.

Any member who has been absent for four consecutive Sundays, immediately prior to a business meeting, is not eligible to vote.

Members who regularly attend the services of Rockaway Beach Baptist Church, Inc. and conduct themselves in compliance with Article 4, Section 3 of the Bylaws and any amendments thereto may be entitled to vote by absentee ballot when the matter involves considering the calling or dismissal of the Pastor. The Deacon Body shall approve such a decision.

ARTICLE 10 MINISTRY OF EDUCATION

SECTION 1- PURPOSE:

The Church believes that it is to provide an educational ministry to every member: an evangelistic outreach of education and a ministry of training our members for the future, which are based upon and consistent with Biblical teachings. The Church believes that the home and church are responsible before God for providing a Christian education. To this end, the Church shall engage in educational ministries in keeping with the following dictates:

SECTION 2- STATEMENT OF FAITH ACCORD:

All educational programs or courses of instruction shall be taught and presented in full accord with the Statement of Faith and doctrinal position of this Church.

SECTION 3- UNITY:

All educational programs or courses of instruction shall be conducted as an integral and inseparable ministry of this Church.

SECTION 4- TEACHING:

All education programs or courses of instruction shall be conducted consistently with the teaching of the inerrant Word of God. Any assertion or belief which conflicts with or questions a Bible truth is a pagan deception and distortion of the truth, which will be disclaimed as false. It is the responsibility of every instructor or teacher to present the inerrant Word of God as the sole, infallible source of knowledge and wisdom. Only the King James Version of the Holy Scriptures may be used in any class or any other related or affiliated entity of the Church, unless another version is used solely for the purpose of comparison or to reveal its error in translation.

SECTION 5- LITERATURE:

All literature used in the Church and its related and affiliated ministries must be approved by the Pastor and shall be in complete agreement with the Constitution and Bylaws and any amendments thereto, and doctrinal statement, policies, and polity of this Church.

ARTICLE 11
ORDINATION, LICENSING, AND COMMISSIONING

SECTION 1- ORDINATION QUALIFICATIONS:

Any member of the Church or its mission churches who gives evidence of a genuine call of God into the work of the ministry and possesses the qualifications stated in 1 Timothy 3:1-7 and Titus 1:6-9, may be ordained, licensed, and/or commissioned as a minister of the Gospel. A certificate of ordination or license enables him to perform sacerdotal functions such as: conducting worship services, preaching, baptizing, administering the Lord's Supper, performing weddings and funerals, and other ministerial services as pertain to an ordained or licensed minister of the Gospel.

Ordination

Ordination refers to the unanimous recognition by the Senior Pastor and Church of a man's call to the ministry, preparation as a shepherd, and qualification to serve. Ordination shall be conferred for life, so long as the man continues to manifest the qualifications of the office according to I Timothy 3:1-7 and Titus 1:6:9.

Licensing

The license is issued by the Senior Pastor and Church and is given in recognition of a man's call to that ministry; its aim is to allow a man to perform the ecclesiastical duties and functions of the church. Licenses will be evaluated and issued on a yearly basis.

Commissioning

When local-church certification is required for ministry where ordination would be unnecessary or inappropriate, a person is commissioned by the Senior Pastor and Church to minister. This authorization continues as long as the opportunity to minister remains in effect and as long as the person maintains the qualifications for ministry.

SECTION 2- ORDINATION PROCEDURE:

(A) EXAMINATION:

Following a conference with the Pastor after which the Pastor approves the candidate for ordination, the Pastor shall call a council to examine and accept the qualification of the candidate. The ordination council shall consist of ordained ministers of like faith invited to participate in the examination of the candidate.

(B) RECOMMENDATION:

If the council finds the candidate worthy of the ordination, the ordination council may recommend that the candidate in question be ordained on behalf of the Church.

(C) ORDINATION SERVICE:

The Pastor shall arrange for the ordination service.

SECTION 3- REVOCATION OF ORDINATION:

Any minister of the gospel who proves to be no longer qualified as a minister under 1 Timothy 3:1-7 and Titus 1:6-9 or due to moral, ethical, or doctrinal issues may have his certificate of ordination or license revoked. The Pastor and Deacons will lovingly investigate and examine the minister in question. If the minister is found to be no longer qualified, the Pastor and Deacon Body shall recommend his ordination or license be revoked subject to a vote of the congregation.

**ARTICLE 12
TAX-EXEMPT PROVISIONS**

SECTION 1- PRIVATE INUREMENT:

No part of the net earnings of the Church or its related ministries shall inure to the benefit of or be distributable to its members, trustees, officers, or other private persons, except that the Church shall be authorized and empowered to pay reasonable compensation for the services rendered and to make payments and distributions in furtherance of the purposes set forth in Article 2 of the Constitution and any amendments thereto.

SECTION 2- POLITICAL INVOLVEMENT:

No substantial part of the activities of the Church shall be for the perpetrating of propaganda or otherwise attempting to influence legislation. The Church shall not participate in or intervene in (including the publishing or distribution of statements) any political campaign on behalf of any candidate for public office.

SECTION 3- DISSOLUTION:

Upon a vote by the Church for dissolution of the Church, the Pastor and/or Deacon Body shall, after paying or making provision for payment of all the liabilities of the Church, dispose of all of the assets of the Church to such organization or organizations established and operated exclusively for religious purposes as shall at the time qualify as an exempt organization under Section 501 (c)(3) of the Internal Revenue Code of 1986 (or the corresponding provision of any future United States Internal Revenue Law), as the Deacons shall determine. The Church will file articles of dissolution according to the non-profit laws of the state of New York. Assets may be distributed only to organizations which agree with the Church's Statement of Faith.

SECTION 4- RACIAL NONDISCRIMINATION:

The Church shall have a racially nondiscriminatory policy, and therefore shall not discriminate against members, applicants, and others on the basis of race, color, national, or ethnic origin.

ARTICLE 13 CONFLICT OF INTEREST

13.01 **Purpose.** The purpose of the conflicts of interest policy is to protect the Corporation's interest when it is contemplating entering into a transaction or arrangement that might benefit the private interest of an officer or director of the Corporation. This policy is intended to supplement, but not replace, any applicable state laws governing conflicts of interest applicable to nonprofit corporations.

13.02. **Definitions.**

(a) **Interested Person.**

(1) **General Rule.** Any person who is a "disqualified person" within the meaning of Treas. Reg. §53.4958-3 is an "interested person" for purposes of this policy. Thus, any person who is, or during the preceding 5 years was, in a position to exercise substantial influence over the affairs of the Corporation is an "interested person." If an individual or entity is an interested person with respect to the Corporation or any entity affiliated with the Corporation, he or she is an interested person with respect to all affiliated entities.

(2) **Particular persons.** Any person who is, or who was during the past 5 years, a director, principal officer, or member of a committee with board delegated powers, and who has a direct or indirect financial interest, as defined below, is an "interested person." In addition, the spouse, ancestors, siblings, and descendants (and spouse of any ancestor, sibling, or descendant) of any such person is an interested party. Finally, any business, trust, or estate, at least 35% of which is owned by one or more interested persons, is itself an interested person. Other factors, e.g., being the founder of the Corporation, a substantial contributor to the Corporation, or a key executive who is not an officer, will also be taken into account in determining whether an individual or entity is an interested person.

(b) **Financial Interest.** A person has a financial interest if the person has, directly or indirectly, through business, investment or family-

(1) An ownership or investment interest in any entity with which the Corporation has a transaction or arrangement;

(2) A compensation arrangement with the Corporation or with any entity or individual with which the Corporation has a transaction or arrangement; or

(3) A potential ownership or investment interest in, or compensation arrangement with, any entity or individual with which the Corporation is negotiating a transaction or arrangement.

(c) **Compensation** includes direct and indirect remuneration, as well as gifts or favors that are substantial in nature.

13.03. Procedures.

(a) **Duty to Disclose.** In connection with any actual or possible conflict of interest, an interested person must disclose the existence and nature of his or her financial interest, and must be given the opportunity to disclose all material facts, to the directors and members of committees with board delegated powers that are considering the proposed transaction or arrangement.

(b) **Determining whether a conflict of interest exists.** After disclosure of the financial interest and all material facts, and after any discussion with the interested person, he/she shall leave the governing board or committee meeting while the determination of a conflict of interest is discussed and voted upon. The remaining board or committee members shall decide if a conflict of interest exists.

(c) Procedures for Addressing the Conflict of Interest.

(1) An interested person may make a presentation at the board or committee meeting, but after the presentation, he or she shall leave the meeting during the discussion of and the vote on the transaction or arrangement that results in the conflict of interest.

(2) The chairperson of the board or committee shall, if appropriate, appoint a disinterested person or committee to investigate alternatives to the proposed transaction or arrangement.

(3) After exercising due diligence, the board or committee shall determine whether the Corporation can obtain a more advantageous transaction or arrangement with reasonable efforts from a person or entity that would not give rise to a conflict of interest.

(4) If a more advantageous transaction or arrangement is not reasonably attainable under circumstances that would not give rise to a conflict of interest, the board or committee shall determine by a majority vote of the disinterested directors or committee members whether the transaction or arrangement is in the Corporation's best interest and for its own benefit, and whether the transaction is fair and reasonable to the Corporation. The board or committee shall make its decision as to whether to enter into the transaction or arrangement in conformity with such determination.

(5) Each agreement with an interested person shall contain an appropriate provision permitting the agreement to be modified or terminated in the event that the Internal Revenue Service determines that any transaction that is the subject of the agreement is an excess benefit transaction within the meaning of §4958 of the Internal Revenue Code.

(6) For purposes of this policy, a disinterested person is one who is not an interested person with respect to the transaction, who is not in an employment or other financial relationship with any disqualified person with respect to the transaction, and who does not have any other material financial interest that may be affected by the transaction.

(d) Violations of the Conflicts of Interest Policy.

(1) If the board or committee has reasonable cause to believe that a member has failed to disclose actual or possible conflicts of interest, it shall inform the member of the basis for such belief and afford the member an opportunity to explain the alleged failure to disclose.

(2) If, after hearing the response of the member and making such further investigation as may be warranted in the circumstances, the board or committee determines that the member has in fact failed to disclose an actual or possible conflict of interest, it shall take appropriate disciplinary and corrective action.

13.04. Records of Proceedings. The minutes of the board and all committees with board authority shall contain-

(a) The names of the persons who disclosed or otherwise were found to have a financial interest in connection with a transaction or arrangement, and the nature of the financial interest; and

(b) The names of the persons who were present for discussions and votes relating to the transaction or arrangement, the content of the discussion, including any alternatives to the proposed transaction or arrangement, and a record of any votes taken in connection therewith.

13.05. Compensation Committees. A voting member of the board of directors, or of any committee whose jurisdiction includes compensation matters, and who receives compensation, directly or indirectly, from the Corporation for services is precluded from discussing and voting on matters pertaining to that member's compensation. However, such a person is not prohibited from providing information to the board of directors or any committee regarding compensation of similarly situated persons.

13.06. Annual Statements. Each director, principal officer and member of a committee with board delegated powers shall annually sign a statement which affirms that such person-

(a) Has received a copy of this conflicts of interest policy;

- (b) Has read and understands the policy;
- (c) Has agreed to comply with the policy; and
- (d) Understands that the Corporation is a charitable organization and that in order to maintain its federal tax exemption it must engage primarily in activities which accomplish one or more of its tax-exempt purposes.

13.07. Periodic Reviews. To ensure that the Corporation operates in a manner consistent with its charitable purposes and that it does not engage in activities that could jeopardize its status as an organization exempt from federal income tax, periodic reviews shall be conducted. The periodic reviews shall, at a minimum, include the following subjects:

- (a) Whether compensation arrangements and benefits are reasonable and are consistent with the results of arm's-length bargaining;
- (b) Whether acquisitions of goods or services result in inurement or impermissible private benefit;
- (c) Whether partnership and joint venture arrangements conform to written policies, are properly recorded, reflect reasonable payments for goods and services, further the Corporation's charitable purposes and do not result in inurement or impermissible private benefit; and
- (d) Whether agreements to provide goods or services further the Corporation's charitable purposes and do not result in inurement or impermissible private benefit.

13.08. Use of Outside Experts. In conducting the periodic reviews provided for in Section 7, the Corporation may, but need not, use outside advisors. If outside experts are used, their use shall not relieve the board of its responsibility for ensuring that periodic reviews are conducted.

ARTICLE 14 DESIGNATED CONTRIBUTIONS

Rockaway Beach Baptist Church, Inc., in the exercise of its religious, educational, and charitable purposes, may establish various designated and benevolent funds to accomplish specific goals. Contributors may suggest uses for their contributions, but all suggestions shall be deemed advisory rather than mandatory in nature. All contributions made to specific funds or otherwise designated shall remain subject to the exclusive administrative and accounting control and discretion of the Pastor and the Deacon Body. The Pastor and Deacons may consider suggested designations, but in no event are they bound in any way to honor such designations since they are accepted only on the condition that they are mere suggestions or recommendations. Donors wishing to make contributions to the designated or benevolence fund subject to these conditions may be able to deduct their contributions for tax purposes if they itemize their deductions. Checks should be made payable to the Church with a notation that the funds are to be placed in

the Church's designated or benevolence fund. No fiduciary obligation shall be created by any designated contribution made to the Church, other than to use the contribution for the general furtherance of any of the purposes stated in Article 2 of the Constitution and any amendments thereto.

ARTICLE 15 RELATED MINISTRIES

All ministries owned by the Rockaway Beach Baptist Church, Inc. are under the control of the Pastor and Deacons. All related ministry Constitutions and Bylaws and amendments thereto must be in accord with the Church Constitution and Bylaws and any amendments thereto, its doctrine, and/or any other rules promulgated by the leadership of the Church.

ARTICLE 16 AMENDMENTS

The foregoing Constitution and Bylaws may be revised or amended at a duly called meeting of the Church, at which a quorum is present, with a two-thirds vote of the majority of voting members present, voting and qualified (regularly attend the services of the Church and conduct themselves in compliance with Article 4, Section 3 of the Bylaws and any amendments thereto), after having been submitted in writing and distributed to the membership two (2) Sundays before the vote is to be taken.

ARTICLE 17
ADOPTION

I, Ronald Taylor, Pastor and President of Rockaway Beach Baptist Church, Inc. do hereby certify that the foregoing is a true, correct, and complete copy of the Constitution and Bylaws of Rockaway Beach Baptist Church, Inc. adopted and approved by Rockaway Beach Baptist Church, Inc. the sponsoring church, on the first day of November, 2013.

Ronald Taylor, Pastor and President- Rockaway Beach Baptist Church, Inc.

Larry Holcomb, Pastor and Trustee- Rockaway Beach Baptist Church, Inc.

Daniel A. Shafer, Pastor and Trustee-Rockaway Beach Baptist Church, Inc.