

HASTINGS PLANNING COMMISSION

A meeting of the Hastings Planning Commission has been scheduled for Tuesday, March 19, 2024 at 4:00 PM At the Hastings Municipal Airport, 3300 W 12th St, Hastings NE

AGENDA:

1. Call to Order
2. Roll Call
3. Pledge of Allegiance
4. Motion to adopt the current agenda for the Planning Commission Meeting
5. Public Notice - Official Notice of the Regular Meeting was published in the Hastings Tribune on Saturday, March 9, 2024. Pursuant to Nebraska Revised Statute Section 84-1412, the public is advised that a copy of today's agenda and all reproducible written material which will be discussed at today's meeting is available for public review. Also, a current copy of the Nebraska Open Meetings Act is posted and accessible to members of the public.
6. Approval of Minutes
 - a. Meeting of February 20, 2024
7. Special Order of Business
 - a. Election of Second Vice-Chairperson
8. Public Hearings.
 - a. **2024-727.** Public hearing for a change of zoning for property commonly addressed as 1220 W. 18th Street, Hastings, Adams County, Nebraska, from I-1, Light Industrial District, to C-1, Local Business District, and to amend the Official Zoning District Map.

Motion to recommend approval for an ordinance and the amendment to the Official Zoning District Map to rezone property commonly addressed as 1220 W. 18th Street, Hastings, Adams County, Nebraska, from I-1, Light Industrial District, to C-1, Local Business District, and to amend the Official Zoning District Map.
 - b. **2024-735.** Public hearing at the request of the Community Redevelopment Authority to review a Blight and Substandard Study for an area to be known as Area 17. The area is generally bounded by North Cedar Avenue, East 6th Street, North 2nd Avenue, and East 9th Street.

Motion to recommend to the City Council approval of the draft Blight and Substandard Study for the area to be known as Area 17.
 - c. **2024-736.** Public hearing at the request of the Community Redevelopment Authority to review a Blight and Substandard Study for an area to be known as Area 18. The area is generally bounded by East 26th Street, the Pioneer Spirit Trail, Union Pacific Railroad, and East 13th Street.

Motion to recommend to the City Council approval of the draft Blight and Substandard Study for the area to be known as Area 18.

Planning Commission Agenda

March 19, 2024

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9. Subdivisions
 - a. **2024-744.** Preliminary Plat for Adam Subdivision, in the West Half of the Southwest Quarter of Section 29, Township 8 North, Range 9 West of the 6th P.M., in Adams County, Nebraska
10. Work Session
 - a. **2024-732.** Discussion of an Annexation Policy for the 2024 Comprehensive Plan Update
 - b. **2024-733.** Review of the EngageHastings website (www.engage.cityofhastings.org) devoted to community engagement.
11. Reports
 - a. Committee Reports
 - b. Chairman Comments
 - c. Staff Reports

Adjourn

CITY OF HASTINGS, NEBRASKA
MINUTES OF PLANNING
COMMISSION
TUESDAY, FEBRUARY 20, 2024

Pursuant to due call and notice thereof, a meeting of the Hastings Planning Commission was conducted in the Hastings Municipal Airport, 3300 W 12th Street, Hastings, Nebraska on February 20, 2024.

The meeting was called to order at 4:00 p.m. in Regular Session by Chair Greg Sinner with the following members present: Ann Hinton, Chuck Rosenberg, Shawn Rossi, Joe Kindig, Jody Stutzman, and Greg Sinner. Absent: Michelle Lewis, Lou Kully, Brian Hoffman, and Rakesh Srivastava.

The following City Officials were present: City Attorney, Jesse Oswald, Director of Engineering, Lee Vrooman, Chief Building Inspector, Kevin Kubo, City Fire Marshall, Anthony Murphy, Director of IT, Erik Nielsen, Public Information Manager, Tony Herrman.

The Chair led the Commission in recital of the Pledge of Allegiance to the United States of America.

Chair Sinner called for a motion to adopt the current agenda for the January 16, 2024, meeting. As stated, before the motion was made, Sinner conferred with the City Attorney Jesse Oswald, and the Second Vice-Chairperson was not listed as a position to be voted on, so moved that vote to the March meeting. Moved by Ann Hinton to approve the agenda except for voting for the Second Vice-Chairperson, seconded by Chuck Rosenberg to adopt the current agenda. Ayes: Shawn Rossi, Ann Hinton, Chuck Rosenberg, Joe Kindig, Jody Stutzman, and Greg Sinner. Nays: None. Absent: Michelle Lewis, Rakesh Srivastava, Brian Hoffman, and Lou Kully. Motion carried 6-0.

PUBLIC NOTICE - Official Notice of the Regular Meeting was published in the Hastings Tribune on Saturday, February 10, 2024. Pursuant to Nebraska Revised Statute Section 84-1412, the public is advised that a copy of today's agenda and all reproducible written material that will be discussed at today's meeting is available for public review. Also, a current copy of the Nebraska Open Meetings Act is posted and accessible to members of the public.

Rakesh Srivastava arrived at 4:04 p.m.

APPROVAL OF MINUTES

a. Meeting of November 14, 2023

Chair Sinner called for a motion to approve the November 14th, 2024, minutes. Moved by Rosenberg to approve the November 14, 2024, minutes, seconded by Rossi. Ayes: Shawn Rossi, Ann Hinton, Chuck Rosenberg, Joe Kindig, Rakesh Srivastava, and Greg Sinner. Nays: None. Abstain: Jody Stutzman. Absent: Michelle Lewis, Brian Hoffman, and Lou Kully. Motion Carried: 6-0-1.

b. Meeting of January 16, 2024

Chair Sinner called for a motion to approve the January 16, 2024, minutes. Moved by Ann Hinton to approve the minutes of January 16, 2024, seconded by Rakesh Srivastava. Ayes: Shawn Rossi, Ann Hinton, Chuck Rosenberg, Joe Kindig, Rakesh Srivastava, and Greg Sinner. Nays: None. Abstain: Jody Stutzman. Absent: Michelle Lewis, Brian Hoffman, and Lou Kully. Motion Carried: 6-0-1.

SPECIAL ORDER OF BUSINESS

a. Election of Chairperson

Chair Sinner asked for nominations for the Chair. Chuck Rosenberg nominated Greg Sinner as Chairperson. Shawn Rossi seconded. It was decided to vote by show of hands. Ayes-Unanimous. Ayes: Shawn Rossi, Jody Stutzman, Ann Hinton, Chuck Rosenberg, Joe Kindig, Rakesh Srivastava, and Greg Sinner. Nays: None. Absent: Michelle Lewis, Brian Hoffman, and Lou Kully. Motion Carried: 7-0.

b. First Vice-Chairperson

Chair Sinner asked for nominations for First Vice-Chairperson. Chuck Rosenberg nominated Ann Hinton for First Vice-Chairperson. Shawn Rossi seconded. Sinner said under the remarks side, Michelle Lewis had called him, and stated if she was to be nominated, she would like that position to move up to understand more, if that ever came about, so due diligence was done. All in favor of Ann Hinton being the First Vice-Chairperson, raise your hand. Ayes-Unanimous. Ayes: Shawn Rossi, Jody Stutzman, Ann Hinton, Chuck Rosenberg, Joe Kindig, Rakesh Srivastava, and Greg Sinner. Nays: None. Absent: Michelle Lewis, Brian Hoffman, and Lou Kully. Motion Carried: 7-0.

Public Hearings

a. 2024-697 Public hearing for a change of zoning for property commonly addressed as 925 E. 42nd Street Adams County, Nebraska, from A, Agricultural District to R-1A, Single Family Large Lot Residential District, and to amend the Official Zoning District Map.

Bunger stated generally, it conforms to the 2009 Comprehensive plan, and there is adequate infrastructure to service the site if they wish to connect in the future. Therefore, the proposed zoning is compatible, and the planning staff recommended that the Planning Commission rezone the property at 925 E 42nd Street from A, Agricultural District to R-1A, Single-Family Large Lot Residential District, and amend the Official Zoning District Map to the City Council.

Hinton asked Bunger for clarification regarding the minimum lot size of the zoning district and the density limits of the Comprehensive Plan. Bunger provided clarification that the zoning district has a minimum lot area of 20,000 square feet. The comprehensive plan suggests a range of 2-5 dwelling units per acre. The proposed rezoning meets the minimum lot area of the zoning regulations.

Rossi asked what the advantage is to rezone that small section of land, and why would the owner want to do that since the house is already built.

George Adam, 4900 Osborne Dr East, representative for the applicant, stated the house is being rezoned for insurance purposes.

Sinner asked Vrooman if the drainage ditch had any bearing on this application.

Vrooman stated no, the ditch is not a factor in this area.

Chair Sinner closed the hearing. Rosenberg moved to approve the change of zoning for property commonly addressed as 925 E 42nd Street Adams County, Nebraska, from A., Agricultural District to R-1A, Single Family Large Lot Residential District, and to amend the Official Zoning District Map, seconded by Stutzman. Ayes: Chuck Rosenberg, Ann Hinton, Rakesh Srivastava, Jody Stutzman, Joe Kindig, Shawn Rossi, and Greg Sinner. Nays: None. Absent: Michelle Lewis, Brian Hoffman, and Lou Kully. Motion Carried: 7-0. This will go on to the City Council, on Monday, March 11, 2024.

WORK SESSION

a. Update from the Hastings Community Redevelopment Authority

Chick - 520 W 1st Street, Director of the Community Redevelopment Authority, provided the overview of the organization, its programs, and its activities over the past year.

Stutzman was curious how the CRA prioritized areas for income-restricted housing, and there was some discussion on what developers look for in choosing from the side of town, the mix of market rate, subsidized housing, or senior housing, and the amenities involved.

Rosenberg and Chick also discussed the TIF loans, and the interest and how that is factored in.

Sinner entered into the record that Randy Chick and himself had a conversation earlier that Chick thought it would be more informative for the Commission to have this discussion in April rather than February next year, so Chick's numbers would be put together more accurately.

Discussion of Annexation Policy for the 2024 Comprehensive Plan Update

Bunger stated next week will be the third and final reading of the ordinance to annex the areas into the City. Bunger thinks having a written policy of supporting annexation as a community, be it voluntarily or listing reasons why we are annexing certain properties could be beneficial. Hinton, Rosenberg, Sinner, and Stutzman discussed having a work session shortly.

REPORTS

a. Committee Reports:

Sinner brought up that maybe there are committees we need to be involved in, where we should be electing people to attend meetings where they can return to report back to the committee. Sinner will set up a meeting with Bunger and report back to the Commission on what they decide on this subject.

b. Chairman Comments:

Sinner spoke about the meeting held on February 12th, regarding the Lake Hastings Project, that Lee Vrooman helped set up. Sinner stated there was wonderful attendance, a lot of great information, informative diagrams, and commended whoever put that all together. He felt it was very well received. Vrooman stated that JEO Consulting Group Inc. is the one who assisted in putting that together, with assistance from City Staff Chad Bunger, Steve Riehle, and Bryce Helms. There were no negative comments at all, other than people wanting it done tomorrow. They are excited about what it can look like in the future and to have the new amenities around the lake.

c. Staff Reports:

Bunger discussed having committee ideas in a few months with the upcoming downtown projects, also in the housing realm. Planning has started updating zoning regulations, and Sign regulations are the first chapter we are covering. We are working on a couple of meetings with stakeholders, the Downtown Association, BID, The Chamber, and the Hastings Economic Development Corporation. At the next meeting, we should have an advisory plan for the Commission.

Vrooman thanked Tony Herrman, Public Information Manager, for getting the information out for the Lake Hastings Meeting. Helms did a Radio bit as well on March 5, 2024, for a similar type of meeting, for the Brick projects, as they received their FEMA grant. 1. Hastings Dam 2. Pawnee Creek 3. A Street, Stuff N Storage Area.

The first step will be the Design Phase. Vrooman will be working with Tony to get more information out to the public.

Kubo spoke about the Theatre District and its progression. They want to get in the building as soon as possible. There is an application for a gymnasium there and an application for a restaurant/bar in the SunMart building. Start a review on that building. so, they can start construction. Kubo introduced the new Building Inspector, Chris Olson. Kubo stated he would get certified first as a plumbing inspector and then move on to Fuel & Gas Inspector.

Chris Olson- 91145 West Assumption stated he is the new building inspector and is learning all he can. and appreciates the opportunity.

Legal Counsel had nothing to report, however, Sinner thanked Jesse Oswald for his attendance in the meetings, as he must be there, as questions arise.

Oswald thanked the Commission for everything they do in promoting the community.

Anthony Murphy- Fire Marshall-spoke on their resources have been curbing commercial cooking fires recently, and are still investigating the underground sewer explosion, and how to make sure that does not happen again. Murphy also spoke on how they will be updating the 2024 codes with the Development Services Team.

Chair Sinner called for a motion to adjourn at 5:12 p.m. Moved by Rosenberg, seconded by Ann Hinton, Voice Vote - Ayes, Unanimous. Ayes: Chuck Rosenberg, Ann Hinton, Rakesh Srivastava, Jody Stutzman, Joe Kindig, Shawn Rossi, and Greg Sinner. Absent: Michelle Lewis, Brian Hoffman, and Lou Kully. Nays: None. Motion Carried: 7-0. Motion Carried.

Greg Sinner, Chair

Department: Development Services

Staff Contact:

Planning Commission Meeting Date: 3/19/2024

File No: 2024-700

Prepared By: Melissa Woodard, Administrative Assistant I

AGENDA ITEM SUMMARY SHEET

Description of Item:

Names of People/Business affected by this action:

Why Planning Commission action is required:

Type of action requested:

Motion

Suggested motion:

Deadlines associated with action:

Department head comments:

Recommendation:

Department: Development Services
Staff Contact: Chad Bunger
Planning Commission Meeting Date: 3/19/2024
File No: 2024-727
Prepared By: Chad Bunger, Director of Development Services

AGENDA ITEM SUMMARY SHEET

Description of Item:

Public hearing for a change of zoning for property commonly addressed as 1220 W. 18th Street, City of Hastings, Adams County, Nebraska, from I-1, Light Industrial District to C-1, Local Business District, and to amend the Official Zoning District Map.

Motion to recommend approval for an ordinance and the amendment to the Official Zoning District Map to rezone property commonly addressed as 1220 W. 18th Street, City of Hastings, Adams County, Nebraska, from I-1, Light Industrial District to C-1, Local Business District, and to amend the Official Zoning District Map.

Names of People/Business affected by this action:

The applicant, surrounding neighborhood, people of Hastings, and the City.

Why Planning Commission action is required:

Neb. Rev. Stat. 19-902 provides the city council shall receive the advice of the planning commission before taking definite action on any contemplated amendment, supplement, change, modification, or repeal, and no such regulation, restriction, or boundary shall become effective until after separate public hearings are held by both the planning commission and the city council in relation thereto, at which parties in interest and citizens shall have an opportunity to be heard. Notice of the time and place of such hearing shall be given by publication thereof in a legal newspaper in or of general circulation in such municipality at least one time ten days prior to such hearing.

Type of action requested:

Ordinance
Motion

Suggested motion:

Motion to recommend approval for an ordinance and the amendment to the Official Zoning District Map to rezone property commonly addressed as 1220 W. 18th Street, City of Hastings, Adams County, Nebraska, from I-1, Light Industrial District to C-1, Local Business District, and to amend the Official Zoning District Map.

Deadlines associated with action:

The request to rezone will be heard at the City Council Regular meeting on April 8, 2024.

Department head comments:

Development Services staff has reviewed the application to rezone the property to C-1, Local Business District. The complete details of the staff review and recommendation are in the attached staff report.

Recommendation:

City staff recommends to the Planning Commission to recommend approval for an ordinance and the amendment to the Official Zoning District Map to rezone property commonly addressed as 1220 W. 18th St., City of Hastings, Adams County, Nebraska, from I-1, Light Industrial District to C-1, Local Business District, and to amend the Official Zoning District Map.



City of Hastings Planning Commission

STAFF REPORT

Request to Rezone: From I-1, Light Industrial to C-1, Local Business District

File No. 2024-727

Applicant Grace Life Church, LLC

Property Location: 1220 W. 18th Street, Hastings, Adams County, Nebraska

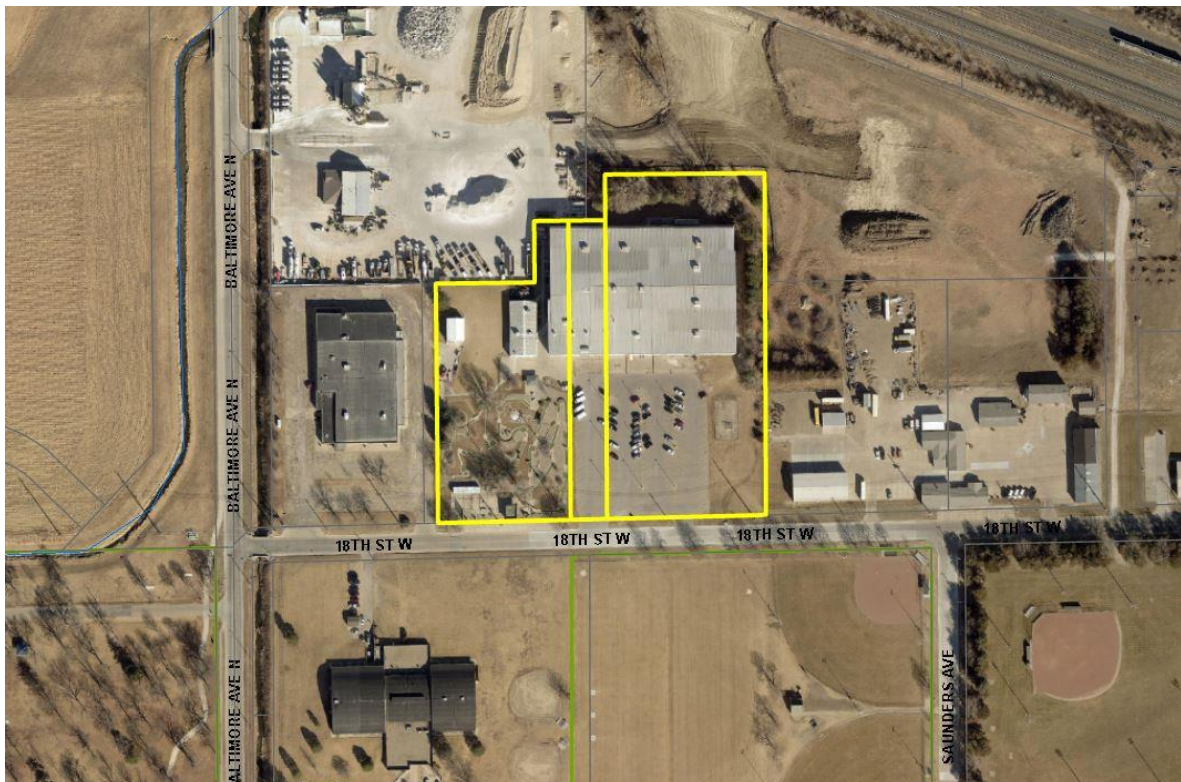
Lot Size: 7.77 acres

Date of Public Hearing: March 19, 2024

Current Zoning I-1, Light Industrial District

Adjacent Zoning:

- North: I-1 District
- East: I-1 District and I-2 Heavy Industrial District
- South: R-1, Urban Single-Family Residential District, and C-3, Commercial Business District
- West: I-1 District and A, Agricultural District



DESCRIPTION OF REZONING REQUESTS: The applicant has requested to rezone the 7.77-acre site from I-1, Light Industrial District to C-1, Local Business District. The applicant and property owner, Grace Life Church, proposes establishing a school (pre-kindergarten to 12th grade) on the site. This site is being used by both the applicant and the Hastings Family YMCA. The YMCA will leave the site later this year once the building renovation is complete at the YMCA's permanent facility, 1430 W 16th Street.

Following the move by the YMCA, the church plans to renovate the buildings to establish a private school that is anticipated to be open in the fall of 2024. An elementary school or secondary school is not permitted in the current zoning district. The request to rezone the site to the C-1 District would allow the school use as restricted use.

Property Description:

The site is generally flat. On the site is an approximately 80,300 square foot building used by the Grace Life Church (applicant) and the Hastings Family YMCA, a 5,000 square foot building used as a daycare, a 1,300 square foot storage building, an outdoor miniature golf course, and a large off-street parking lot. To the north and east of the main building a wooded area.

The former use of the site, Champion Sports and Recreation Center, and the current tenant, the Hastings Family YMCA, is classified as an indoor entertainment and recreation business, which is a permitted use in the I-1 District.

The Grace Life Church has a sanctuary and offices in the existing buildings. The church is classified as a Neighborhood Assembly, which is technically a conditional use in the I-1 District. However, placing additional restrictions or requiring additional land use applications for religious institutions compared to other similar assembly spaces is a violation of the [Religious Land Use and Institutionalized Persons Act of 2000](#) (RLUIPA). Because of the possibility of violating this Federal Act, the City Administration is not enforcing the conditional use requirement. Staff are actively working on updating the City's Zoning Regulations, which will include making this needed change.

It is not anticipated that significant changes to the site or building will occur with the establishment of a private school and/or church.

STANDARDS TO REZONE PROPERTY:

The provisions of [Article VIII](#) regulate the process of rezoning property within the City and its extraterritorial jurisdiction.

The City Council, by recommendation from the City Planning Commission, will base its decision on the following:

a) The existing use of the property, its physical and environmental characteristics, its zoning history, and its suitability for the zoning district it currently is within.

As previously described, the site is relatively flat with a large building being used as a church and an indoor entertainment and recreation business (Hastings Family YMCA, including an all-day childcare center).

The site has been zoned I-1 District since 1958.

The use of the building as an indoor entertainment and recreation business is permitted in the I-1 District. The Grace Life Church recently established its sanctuary and office in the main building. The church is considered a Neighborhood Assembly use by the City's Zoning Regulations, which is technically a conditional use in all districts. Enforcing the conditional use requirements would be a violation of the Religious Land Use and Institutionalized Person Act (RLUIPA) of 2000. This Federal Act prohibits the local land use regulations from imposing stricter or additional land use or landmarking laws on religious institutions compared to other assembly uses. Because of the potential violation of RLUIPA, City Administration has not enforced this requirement.

b) Conformity of the proposed change with the Comprehensive Plan.

The 2009 Imagine Hastings Comprehensive Plan Future Land Use Map shows the site as Employment/Industrial.

The policy statements from the Comprehensive Plan for the use category are:

Employment / Industrial

Industrial, warehousing and consolidated office parks provide employment opportunities and are generally considered the most intensive use of land because of operational impacts or functions. Each type of use is allowed in the employment land use category. Light industrial uses include those uses that are typically related to warehousing, distribution, fabrication and parts assembly and rely on large land areas and large single story buildings. Heavy industrial uses are typically those uses that are production or manufacturing related, such as assembly plants and more intense manufacturing uses, including animal slaughtering, grain processing, ethanol production and bio-diesel plants.

Generally, these uses rely on large amounts of land and large single story buildings, and rely heavily upon convenient transportation connections (road, rail and air) and access to high capacity infrastructure. Hastings currently has four areas that are primarily developed for industrial uses.

- *Industrial area parallel to the BNSF railroad line and 2nd Street,*
- *Hastings Industrial Park - West,*
- *Hastings Industrial Park - North, and*
- *Industrial area adjacent to the Union Pacific railroad line and the high school.*

It is intended that these uses should continue to be located in such established viable locations. Employment uses are proposed to be congregated into Hubs that create an accumulation of users that are large employers. The Future Land Use map identifies future locations for Employment Hubs at areas along railroad routes, near Hastings Municipal Airport, Hastings Regional Center and the old Naval Ammunitions Depot (NAD). Employment development Location Guidelines can be found in the Development Section of this chapter.

It is appropriate that industrial and employment uses continue to be focused in these four general areas. However, the site and the adjacent property to the west have been used for businesses other than industrial.

The site is not immediately adjacent to the Union Pacific Railroad, with no practicality to gain access to the railroad with a spur.

Additionally, having industrial uses on the site may not be appropriate when factoring in the immediate uses to the southwest, which include a YMCA, sports fields, the Hastings High School, and a public park.

Although the proposed rezoning does not strictly conform to the Comprehensive Plan, The 15-year-old plan's future land use category for this property may be inappropriate considering the realities of the City's development and the maintenance of properties in this area.

c) Adequacy of sewer, water, streets, and other needed facilities and services for permitted uses in the proposed zoning district.

The site is currently served by City utilities. These utilities should be adequate to provide needed water, sanitary sewer, electricity, and gas for the existing and proposed uses.

d) The character of the neighborhood, including the zoning and uses of nearby property.

The area is a mix of industrial, entertainment and recreation, education, and residential uses.

To the north and east of the site are industrial uses. To the east is a variety of warehouse and storage uses. To the north is a concrete patch plant. To the west is a bowling alley and restaurant. These properties are zoned I-1, Light Industrial District, or I-2, Heavy Industrial District.

To the south are recreational ballfields associated with Hastings Public Schools, which is zoned R-1, Urban Single-Family Residential District. The Hastings Family YMCA is to the southwest of the site and is zoned C-3, Commercial Business District. Further to the south are residential properties zoned R-3, Multiple-Family Residential District.

e) Compatibility of the proposed zoning district with nearby property.

The surrounding area is a mix of industrial, commercial, and residentially zoned properties. The site has historically been used as an indoor recreation and entertainment center. Currently, the Hastings Family YMCA is using the site for its services, which includes a full-day daycare. Before the YMCA, the site was used as the Champion Sports and Recreation Center. Recently the Grace Life Church purchased the property and established their church sanctuary and offices in the main building.

As previously mentioned, the area is transitional, from residential and public/recreational uses on the site and to the south, and light industrial uses, such as warehouses and a concrete patch plant to the north.

The site has functioned as something other than an industrial use for several years. Although not technically compatible with the surrounding light industrial uses, the recreation use does not appear to be adversely impacted by the more intensive land uses. The proposed use of the property of a private school and church, as described by the applicant, would function similarly to that of the YMCA.

The proposed rezoning to the C-1 District should be compatible with nearby properties.

f) Additional matters as might apply in individual cases. Not applicable.

STAFF COMMENTS: Staff recommends the Planning Commission **APPROVE** the Request to Rezone the property at 1220 W. 18th Street, from I-1, Light Industrial District to C-1, Local Business District.

PREPARED BY: Chad Bunger, AICP, CFM Director of Development Services

DATE: March 11, 2024

ATTACHMENTS:

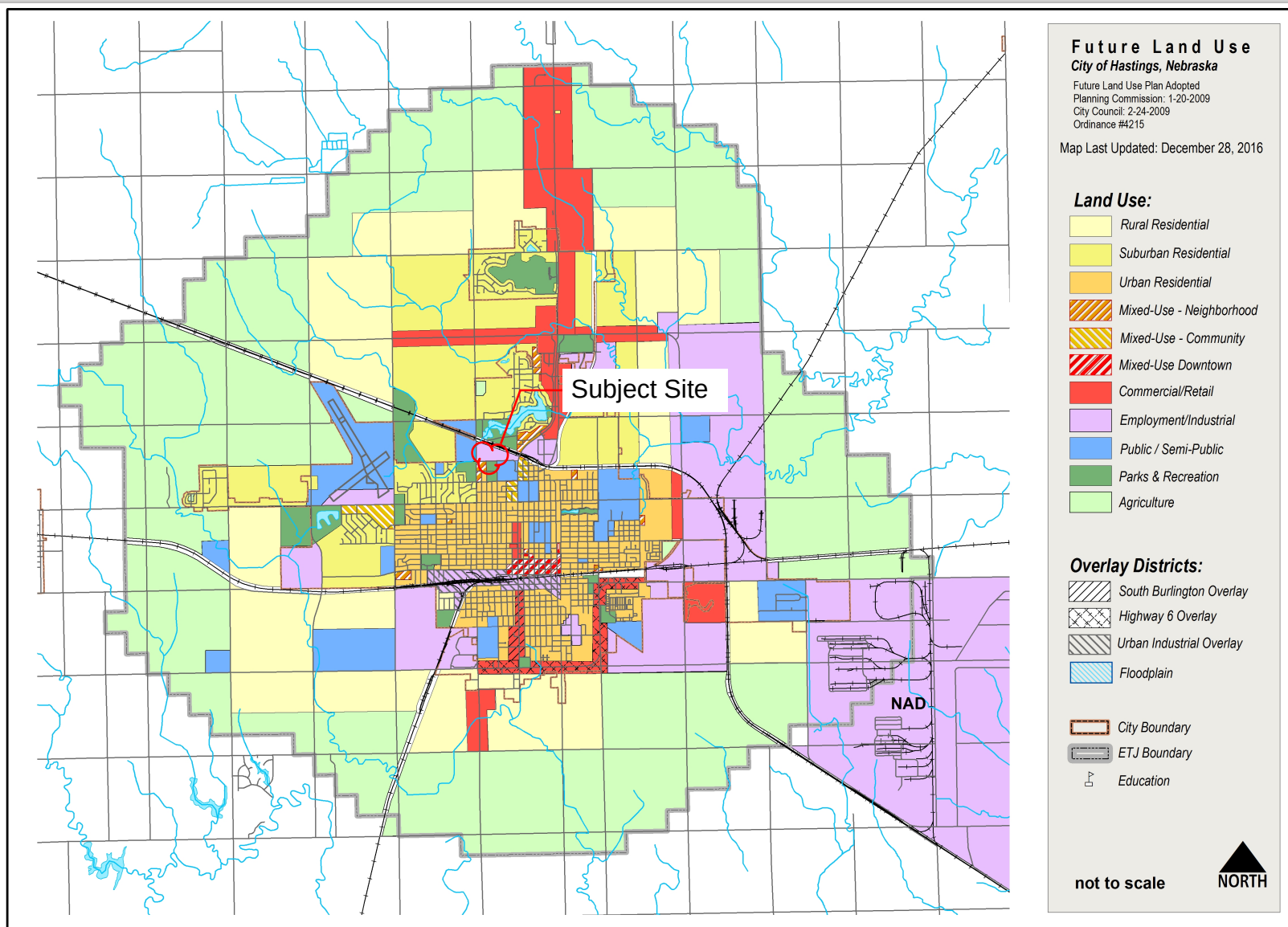


Figure 2.2: Future Land Use Plan



Zoning Application

Date: 02/18/2024

Project

Permit Type:	Change of Use Zoning Change (Rezone)	Existing Zoning:	I-1, Light Industrial
Project Name:	Grace Life Church/Hastings Christian School	Proposed Zoning:	C-1, Local Business
Project Address:	1220 W 18th St., Hastings, NE, 68901	Comprehensive Plan:	
City, State, Zip:	HASTINGS, NE 68901	Gross Area:	352005
In City Limits:	Yes	# of Lots:	3
Legal:		Proposed Use:	Church, Elementary, Secondary School
Reason for Request: Private Christian School			

Applicant / Owner

Applicant Name:	Chadwick Haygood	Owner Name:	GRACE LIFE CHURCH INC
Company:	Grace Life Church	Address:	200 N BURLINGTON AVE
Address:	1206 Lakeridge Dr		STE 150
City, State, Zip:	Hastings, NE, 68901	City, State, Zip:	HASTINGS, NE 68901-0000
Phone:	256-627-6830	Phone:	
Email:	chad@gracelifene.org	Email:	

Key Contact

Key Contact:	Chadwick Haygood	Address:	1206 Lakeridge Dr.
Company:	Grace Life Church/Hastings Christian School	City, State, Zip:	Hastings, NE, 68901
Phone:	(256) 627-6830	Email:	chad@gracelifene.org

I do hereby certify that the information contained herein is true and correct.

Chadwick Haygood

Applicant

02/18/2024

Date

Grace Life Church

Owner

02/18/2024

Date

Hastings Christian School By-Laws

ARTICLE I: NAME OF SCHOOL

The name of the school shall be Hastings Christian School.

ARTICLE II: OBJECTIVES

Section 1. Objective

The primary objective of the Corporation is to operate a school that will closely adhere to the Statement of Faith and Mission Statement.

Section 2. Mission

The primary objective will be pursued considering the following mission:

Mission Statement Summary: Hastings Christian School uses a classical method rooted in the Christian worldview. We nurture students' appreciation of truth, goodness, and beauty as they strive for excellence, gratitude, and service, while guiding them to live purposefully in the service of God and man.

A. God is honored:

The chief end of education is to encourage the student to honor and glorify God more fully.

B. God is the foundation of all knowledge:

All knowledge will be presented as part of an integrated whole, with God as revealed in His Scriptures at the center. All true knowledge reflects the Creator. The Christian worldview, which is further defined in our Statement of Faith, will be presupposed in all subjects.

C. The Western classical tradition is thoroughly taught:

The foundation of Western civilization will be emphasized through the study of history, philosophy, science, the arts, literature, and classical language. The method of instruction will implement the Trivium: Grammar (the fundamental data and interrelated rules of a subject); Logic (the ordered relationship of particulars in a subject); and Rhetoric (the clear expression of the grammar and logic of that subject).

D. Parents are assisted in the education of their children:

Parents are responsible for the training and instruction of their children. Hastings Christian School endeavors to assist parents in this responsibility.

E. In all its levels, programs, and teaching, Hastings Christian School will:

1. Provide a clear model of biblical Christian life through its staff and board (Matt. 22:37-40).

2. Encourage every child to begin or continue in a personal relationship with God the Father through Jesus Christ in the power of the Holy Spirit (Matt. 28:18-20).
3. Emphasize grammar, logic, and rhetoric in all subjects, with appropriate adjustments to grade level.
4. Encourage every student to grow in a love for learning and to achieve their academic potential.
5. Provide an orderly atmosphere conducive to the attaining of these goals.

ARTICLE III: STATEMENT OF FAITH

Hastings Christian School affirms the following statements:

Section 1. The Apostles Creed

We believe in God the Father Almighty, Maker of heaven and earth. And in Jesus Christ, his only begotten Son, our Lord. He was conceived by the Holy Ghost, and was born of the virgin, Mary. He suffered under Pontius Pilate, was crucified, died, and was buried. He descended into Hades. On the third day he rose again from the dead, ascended into Heaven, and sits at the right hand of God the Father Almighty; from thence he will come to judge the living and the dead. We believe in the Holy Ghost, the holy catholic Church, the communion of the saints, the forgiveness of sins, the resurrection of the body, and the life everlasting. Amen.

Section 2. Statement of Faith

In addition to the Apostles Creed stated above, Hastings Christian School holds to the following statement of faith. By enrolling their children here, parents acknowledge their personal agreement with these statements and allow their children to be taught in accordance with this Statement of Faith.

- A. We believe the Bible alone to be the inerrant, authoritative Word of God for all matters of faith and practice. (2 Timothy 3:16)
- B. We believe there is one God, eternally existent in three persons: Father, Son, and Holy Spirit. (Genesis 1:26; Acts 7:54-60; John 1:1)
- C. We believe in the deity of our Lord Jesus Christ, in his virgin birth, in his sinless life, in his miracles, in his vicarious and atoning death through his shed blood, in his bodily resurrection, in his ascension to the right hand of the Father, and in his personal return in power and glory.
- D. We believe that for the salvation of lost and sinful men, regeneration by the Holy Spirit is absolutely necessary. (Titus 3:5)
- E. We believe that salvation is by grace alone through faith alone. (Ephesians 2:8-9)

- F. We believe that faith without works is dead. (James 2:14-26)
- G. We believe the Holy Spirit indwells every Christian, enabling them to live a godly life. (Galatians 5:22-25)
- H. We believe in the resurrection of the saved to eternal life and the lost to eternal damnation. (Matthew 25:31-46)
- I. We believe in the spiritual unity of all believers in our Lord Jesus Christ. (John 17)

Section 3. Marriage, Gender, and Sexuality

To preserve the function and integrity of Hastings Christian School, and to provide a Biblical role model to the students and other members of the Hastings Christian School community, as well as the community at large, it is imperative that all persons employed by the school, or who serve as volunteers, agree to and abide by the following:

- A. God wonderfully and immutably creates each person as male or female. These two distinct, complementary genders together reflect the image and nature of God. (Gen. 1:26-27) Rejection of one's biological sex is a rejection of the image of God within that person.
- B. The term "marriage" has only one meaning: the uniting of one man and one woman in a single, exclusive union, as delineated in Scripture. (Gen. 2:18-25) We believe that God intends sexual intimacy to occur only between a man and a woman who are married to each other. (I Cor. 6:18;7:25; Hebrews 13:4) We believe that God has commanded that no intimate sexual activity be engaged in outside of a marriage between a man and a woman.
- C. Any form of sexual immorality (including adultery, fornication, homosexual behavior, bisexual conduct, bestiality, incest, and use of pornography) is sinful and offensive to God. (Matt. 15:18-20; I Cor. 6:9-10)
- D. God offers redemption and restoration to all who confess and forsake their sin, seeking His mercy and forgiveness through Jesus Christ. (Acts 3:19-21; Rom. 10:9-10; 1 Cor. 6:9-11)
- E. Every person must be afforded compassion, love, kindness, respect, and dignity. (Mark 12:28-31; Luke 6:31) Hateful and harassing behavior or attitudes directed toward any individual are to be repudiated and are not in accord with Scripture nor the doctrines of Hastings Christian School.

Section 4. The Sanctity of Human Life

We believe that all human life is sacred and created by God in his image. Human life is of inestimable worth in all its dimensions, including preborn babies, the aged, the physically or mentally challenged, and every other stage or condition from conception through natural death. We are therefore compelled to defend, protect, and value all human life. (Psalm 139)

ARTICLE IV: CORPORATE OFFICES

The principal office of the Corporation in the State of Nebraska shall be located in Hastings, Nebraska at the site of the school, in the county of Adams. The mailing address will 200 N. Burlington Ave, Suite 150, Hastings, NE 68901. The offices may, from time to time, be changed at the discretion of the Board of Directors.

ARTICLE V: MEMBERSHIP

The Corporation shall have no members. Members of the Board, all staff, and parents of current students shall comprise the Hastings Christian School Association, hereinafter "Association," which shall have no voting rights in corporate business.

ARTICLE VI: BOARD OF DIRECTORS

Section 1. Election and Tenure

There shall be at least three (3) but not more than (7) voting members of the Board of Directors of Hastings Christian School. The board shall be made up of permanent and non-permanent members. There shall be no more than three (3) permanent members. The remaining members will serve for a term of three (3) years. A non-permanent member may be elected to serve an additional term after having taken a one (1) year sabbatical from board responsibilities.

Men and women are allowed to serve on the Board of Directors, though there is an emphasis on male leadership among the Board of Directors. Therefore, men must make up the majority of the board.

The existing members of the Board of Directors will fill the additional seats, when necessary, by unanimous appointment, subject to the required qualifications through the following process:

A. Nomination:

Candidates may be nominated by any member of the standing board and selected for candidacy by the unanimous vote of the board. The qualifications are outlined in the following section.

B. Candidacy:

Nominated candidates must complete the following steps before a final vote may be taken on their election:

1. The candidate must answer questionnaire in writing or orally before the board, at his option.
2. Candidate must read the following books prior to their election vote: *Recovering the Lost Tools of Learning*, *Repairing the Ruins*, *The Abolition of Man*, and *The Case for Classical Christian Education*.

3. Candidates are then asked to attend board-meetings, including the extended “philosophical” meetings, for a minimum of 2 months and a maximum of 6 months. During these meetings, candidates will participate in the discussions and express their vote, but it will not count.
4. Candidates will be elected by a vote of the full board within 6 months of their nomination.

Members of the Board of Directors may take up to a one-year sabbatical leave from the Board, subject to approval by the majority of the Board.

Section 2. Qualifications

Classical Christian education contradicts the established educational paradigm at many levels. This makes sustaining the classical Christian vision unusually difficult, given the pervasive influence of modern education. The board is responsible to ensure the continued vision and mission of the school. Board members must also be unified and Christ-like, given the potential for disagreement when pursuing a strong vision. For these reasons, the selection of board members who are committed to classical Christian education and who exhibit the fruits of the spirit is essential. To this end, the board of directors takes particular care in nominating and electing new directors. The board will err on the side of fewer numbers to preserve a qualified and committed board.

Subject to availability of suitable members of the Board of Directors subscribing to the agreed upon Statement of Faith (Article III), every attempt will be made to secure members of the Board of Directors having expertise valuable to the school and a demonstrated commitment to classical and Christian education. In all cases, the demonstrated Christian walk of the individual member of the Board of Directors shall be a major consideration as to their suitability as a member of the Board of Directors. Specifically, members of the Board of Directors should conduct themselves in a manner consistent with the requirements of church elders as established in I Timothy 3:1-7 and Titus 1:6-9, excepting the ability to teach.

As a matter of firm policy, it is mandatory that all members of the Board of Directors be members in good standing of a local church while also subscribing to the above Mission Statement and Statement of Faith (Article III) in a manner and method prescribed by the Board of Directors, either by written statement or by oral testimony before the Board.

In addition to the above, Directors:

1. Need not be the parent of a current Hastings Christian School student.
2. Should have a proven record of prior volunteerism within the School.
3. Must be able to articulate and agree with the school’s definition of Classical and Christian Education.
4. Must be willing to place the best interest of the school and its objectives over their personal family. Must be a director in a servant’s role, in place to accomplish the organization’s goals. This is juxtaposed to being a “parent’s voice”, primarily

representing the general desires their specific family interests or the parents in general.

5. Must be able to make the board's regular meetings, missing fewer than 3 per year. Must be able to attend up to 2 strategic planning sessions per year.
6. Should demonstrate a personal pursuit of knowledge, wisdom, and understanding. e.g. reading, studying Scripture, developing a systematic theology, etc.
7. Should be willing to commit 5-10 hours per month to perform board duties and assignments (some board offices may require more).
8. Should demonstrate wisdom in leadership.

The board also seeks directors who have skill that complement a specific need for board member oversight.

Section 3. Vacancies

Any vacancy occurring in the Board of Directors through resignation or removal may be filled by the affirmative unanimous vote of all existing Directors, though less than a quorum of Directors remains.

Section 4. Removal of Members of the Board of Directors

Three or more sitting board members or fifteen or more parents or guardians of Hastings Christian School students may petition the board for removal from the board of any board member they feel lacks a genuine commitment to the school's statement of faith, or the goals of the school as outlined in these bylaws or the policy manual, or who lacks wisdom and diligence in matters of board responsibility. A board member may be removed from the board by a two-thirds majority vote of the board members not under consideration.

Section 5. Ex-officio Members of the Board of Directors

The Board of Directors may designate non-voting, ex-officio members of the Hastings Christian School Board by a unanimous vote of the full Board. Their term of service will continue at the discretion of the Board. At the direction of the Board, a nonvoting ex-officio member may be designated as Secretary or Treasurer of the Board of Directors.

Section 6. Employment of Members of the Board of Directors

Any member of the Board of Directors may be employed by the school from time to time on such terms as may be mutually agreeable, provided that the compensation is reasonable for service rendered.

Members of the Board of Directors may be employed as staff with the school but may not vote on issues relating to compensation that would affect their staff position. A compensation committee comprised of the remaining members of the Board of Directors and a person chosen by the remaining members of the Board of Directors shall set any compensation for such position.

ARTICLE VII: OFFICERS OF THE BOARD OF DIRECTORS

Section 1. Designation of Officers

The officers of the Board of Directors shall be a Chairman, a Vice-Chairman, a Secretary, and a Treasurer, each of whom shall be elected by the Board of Directors. Such other officers and assistants as may be deemed necessary may be elected by the Board. Any two or more offices may be held by the same person except the offices of Chairman and Secretary. All officers other than the Secretary and Treasurer must be members of the Board of Directors.

Section 2. Election

The Board of Directors shall elect officers of the Board of Directors annually. A new election for officers of the Board may take place annually or upon a written request by the majority of the Board of Directors or upon the resignation of any officer. Each officer shall hold office until his successor shall have been duly elected. The office of Chairman is a three-year term. The office of treasurer may be left vacant if the school's controller serves in a financial capacity at board meetings.

Section 3. Removal of Officers

Any elected officer or agent may be removed from office by a majority vote of the Board of Directors whenever in its judgment the best interests of the school will be served thereby. Three consecutive absences from regular Board meetings shall constitute valid grounds for removal from office.

Section 4. Chairman

The Chairman shall, when present, preside at all meetings of the Board, as well as all general meetings of the Association. The Chairman of the board must be a male. He may sign with the Secretary, or any other full and proper officer thereunto authorized by the Board, any checks, deeds, contracts, or other instruments which the Board has authorized to be executed.

Section 5. Vice Chairman

In the absence of the Chairman, or in the event of the inability of the Chairman to act, the Vice Chairman shall perform the duties of Chairman. The office of Vice Chairman may be left vacant from time to time.

Section 6. Secretary

The secretary or his designees shall keep the minutes of the proceedings, see that all notices are duly given in accordance with the provisions of these by-laws or as required by law, keep a current, valid mailing address of each Association member, sign with the Chairman of the Board any legal instrument approved by the Board, and generally perform the duties of the office of Secretary for the Corporation, including such other duties as from time to time may be assigned to him by the Chairman or by the board.

Section 7. Treasurer

The Treasurer or his designee shall have charge of and be responsible for all reporting and accounting of funds of the Academy, receive and give receipt for moneys due and payable to the school and deposit all such moneys in the name of the school in such banks or other depositories as shall be selected by the board, and in general perform all duties incidental to the office of Treasurer as set out by the board.

Section 8. Compensation of Officers

The officers of the Board of Directors shall perform their services without compensation.

Section 9. Employment of Officers

Any officer may also serve as an employee of the School on such terms as may be mutually agreeable. Any such employment shall comply with Article VI, Section 6.

ARTICLE VIII: COMMITTEES OF THE BOARD

Section 1. Executive Committee

An Executive Committee, comprised of the Chairman and two other members of the Board of Directors, may, in the absence of the full Board but with prior Board approval, exercise all authority of the Board for specific decisions.

Section 2. Ad Hoc Committees

The Board of Directors may, by resolution passed by a majority, designate such ad hoc committees as may be appropriate. All committees serve at the pleasure of the Board and may be comprised of members of the Board of Directors, regular and ex-officio, parents, or any others who may be approved to serve.

ARTICLE IX: MEETINGS

Section 1. Regular Meetings of the Board of Directors

The full board shall meet at regular intervals of not less than once per quarter, at a regularly designated place at a preannounced time. All regular meetings of the Board shall be open to any member of the Association. All regular meetings of the board shall include a documented portion of the meeting open to any member of the association. The meeting shall be conducted from a pre-published printed agenda, posted to the public at least two days in advance.

Section 2. Special Meetings

Special meetings of the board may be held at a time and place designated by the board chairman to address such issues as may come before the board, requiring board action sooner than the regularly scheduled meeting, or to respond to a submitted petition requesting such special meeting, signed by twenty or more members of the Association.

Section 3. Meeting Minutes

All meeting minutes (normal or executive) shall be recorded, stored, and available for historical reference. Minutes of all regular Board meetings will be published and maintained in a permanent binder in the school offices.

Section 4. Decorum

All meetings of the Board shall be conducted according to *Roberts' Rules of Order* regarding voting and passing motions.

Section 5. Quorum

A majority of the full Board including the Chairman shall constitute a quorum for full Board action. If the Chairman cannot attend, he may designate the Vice Chairman to act in his place. Board proxies may only be held for a specific issue, exercised only on that issue.

All members of the Executive Committee shall constitute a quorum for the transaction of business.

Section 6. Executive Session

The Board may, as circumstances dictate, adjourn to closed session from time to time as the need to address spiritual, personnel, disciplinary, or other confidential issues arises.

Section 7. Board Action

The Board will be considered as having formally acted when, in a duly constituted meeting, a proposal is moved, seconded, discussed, passed with the appropriate margin of votes, entered in minutes, and duly approved.

Board discussion, consensus, debate, etc., does not constitute formal Board action.

ARTICLE X: MANAGEMENT OF THE SCHOOL

Section 1. Day-to-Day Operations

The Board will employ an executive officer (Headmaster) to implement the will of the board in the operation of the school.

Section 2. Headmaster

The board, by unanimous vote, may employ a Headmaster, who shall oversee the operation of the school in accordance with the policies of the Board of Directors. The Headmaster's duties shall include, but not be limited to, pre-qualifying all staff, overseeing financial matters, maintaining the spiritual quality of the school, evaluating and managing staff, and all day-to-day administrative duties. While matters of operational policy remain the primary duty of the Headmaster, all staff dismissals must have a majority vote of the Board.

Section 3. Principal

The Board may employ a Principal for each school (elementary, middle, high) as needed based upon student count. The principal shall oversee teacher training, discipline, testing, curriculum implementation, educational quality, and the general administration of those grades for which they are responsible. All principals report to the head of school.

ARTICLE XI: FISCAL RESPONSIBILITY

Section 1. General Policy

The board is responsible through its approval of the budget to ensure that the day-to-day operations of the school, including facility maintenance, shall be fully funded.

Section 2. Fiscal Year

The fiscal year of the Corporation shall begin on the first day of July and end on the thirtieth day of June of the following year.

Section 3. Budgets

The board shall approve the annual operating budget. The headmaster will submit an operating budget for the following fiscal year to the board in March with final board action to approve the budget taken no later than the thirtieth of April.

Section 4. Financial Statements

It shall be the headmaster's responsibility, with help from the treasurer, to prepare a monthly financial statement, to be submitted to the board prior to the next regular board meeting. All financial statements are subject to board review.

Section 5. Financial Inspection

The books of Hastings Christian School shall be open to inspection by the board at any time.

Section 6. Fundraising

It shall be the board's responsibility to set policy for the fundraising activities of the school staff and to be responsible for its effectiveness and thoroughness. The board may employ a Director of Development as well as additional personnel to generate financial support.

Section 7. Contracts

The board may authorize any officer, officers, agent, or agents to enter into any contract or to execute and deliver any instrument in the name of and on behalf of the Corporation.

Section 8. Loans

No loans shall be contracted on behalf of the Corporation without two-thirds (2/3) approval of the Board of Directors. If the above-mentioned loan creates a financial liability for individual directors, the vote must be unanimous.

Section 9. Checks and Drafts

All checks or drafts issued by Hastings Christian School shall be signed by such officers in such a manner as shall be determined by resolution of the school board.

Section 10. Deposits

All funds of the school, association, or corporation shall be deposited in such depositories as the board, or its authorized delegate may select.

ARTICLE XII: NONDISCRIMINATION POLICY

Hastings Christian School does not discriminate on the basis of race, color, national or ethnic origin, or sex in the administration of its admissions, scholarships, hiring, or other school-directed policies. All practices and policies of Hastings Christian School shall be racially

nondiscriminatory, as any such discrimination was improper before federal or state law addressed such issues and continues to be improper.

ARTICLE XIII: AMENDMENTS TO BY-LAWS

These by-laws and other elements of the Board handbook may be altered, amended, or repealed by unanimous vote of the Board at any regular or special meeting of the Board of Directors. A minimum thirty (30) day waiting period between the motion and the final vote is required.

ARTICLE XIV: INDEMNIFICATION OF DIRECTORS AND OFFICES

To the extent permitted by law, the Corporation shall indemnify any person who was or is a party, or is threatened to be made a party to any threatened, pending or completed action, suit or proceeding, whether civil, criminal, administrative or investigative, other than an action by or in the right of the Corporation, by reason of the fact that he or she is or was a director or officer of the Corporation against expenses, including attorney fees, judgments, fines and amounts paid in settlement actually and reasonably incurred by him or her in connection with such action, suit or proceeding if he or she acted in good faith and in a manner he or she reasonably believed to be in or not opposed to the best interests of the Corporation, and with respect to any criminal action or proceeding, had no reasonable cause to believe his or her conduct was unlawful. The indemnity provided for by this Article shall not be deemed to be exclusive of any other rights to which those indemnified may be otherwise entitled, nor shall the provisions of this Article be deemed to prohibit the Corporation from extending its indemnification to cover other persons or activities to the extent permitted by law or pursuant to any provision in the Bylaws.

ARTICLE XV: PROHIBITION AGAINST SHARING IN CORPORATE EARNINGS

No director, officer or employee of or member of a committee of or person connected with the Corporation, or any other private individual shall receive any of the net earnings or pecuniary profit from the operations of the Corporation; *provided, however*, this provision shall not prevent the payment to any such person of such reasonable compensation for services rendered to or for the Corporation in effecting any of its purposes as shall be fixed by the Board of Directors, and no such person or persons shall be entitled to share in the distribution of any of the corporate assets upon the dissolution of the Corporation.

ARTICLE XVI: CONFLICTS OF INTEREST

The Corporation and its Directors and officers shall comply with the Corporation's conflicts of interest policy and shall complete any and all disclosure forms in accordance with such policy.

THE UNDERSIGNED does hereby certify that the above and foregoing Bylaws of the Corporation were duly adopted by the Board of Directors of the Corporation on the 23rd day of May 2022.

Chad Haygood, President

ARTICLES OF INCORPORATION OF HASTINGS CHRISTIAN SCHOOL

Pursuant to the provisions of the Nebraska Nonprofit Corporation Act, as amended (Act), the undersigned, acting as the Incorporator, hereby adopts the following Articles of Incorporation.

ARTICLE I NAME

The name of the corporation is Hastings Christian School ("Corporation").

ARTICLE II DESIGNATION

The Corporation is a religious corporation under the Act.

ARTICLE III REGISTERED OFFICE AND REGISTERED AGENT

The street address of the Corporation's initial registered office is 10306 Regency Parkway Drive, Omaha, Nebraska 68114, and the name of the initial registered agent at such address is LDM Business Services, Inc.

ARTICLE IV PURPOSES

The Corporation is organized, and shall be operated, on a not-for-profit basis exclusively for charitable, educational and scientific purposes, within the meaning of section 501(c)(3) of the Internal Revenue Code, or the corresponding section of any future federal tax code ("Code"). The initial purposes for which this Corporation is organized is to establish, conduct, and maintain Christian day school or schools to nurture the minds and souls of children through an integrated education of faith and reason.

ARTICLE V POWERS

The Corporation shall have all the powers conferred upon nonprofit corporations by the Act, and any enlargement of such powers conferred by subsequent legislative acts. In addition thereto, the Corporation shall have and exercise all powers and rights not otherwise denied nonprofit corporations by the laws of the State of Nebraska, as are necessary, suitable, proper, convenient or expedient to the attainment of the purposes set forth in Article IV above; provided, however:

(a) No part of the net earnings of the Corporation shall inure to the benefit of, or be distributable to, any officer or director of the Corporation, or any private individual, except that the Corporation shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in Article IV above.

(b) No substantial part of the activities of the Corporation shall be carrying on of propaganda, or otherwise attempting to influence legislation, and the Corporation shall not

participate or intervene in, any political campaign on behalf of, or in opposition to, any candidate for public office, including the publication or distribution of statements.

(c) Notwithstanding any other provisions of these Articles of Incorporation, the Corporation shall not conduct or carry on any activities not permitted to be conducted or carried on by an organization exempt from federal income tax under section 501(c)(3) of the Code, or by an organization, contributions to which are deductible under section 170(c)(2) of the Code.

ARTICLE VI MEMBERS AND DIRECTORS

The Corporation shall have no members. The officers, directors, employees or volunteers of this Corporation shall not be personally liable for the debts, liabilities or obligations of the Corporation, and the private property of such persons shall not be subject to the payment of the debts or obligations of the Corporation.

The affairs of the Corporation shall be conducted by the Board of Directors. Officers comprise the Board of Directors of the Corporation along with any additional elected directors deemed necessary, and the number of directors and other requirements pertaining to the directors and officers of the Corporation shall be set forth in the bylaws of the Corporation.

ARTICLE VII DISSOLUTION

Upon the dissolution of the Corporation, the Board of Directors shall, after paying or making provision for the payment of all liabilities of the Corporation, dispose of all assets of the Corporation, exclusively for charitable, educational or scientific purposes within the meaning of section 501(c)(3) of the Code, or to charitable or educational organizations which are tax-exempt as an organization described in section 501(c)(3) of the Code, as the Board of Directors shall determine. Any such assets not so disposed of shall be disposed of by a court of competent jurisdiction of the county in which the principal office of the Corporation is then located, exclusively for such purposes or to such organization or organizations as said court shall determine, which are organized and operated exclusively for such purposes.

ARTICLE VIII INCORPORATOR

The name and address of the Incorporator is as follows:

LDM Business Services, Inc.
10306 Regency Parkway Drive
Omaha, NE 68114

IN WITNESS WHEREOF, the Incorporator has executed this Articles of Incorporation this 16th day of May 2022.

LDM Business Services, Inc., Incorporator

By:


Daniel J. Waters, Vice-President

LDM #748657

BYLAWS

GRACE LIFE CHURCH

Adopted: August 16, 2019

SECTION ONE

GENERAL

- 1) **Incorporation of Local Church.** Grace Life Church (the “Church”) is an ecclesiastical body established by Jesus Christ in Hastings, Nebraska to preach the gospel, disciple the nations, and establish a community of Christian believers and disciples of Jesus Christ who practically live out the gospel.
- 2) **Autonomy of Local Church and Collaboration with Other Churches.** Grace Life Church is autonomous and maintains the right to govern its own affairs and own its own property and other assets. Recognizing, however, the benefits of collaboration with other churches, Grace Life Church participates in an association of churches called Sovereign Grace Churches, Inc., a Maryland nonstock corporation whose primary place of business is in Louisville, Kentucky, in accordance with *The Book of Church Order for the Sovereign Grace Churches* (hereafter called *The Book of Church Order*) and the *Sovereign Grace Partnership Agreement, as amended* (hereafter called the *Partnership Agreement*). As stipulated in said agreement, this association involves no legal transfer to, or sharing of properties with Sovereign Grace Churches, but is a collaboration that advances a shared mission and facilitates interdependent church fellowship.
 - a) **Voluntary Partnership.** Grace Life Church voluntarily partners with other local churches that are represented by the same Regional Assembly of Elders (the “Regional Assembly”), as further described in the *Partnership Agreement*. These Bylaws are subject to the authority and precedent of *The Book of Church Order*, and they shall consist of the standards of doctrine, governance, discipline, and worship employed by this and other partnering churches in the Regional Assembly. All references to *The Book of Church Order* herein shall be deemed to include any subsequent current amendments or restatements. Grace Life Church's participation in the Regional Assembly of Elders as defined by *The Book of Church Order* (including its Regional Judicial Committee) and the Sovereign Grace Court of Appeal is strictly voluntary and does not confer or transfer any of the Corporation's legal rights, privileges, assets, and liabilities to any of these distinct ecclesiastical bodies or any of their related or affiliated entities.
 - b) **Responsibilities of Partnership.** Responsibilities of and to Sovereign Grace Churches shall be such as are summarized in the *Partnership Agreement* signed by all Sovereign Grace churches as found in the *Grace Life Church Policy Manual* and *The Book of Church Order*.

- c) **Withdrawal from Partnership.** Should the Board of Elders determine that the *Church* should withdraw from the Sovereign Grace Churches association, it may do so as agreed upon by the *Church's* Board.

SECTION TWO STATEMENT OF FAITH

1) Statements of Faith, Biblical Morality, and Godly Conduct

- a) **Statement of Faith.** The Statement of Faith affirms the Church's commitment to sound biblical doctrine and to the core beliefs to which it is committed. Christianity involves essential truths which are taught in Sacred Scripture, and are meant to embody our faith and guide our practice. These truths—which reveal the nature, character, work and promises of God in the gospel—form the foundation of our faith and the center of our fellowship. The *Statement of Faith* of this Corporation is as follows:

- i) **The Scriptures.** We accept the Bible, including the 39 books of the Old Testament and the 27 books of the New Testament, as the written Word of God. The Bible is the only essential and infallible record of God's self-disclosure. It leads us to salvation through faith in Jesus Christ. Being given by God, the scriptures are both fully and verbally inspired by God. Therefore, as originally given, the Bible is free of error in all it teaches. Each book is to be interpreted according to its context and purpose and in reverent obedience to the Lord who speaks through it in living power.

All believers are exhorted to study the Scriptures and diligently apply them to their lives. The Scriptures are the authoritative and normative rule and guide of all Christian life, practice, and doctrine. They are totally sufficient and must not be added to, superseded, or changed by later tradition, extra-biblical revelation, or worldly wisdom. Every doctrinal formulation, whether of creed, confession, or theology, must be put to the test of the full counsel of God in Holy Scripture.¹

- ii) **God is Triune.** There is one God: infinite, eternal, almighty, and perfect in holiness, truth, and love. In the unity of the godhead there are three persons: Father, Son, and Holy Spirit; co-existent, co-equal, co-eternal. The Father is not the Son and the Son is not the Holy Spirit, yet each is truly Deity. One God and Father, Son, and Holy Spirit is the foundation of

¹ 2 Tim. 3:14-17; 2 Peter 1:19-21; Matt. 5:17, 18; John 10:34, 35; 1 Cor. 14:37; Ps. 1:2; 19:7-11; Acts 17:11; James 1:18-25; 2 Tim. 2:15; 2 Peter 3:14-17; Gal. 1:8, 9.

Christian faith and life.²

iii) God the Father. God the Father is the Creator of heaven and earth. By his word and for his glory, he freely and supernaturally created the world out of nothing. Through the same Word he daily sustains all his creatures. He rules over all and is the only Sovereign. His plans and purposes cannot thwarted.

He is faithful to every promise, works all things together for good to those who love him, and in his unfathomable grace he gave His Son Jesus Christ for mankind's redemption. He made man for fellowship with himself, and intended that all creation should live to the praise of his glory.³

iv) Jesus Christ. Jesus Christ, the only begotten Son of God, was the eternal Word made flesh, supernaturally conceived by the Holy Spirit, born of the Virgin Mary. He was perfect in nature, teaching, and obedience. He is fully God and fully man. He was always with God and is God. Through him all things came into being and were created. He was before all things and in him all things hold together by the power of his word. He is the image of the invisible God, the first-born of all creation, and in him dwells the fullness of the godhead bodily. He is the only Savior for the sins of the world, having shed his blood and died a vicarious death on Calvary's cross.

By his death in our place, he revealed the divine love and upheld divine justice, removing our guilt and reconciling us to God. Having redeemed us from sin, the third day he rose bodily from the grave, victorious over death and the powers of darkness, and for a period of forty days appeared to over five hundred witnesses, performing many convincing proofs of his resurrection. He ascended into heaven where, at God's right hand, he intercedes for His people and rules as Lord over all. He is the Head of His body, the Church, and should be adored, loved, served, and obeyed by all.⁴

v) The Holy Spirit. The Holy Spirit, the Lord and Giver of life, convicts the

² Deut. 6:4; 1 Cor. 8:4-6; 1 Tim. 1:17; 6:15, 16; Daniel 4:34, 35; Isa. 44:6, 8; 45:5, 21; Matt. 28:19; 1 Cor. 12:4-6; 2 Cor. 13:14; Eph. 4:4-6; John 1:1, 14; Acts 5:3, 4; Titus 1:13; Heb. 1:8-12

³ Gen. 1:1-31; Ps. 104:1-35; Heb. 11:3; Isa. 40:26; Daniel 4:34, 35; Ps. 115:3; Eph. 1:11; Rom. 4:20, 21; Titus 1:2; Heb. 6:17, 18; 10:23; 2 Cor. 1:20-22; 2 Peter 1:3, 4; Rom. 8:28; James 1:17; Gen. 2:8; 1 John 1:2, 3; John 17:3; Rev. 4:10, 11; Isa. 43:7

⁴ John 1:1, 2, 14-18; Matt. 1:20; Luke 1:34, 35; Heb. 1:2, 3, 8-12; 4:15; 7:26; Col. 1:15-19; 2:9; 1 John 2:2; 4:14; John 3:16; Isa. 53:3-6; Matt. 20:28; 1 Peter 4:18; Rom. 3:23-26; Heb. 7:26, 27; 10:5-12; Matt. 28:1-6; Mark 16:1-

world of sin, righteousness, and judgment. Through the proclamation of the gospel, he persuades men to repent of their sins and confess Jesus as Lord. By the same Spirit a person is led to trust in divine mercy. The Holy Spirit unites believers to Jesus Christ in faith, brings about the new birth, and dwells within the regenerate.

The Holy Spirit has come to glorify the Son who in turn came to glorify the Father. He will lead the Church into a right understanding and rich application of the truth of God's Word. He is to be respected, honored, and worshiped as God the third person of the Trinity.⁵

- vi) **Man.** God made man—male and female—in his own image, as the crown of creation, that man might have fellowship with him. Tempted by Satan, man rebelled against God. Being estranged from his Maker, yet responsible to him, he became subject to divine wrath, inwardly depraved and, apart from a special work of grace, utterly incapable of returning to God.

This depravity is radical and pervasive. It extends to his mind, will and affections. Unregenerate man lives under the dominion of sin and Satan. He is at enmity with God, hostile toward God, and hateful of God. Fallen, sinful people, whatever their character or attainments, are lost and without hope apart from salvation in Christ.⁶

- vii) **The Gospel.** Jesus Christ is the Gospel. The Good News is revealed in his birth, life, death, resurrection, and ascension. Christ's crucifixion is the heart of the Gospel; his resurrection is the power of the Gospel; and his ascension is the glory of the Gospel. Christ's death is a substitutionary and propitiatory sacrifice to God for our sins. It satisfies the demands of God's holy justice and appeases His holy wrath. It also demonstrates his mysterious love and reveals His amazing grace.

Jesus Christ is the only mediator between God and man. There is no other

8; Luke 24:1-12; John 20:1-29; Acts 1:3, 8-11; 2 Tim. 2:8; 1 Cor. 15:1-11; Heb.2:14, 15; Rev. 1:17, 18; Rom. 5:6-11; Rom. 8:34; Heb.7:23-25; Eph. 1:19-23; Col. 1:15-20; Rev. 5:1-14; 1 Cor. 1:22; John 14:21, 23, 24.

⁵ Gen. 1:2; Rom. 1:3; 8:2, 6; John 16:7-11; 1 Cor. 2:8-13; 12:3; Eph. 3:16-19; John 3:5-8; Titus 3:5; 1 Peter 1:2; John 16:13-15; 14:17, 25, 26; Acts 5:3, 4; 2 Cor. 13:14; Matt. 28:19; Gal. 5:16-25; Eph. 1:13, 14.

⁶ Gen. 1:26, 27; 9:6; James 3:9; Ps. 8:3-8; Gen. 2:8; 3:1-13; Rom. 5:12-14; Gen. 3:23, 24; Rom. 5:6-14; 1 Cor. 15:22; Gen. 6:5; Ps. 51:5; 58:3; Isa. 53:6; John 3:3, 19, 20; 8:34; 2 Peter 2:12, 18, 19; 1 Cor. 2:14; Phil. 3:18, 19; Rom. 3:9-18; 8:7; Eph. 2:1-3, 12; 4:17-19; Isa. 64:6.

name by which men must be saved. At the heart of all sound doctrine is the cross of Jesus Christ and the infinite privilege that redeemed sinners have of glorifying God because of what he has accomplished.⁷

- viii) **Man's Response to the Gospel.** Man's response to the gospel is rooted and grounded in the free and unconditional election of God for his own pleasure and glory. It is also true that the message of the gospel is only effectual to those who genuinely repent of their sins, and by God's grace, put saving faith in Christ. This gospel of grace is to be sincerely preached to all men in all nations.

Biblical repentance is characterized by a changed life, and saving faith is evidenced by kingdom service or works. While neither repentance nor works save, unless a person is willing to deny himself, pick up his cross, and follow Christ, he cannot become his disciple.⁸

- ix) **Man's Inheritance through the Gospel.** Salvation, the free gift of God, is provided by grace alone, through faith alone, because of Christ alone, for the glory of God alone. Anyone turning from sin in repentance and looking to Christ and his substitutionary death receives the gift of eternal life and is declared righteous by God as a free gift. The righteousness of Christ is imputed to him.

He is justified and fully accepted by God. Through Christ's atonement for sin an individual is reconciled to God as Father and becomes his child. The believer is forgiven the debt of his sin and, via the miracle of regeneration, liberated from the law of sin and death into the freedom of God's Spirit.⁹

- x) **Sanctification.** The Holy Spirit is the active agent in our sanctification and seeks to produce his fruit in us as our minds are renewed and we are conformed to the image of Christ. Though indwelling sin remains a reality,

⁷ Luke 2:10, 11; 2 Cor. 4:3-6; 1 Cor. 2:2; 15:1-4; Acts 8:32-35; John 20:30 cf. 17:2, 3; 1 Tim. 1:15; 2:16; Luke 24:45-47; Rom. 1:1-4; 3:21-26; 5:15-21; 6:1-4; Acts 1:6-11; 1 John 2:2; 3:9, 10; Phil. 2:5-11; John 14:6; Acts 4:12; 1 Tim. 2:5, 6, 10; Eph. 1:3-14.

⁸ Eph. 1:3-6; Rom. 8:28-30; 9:10-24; 2 Thess. 2:13, 14; 1 Cor. 1:26-29; Luke 24:46, 47; Acts 2:38; 3:19; 5:31; 16:31; 20:20, 21; 26:17, 18; Rom. 3:26-28; 4:4-8; 5:1; Eph. 2:8-10; Matt. 28:18-20; Acts 1:8; Gal. 5:6; James 2:14-26; Luke 9:23-29.

⁹ Eph. 2:8, 9; Rom. 3:27, 28; Titus 3:4, 5; Gal. 3:10-14; John 3:13-18; Rom. 4:4; 5:10, 11, 18-21; 6:23; 8:3, 4; 2 Cor. 5:20, 21; Phil. 3:8, 9; 1 Cor. 1:30; Eph. 1:5-7; Gal. 4:4-7; Rom. 8:1-8, 14-17; 1 John 1:9; Heb. 9:14; 10:12-18; Col. 2:13, 14; John 3:3-8; Titus 3:5.

as we are led by the Spirit, we grow in the knowledge of the Lord, freely keeping his commandments and endeavoring to so live in the world that all people may see our good works and glorify our Father who is in heaven.

All believers are exhorted to persevere in the faith knowing they will have to give an account to God for their every thought, word and deed. The spiritual disciplines, especially Bible study, prayer, worship and confession, are a vital means of grace in this regard. Nevertheless, the believer's ultimate confidence to persevere is based in the sure promise of God to preserve his people until the end which is most certain.¹⁰

- xi) **Empowered by the Holy Spirit.** In addition to effecting regeneration and sanctification, the Holy Spirit also empowers believers for Christian witness and service. While all genuine believers are indwelt by the Holy Spirit at conversion, the New Testament indicates the importance of an ongoing, empowering work of the Spirit subsequent to conversion as well. Being indwelt by the Spirit and being filled with the Spirit are theologically distinct experiences. The Holy Spirit desires to fill each believer continually with increased power for Christian life and witness, and believers should seek this filling as a regular and recognizable blessing for the Christian life.

The Holy Spirit also imparts his supernatural gifts for the edification of the Body and for various works of ministry in the world. All the gifts of the Holy Spirit at work in the church of the first century are available today, are vital for the mission of the church and are to be earnestly desired and practiced.¹¹

- xii) **The Church.** God by his Word and Spirit creates the Church, calling sinful men out of the whole human race into the fellowship of Christ's Body. By the same Word and Spirit, he guides and preserves that new, redeemed humanity. The Church is not a religious institution or denomination. Rather, the Church universal is made up of those who have become genuine followers of Jesus Christ and have personally appropriated the

¹⁰ Rom. 6:1-14; 8:1-16; Gal. 5:16-25; 1 Peter 1:2; Rom. 12:1, 2; Eph. 4:20-24; Col. 3:1, 2; Rom. 8:29; Eph. 5:1, 2, 18; 2 Peter 1:3-11; 3:18; 1 John 5:3; Phil. 2:14, 15; Matt. 5:16; 1 Peter 2:11, 12; Titus 2:1-14; Matt. 24:13; Heb. 2:1; 4:11; Rom. 5:3; James 1:12; 5:10, 11; Luke 8:15; Acts 14:22; 2 Tim. 3:10-15; Phil. 3:12-16; Matt. 12:33-37; 1 Cor. 3:12-15; 4:1-5; 2 Cor. 5:10; Heb. 4:12, 13; Acts 17:11; Ps. 1; 19; Col. 3:16; Luke 18:1-8; 1 Thess. 5:17; Eph. 6:18; Matt. 6:9-13; Acts 2:46, 47; Eph. 5:18-20; Col. 3:16, 17; James 5:15, 16; Jude 1:1, 20-24; John 10:27-29; Jer. 32:38-41; 1 Peter 5:10, 11; Heb. 13:20, 21; Phil. 2:12, 13; 1 Thess. 5:23, 24.

¹¹ Rom. 8:9; 1 Cor. 12:13; Acts 2:1-14, 38, 39; 4:8, 29-31; 6:3; 9:17; 13:9; 1 Cor. 12:1-31; Eph. 5:18-20; 1 Thess. 5:19-21; Gal. 3:4; Eph. 4:3-13; Rom. 12:3-8; 1 Peter 4:10, 11.

gospel. The Church exists to worship and glorify God as Father, Son, and Holy Spirit. It also exists to serve him by faithfully doing his will in the earth. This involves a commitment to see the gospel preached and churches planted in all the world for a testimony. The ultimate mission of the Church is the making of disciples through the preaching of the gospel. When God transforms human nature, this then becomes the chief means of society's transformation. Upon conversion, newly redeemed men and women are added to a local church in which they devote themselves to teaching, fellowship, and the Lord's Supper and prayer.

All members of the Church universal are to be a vital and committed part of a local church. In this context they are called to walk out the New Covenant as the people of God and demonstrate the reality of the kingdom of God. The ascended Christ has given gift ministries to the church (including apostles, prophets, evangelists, pastors and teachers) for the equipping of Christ's body that it might mature and grow. Through the gift ministries, all members of the Church are to be nurtured and equipped for the work of ministry. Women play a vital role in the life of the church but in keeping with God's created design, they are not permitted "to teach or to have authority over a man" (1 Tim. 2:11). Leadership in the church is male. In the context of the local church, God's people receive pastoral care and leadership and the opportunity to employ their God-given gifts in his service in relation to one another and to the world.¹²

xiii) **Water Baptism.** Water baptism is only intended for the individual who has received the saving benefits of Christ's atoning work and become his disciple. Therefore, in obedience to Christ's command and as a testimony to God, the Church, oneself and the world, a believer should be immersed in water in the name of the Father, Son and Holy Spirit.

Water baptism is a visual demonstration of a person's union with Christ in the likeness of his death and resurrection. It signifies that his former way of life has been put to death and vividly depicts a person's release from the mastery of sin.¹³

xiv) **The Lord's Supper.** As with water baptism, the Lord's Supper is to be observed only by those who have become genuine followers of Christ. This

¹² Matt. 16:18; 28:19, 20; Acts 2:40-47; 13:1-3; 14:27; 15:41; 1 Cor. 1:2; Gal. 1:2; Col. 4:16; 1 Thess. 1:1; 1 Cor. 12:12; Eph. 4:8-13; 2 Tim. 2:2; 4:5; Heb.3:12, 13; 10:23-25; 1 Cor. 14:31-35; 1 Tim. 2:8; Acts 20:28-31; 1 Peter 5:1-5; Heb.13:7, 17; 1 Thess. 5:12-14; 1 Peter 4:10, 11; Rom. 12:3-13.

¹³ Matt. 28:19, 20; Acts 2:38, 41; 8:35-38; 9:16-18; 10:44-48; 22:16; Rom. 6:1-4.

ordinance symbolizes the breaking of Christ's body and the shedding of his blood on our behalf, and is to be observed repeatedly throughout the Christian life as a sign of continued participation in the atoning benefits of Christ's death.

As we partake of the Lord's Supper with an attitude of faith and self-examination, we remember and proclaim the death of Christ, receive spiritual nourishment for our souls, and signify our unity with other members of Christ's body.¹⁴

xv) **The Consummation.** The consummation of all things includes the visible, personal, and glorious return of Jesus Christ, the resurrection of the dead and the translation of those alive in Christ, the judgment of the just and the unjust, and the fulfillment of Christ's kingdom in the new heavens and the new earth. In the Consummation, Satan with his hosts and all those outside Christ are finally separated from the presence of God, enduring eternal punishment, but the righteous, in glorious bodies, shall live and reign with Him forever.

Married to Christ as his Bride, the Church will be in the presence of God forever, serving him and giving him unending praise and glory. Then shall the eager expectation of creation be fulfilled and the whole earth shall proclaim the glory of God who makes all things new.¹⁵

b) **Statement of Biblical Morality.** The *Statement of Biblical Morality* is an affirmative expression of this Church's core biblical beliefs and values as well as its response to the changing legal and moral context in which it exists. It is a conscious application of the divine imperative that the Church "*not be conformed to this world but be transformed by the renewing of our mind*" (Romans 12:1, 2). In an age in which specific biblical practices are being increasingly threatened by a rapidly deteriorating moral climate and assailed by an aggressively secular agenda, it is essential that the Church respond with clear conviction and steady voice. The Bible stands as our guide for faith and practice, not the changing values of the culture. To that end we affirm the following.

i) **Church Discipline.** The Scriptures call every Christian to a life of holiness, forbidding believers from habitual conformity to the sinful desires of the

¹⁴ Matt. 26:26-29; Mark 14:22-25; Luke 22:14-20; Acts 2:42; 1 Cor. 10:16, 17; 11:17-34.

¹⁵ Matt. 24:29-31; John 5:28, 29; 14:1-3; Acts 1:11; Rom. 8:18-25; 13:11, 12; 1 Cor. 15:20-58; 2 Cor. 4:16-5:10; Phil. 3:20, 21; 1 Thess. 4:13-5:11; 2 Thess. 1:5-12; 5:23; Titus 2:13; 1 Peter 1:3-9; 2 Peter 3:8-13; 1 John 3:2, 3; Jude 1:24, 25; Eph. 5:25-27; Rev. 1:7; 5:9, 10; 20-22.

flesh or the ungodly patterns and behaviors of the world. Since sin clings so easily to the believer, Jesus, as Lord of the Church, has established means of accountability (commonly known as *church discipline*) within the local church, to guard the Christian from falling into impenitent habitual sins. Such church discipline, which ranges from private admonition to public rebuke and/or removal from membership in the Church, is to be motivated by a shared desire for holy lives, a loving desire to lead others to repentance and restoration, and a zeal for the glory of Jesus Christ, our Lord.¹⁶

For the Church to remain under God's blessing and fulfill God's intentions, at times it may become necessary, formally and corporately, to confront sin or false doctrine in a Church member, including one who is serving as a Church elder.¹⁷ The Church shall follow the rules prescribed in *The Book of Church Order* for the adjudication of matters giving rise to possible church discipline and the administration of church discipline involving Church members, and the adjudication of charges against and the possible discipline of Church elders. The Church shall submit to the decisions of each ecclesiastical body that *The Book of Church Order* prescribes as having jurisdiction over the disciplinary matter at each stage of its adjudication. Unless the Board determines that it otherwise serves the best interest of the Church, any individual serving as a director and/or officer of the Corporation who is the subject of any church disciplinary proceeding shall be required to take a leave of absence from active service. After the disciplinary process has concluded, the Board shall exercise discretion over whether it is appropriate for the individual to return to active service, to continue his leave of absence for a prescribed period of time, or to resign or be removed from his position.

- ii) **Sexuality and Marriage.** A Biblical view of manhood and womanhood and an appreciation for and commitment to marriage and the family are values rooted in the Sacred Scriptures. The holy institution of marriage is to be between one man and one woman for life, as established in God's creation of man and woman in His image and in the relationship between Christ and His Church.

While men and women are equal before God as sharers of his image in creation and partakers of his grace in Christ, we believe that specific gender

¹⁶ 1 Peter 2:11, 12; 4:1-3; Rom. 12:1, 2; Heb. 12:1; Matt. 18:15-19; Rom. 16:17, 18; Gal. 6:1; 1 Cor. 5:1-13; 2 Cor. 12:20-13:10; 2 Thess. 3:6-12; 1 Tim. 5:19-22; Titus 3:10, 11; James 5:19, 20; 2 John 1:8-11; Rev. 2:20.

¹⁷ Scriptural instruction and precedent for this practice appear in Matt. 18:15-17; 1 Cor. 5; Gal. 6:1-2; Acts 20:28ff; Gal. 2:11-14; 1 Tim. 5:20; Titus 3:10-11; Rom. 16:17; 2 Cor. 2:5-11.

roles in marriage are God's normative law for the family. We believe in the servant-leadership role of men in both home and church, and in the complementary function of women in contributing their abilities to supply the inadequacies and support the leadership of those men. We reject men's attitudes of abuse, neglect, and passivity, while simultaneously grieving women's attitudes of disrespect, liberation and superiority as being counter to Scripture, nature, and the well-being of all.

Furthermore, sexual chastity before, and lifelong fidelity in a heterosexual marriage embody an abiding divine law which is to guide the faith and life of every Christian and the teachings of this church. Sexual chastity includes abstinence from pre-marital sex, pornography, adultery, and homosexuality; indeed any sexual activity outside of a one-man-and-one-woman covenanted marriage relationship. In light of current cultural erosion of sexual morality, it is essential that the church stand firm on the Bible's teachings about sexual identity and purity. Grace Life Church and its elders may not endorse gender changes, nor approve or officiate same sex marriages or unions.

While sexual sin is uniquely serious before God, no sexual sin is beyond God's power to redeem and restore. We affirm the love of God for all who are guilty of sexual sin in any of its forms, and offer the gospel and grace of God to all who will repent of such sins and turn in faith to Christ for their forgiveness and deliverance.¹⁸

- iii) **Divorce.** It is God's intention that the covenant of marriage be a joyful union that endures for life. Those whom God has joined together must cleave as one flesh in faithful love, and are not to be torn apart. Divorce is prohibited by God except when sexual infidelity and/or abandonment occur. While permissible in such cases, divorce is not required, and should be avoided whenever possible. In all cases of marital crisis repentance and reconciliation should be the first recourse, although all reasonable steps should be taken to protect spouses from physical and/or severe mental abuse.

In addition, we believe that remarriage by those who are unbiblically divorced is strictly forbidden by Christ Jesus our Lord, and is not to be condoned by his church. The remarriage of divorced believers must be approved by the Church's Board of Elders if they determine that there is divorce for biblical cause as defined above and that reconciliation of the

¹⁸ Gen. 1:26-28; 2:18-25; 1 Cor. 11:2, 3; Eph. 5:22-33; Col. 3:18, 19; 1 Peter 3:1-7; 1 Tim. 2:9-15; Matt. 5:31, 32; 19:1-9; 1 Cor. 7:10-16; 14:34, 35; Mal. 2:14-16; Rom. 1:24-27; 1 Cor. 6:9-20; Gal. 5:19-21; 1 Cor. 5:1-13.

previous marriage has been considered in a meaningful way.¹⁹

- iv) **The Sanctity of Life.** The Scriptures teach that human life, which is made in the image of God, begins at conception. This infuses sanctity into all human life from conception to natural death, or death brought about justly at the hands of a civil magistrate for capital crimes. This sacredness must afford to the unborn and to the infirmed of any age all the rights and protections granted to all other human beings. It is the duty of every Christian to speak for and defend such rights in every way he or she is able.

As a means of protecting the sanctity of innocent human life, Scripture allows for capital punishment (1) administered by the civil magistrate (2) through a just process under strict guidelines (3) for those found guilty of capital crimes. Consistent with the value of human life, which is made in God's image, all people, including those guilty of capital crimes, should be treated with dignity.²⁰

- v) **Parental Discipline of Children.** Children are a gift from God to be cherished and enjoyed with all affection and love. It is every parent's duty to delight in his or her children and to create a home of tender affection and love. The Holy Scriptures further mandate that parents train up their children to become responsible, mature, relationally-skilled, and faith-embracing men and women. To this end the Bible commands parents to love, nourish, teach, train, and discipline their children.

While the Scriptures teach the corporeal discipline of children, such discipline must be applied with great caution and tender care. Remembering that every child is made in the image of God, he or she must always be treated with respect and dignity. This precludes every form of wrathful, harmful, or injurious physical discipline, and requires that parents be loving, humble, cautious, and measured in the exercise of any corporeal training.

The Church deplores child abuse in any and all its forms, and shall make every reasonable effort to ensure that its parents understand and practice parental discipline with all due regard for the safety, well-being and joy of every child. To do harm to a child is to incur the special displeasure of

¹⁹ Gen. 2:18-25; Prov. 5:15-20; Mal. 2:14-16; Matt. 5:27-32; 19:1-9; 1 Cor. 7:10-16; Eph. 5:22-33.

²⁰ Ps. 139:13-16; 51:5; Luke 1:41-44; Gen. 1:27; 9:6; Prov. 24:11, 12; 31:8, 9; Ps. 72:1-4; James 1:27; Gen. 9:6, Deut. 17:6, 7; 19:15-20; Leviticus 19:15, Rom. 13:1-4; Gen. 1:27.

God.²¹

- 2) **Religious Practices of Corporation.** To be consistent with the Church's religious mission, the Corporation shall not:
 - a) Establish any public or private policies or positions that conflict with the Statement of Faith.
 - b) Elect or appoint or retain any Board member who has not subscribed to and maintained agreement with the Statement of Faith. Any elder who drifts from agreement with the statement of faith is bound to alert the board to his disagreement.
 - c) Hire or retain any employee whom the Board has determined has not subscribed to the Statement of Faith or acted in a manner consistent with the Statement of Faith or the religious mission of the Corporation unless, the Board determines that he or she has fully and properly repented of such action.

SECTION THREE OFFICES

1. **Registered Office and Agent.** The Corporation shall continuously maintain a registered office and registered agent within the state of Nebraska.
2. **Principal Office.** The principal office of the Corporation shall be located in 200 N Burlington Ave., Suite 150, Hastings, Nebraska 68901, or such place as shall be determined by the Elder Board.
3. **Additional Offices.** The Corporation may also have offices at such other places as the Elder Board may from time to time determine and the business of the Corporation may require.

SECTION FOUR ELDER BOARD

1. **Elders as Directors.** All authority in the Church is derived from Jesus Christ and is exercised on His behalf. The primary governance structure in this local church is its eldership. The elders serve as the Corporation's Board of Directors, which shall exercise all such powers of the Corporation and do all such lawful acts and things that are not prohibited by statute, the Articles of Incorporation, or by these Bylaws. While ordination to eldership and appointment to the board are two separate appointments, all elders of a particular local church are to be appointed to the board and therefore the terms elder and

²¹ Ps. 127:3-5; 1 Thess. 2:7, 8; Matt. 19:13, 14; Eph. 6:1-4; Deut. 6:4-9; Ps. 78:2-10; Prov. 22:15; 23:13, 14; 29:15; Heb.12:11; Matt. 18:2-5.

board member are interchangeable. *The Book of Church Order* addresses the number, term, qualifications, selection process, responsibilities, voting rights, removal, and resignation of elders, and is incorporated herein by reference as if fully set forth in these Bylaws. The Church shall be responsible for the ordination of its elders in accordance with the standards maintained by its Regional Assembly and subject to the accountability generally described in these Bylaws, and more specifically described in Section 3 of *The Book of Church Order*.

2. **Number.** The Elder Board shall consist of not less than three (3) persons, as may be determined from time to time by resolution of the Elder Board. If the Church has only one elder, the Corporation shall appoint as directors at least two other elders from one or more local churches represented in the same Regional Assembly in which the Church is a Partner. If the Church has only two elders, the Corporation shall appoint as director at least one other elder from a local church represented in the same Regional Assembly in which the Church is a Partner. Directors shall be appointed by the Elder Board for terms as determined by the Board or until their successors are appointed and qualify in their stead.
3. **Vacancy.** If the office of any director becomes vacant, the remaining directors, though less than a quorum, shall be authorized to select a successor who shall be appointed by the Elder Board of the Corporation to serve the unexpired term of the vacated directorship.
4. **Powers.** The government of the *Church* is vested in its elders, who shall provide oversight in the spiritual and temporal affairs of the *Church*, and shall appoint and confer authority upon an Elder Board to manage the Corporation. The Elder Board shall exercise all such powers of the Corporation and do all such lawful acts and things that are not prohibited by statute, the Articles of Incorporation, or by these Bylaws.
5. **Removal and Resignation.** Any director who resigns or is removed as an elder in the *Church* (or another local church associated with Sovereign Grace Churches, if the Church has only one or two elders) shall automatically be removed as a director of the Corporation. A director otherwise may deliver a written notice of intent to resign to the Board chair, which shall be effective upon its acceptance by the Board. Any director may be removed from the Board with or without cause when, in the sole judgment and discretion of the Elder Board, it is determined by at least a two-thirds percent majority of the Board at a meeting duly called for that purpose and at which a quorum is present that such director should no longer serve on the Board; provided, however, that a notice, including the names of the director(s) proposed to be removed, and the date, time and

place of any meeting called to consider such removal shall be given in writing to each of the directors at least seven (7) days prior to the date of such meeting.

- a. Any elder may be removed from the board/eldership at any regular or special meeting of the Board if he is found to be physically or mentally incapacitated, or in the case of being found spiritually unqualified according to the procedural steps outlined in *The Book of Church Order* and the relevant policies of this Church (according to the Scriptures, including 1 Timothy 3:1-7 and Titus 1:5-9 as well as other texts describing mature Christian character; e.g.- Galatians 5:18-24; 1 Corinthians 13), after thorough corroborating investigation by the elders.
- b. Should an elder confess to serious sin, and agrees to resign from his position, the regional Judicial Review Committee should be contacted to appoint a moderator of just cause to review the resignation agreement to confirm a trial is not necessary. Should the moderator determine the process and agreement are fair and freely agreed upon, the eldership will follow the same guidelines as outlined in 24.8.5 of The Book of Church Order for removal from office.
- c. Removal of an elder from the board may also occur for non-disciplinary reasons. Evaluation regarding the performance of a man in his office or the elimination of a role at the discretion of the Board may necessitate removal as well. In such instances great care should be exercised to decide such matters:
 - i. Only upon careful review and discussion.
 - ii. By a two-thirds majority of the Board.
 - iii. With due consideration of the man's needs, family, and calling, as well as the church's needs. Pastoral care should be given to clarify to the congregation the reasons for the decision, so as to avoid any appearance of discipline that might reflect negatively upon the man or his reputation.
 - iv. Removal of a man for non-disciplinary reasons does not revoke his ordination.
- d. Whenever a man is removed from office for any reason, such actions should be taken with all care and gentleness, giving due regard to family, financial, and other considerations. In such cases the man removed shall

be informed of the possibilities of future restoration; and if such restoration is deemed possible, the process involved.

The elders reserve the right to dismiss the Senior Pastor in accordance with *The Book of Church Order*. The Senior Pastor must give thirty (30) days' notice if he intends to resign.

6. **Accusations against an Elder.** Full adjudication of the matter shall be completed in accord with procedures more fully outlined in Scripture, the Church's *Policy Manual*, and in *The Book of Church Order*.
7. **Transactions with Interested Parties.** A contract or other transaction between the Corporation and one or more of its directors, officers, or family members thereof (hereinafter "Interested Party"), or between the Corporation and any other entity of which entity one or more directors, officers, elders, or trustees are also Interested Parties, or in which entity an Interested Party has a material financial interest, shall be voidable at the sole election of the Corporation unless all of the following provisions are satisfied:
 - a. The transaction was fair and reasonable as to the Corporation, or was reasonably determined to be in furtherance of its exempt purposes at the time the Corporation entered into the transaction.
 - b. Prior to consummating the transaction, or any part, the Elder Board authorized or approved the transaction, in good faith, by a vote of a majority of the directors then in office, without counting the vote of the interested director or directors, and with full knowledge of the material facts concerning the transaction and the Interested Parties' interest in the transaction, even though the disinterested directors are less than a quorum.
 - c. The Corporation entered into the transaction solely to advance its corporate purposes and not for the personal benefit of any other party or other entity. Prior to authorizing or approving the transaction, the disinterested members of the Elder Board, in good faith and with ordinary care, determined, after reasonable investigation and consideration, that either the Corporation could not have obtained a more advantageous arrangement, with reasonable effort under the circumstances, or the transaction was in furtherance of the Corporation's tax-exempt purposes.

Common or interested directors may be counted in determining the presence of a quorum at a meeting of the Elder Board (or a committee

thereof) which authorizes, approves, or ratifies such contract or transaction.

Notwithstanding the above, no loan shall be made by the Corporation to any of its directors or officers, as provided further in these Bylaws.

8. **Conflicts of Interest Policy.** It is the policy of the Corporation to avoid conflicts of interest and to provide for full disclosure of any and all material conflicting interests by Board members, officers, senior management, and employees. The Board should be equipped to gather all relevant facts and circumstances to determine in accordance with the guidelines above, whether or not any disclosed potential conflict is benign and not in any way jeopardizing the religious mission, exempt function, or reputation of Christ's church, so that the contemplated transaction may be authorized as just, fair, and reasonable to the Corporation. This policy will be implemented by appropriate practices and / or written procedures adopted by the Elder Board.

9. **Fees and Compensation.** Elders (as such) shall not receive any stated or fixed salary for their Board services. However, nothing herein contained shall be construed to preclude any elders from serving the Corporation in any other capacity and receiving compensation. Any person receiving compensation directly or indirectly from Grace Life Church shall not be in a position to determine the nature or amount of said compensation.

Elders of the Church shall receive remuneration for their labors in accordance with policies for compensation as prescribed in the church's *Policy Manual*. Fixed salaries may be determined through:

- a. The extent and nature of the elder's work.
- b. Any salary recommendations of our Sovereign Grace Churches family of churches.

10. **Royalties and Honoraria.** Elders of the church shall establish a royalties and honoraria policy to be reflected in the Church *Policy Manual*.

11. **Resignation, Termination, and Severance of Elders Employed by Church.** The *Policy Manual* shall provide the Church's guidelines regarding the resignation, termination, and severance of elders who are employed by the Church.

SECTION FIVE MEETINGS OF THE ELDER BOARD

1. **Notice.** Regular, annual, and special meetings of the Elder Board may be held within or outside the State of Nebraska without formal notice at such time and place as shall from

time to time be determined by the Board.

2. **Waiver of Notice.** Whenever any notice is required to be given by statute, the Articles of Incorporation, or these Bylaws, a waiver thereof in writing signed by the person or persons entitled to the notice, whether before or after the time stated therein, shall be deemed equivalent thereto. Attendance at a meeting by a person entitled to notice shall constitute a waiver of proper notice of such meeting, except where attendance is for the express purpose of objecting to the transaction of business because the meeting is not lawfully called or convened.
3. **Quorum.** A majority of the directors shall be necessary and sufficient to constitute a quorum for the transaction of business, and the act of a majority of the Board at a meeting duly called for that purpose and at which a quorum is present shall be the act of the Elder Board, except as may be otherwise specifically provided by statute, the Articles of Incorporation, or these Bylaws.
4. **Action Without a Meeting.** Any action required or permitted to be taken at a meeting of the Elder Board or by a committee thereof may be taken without a meeting, by written action authorized by all the directors. However, a written consent setting forth the action so taken and authorized and dated by all the members of the Board or of a committee, as the case may be, must be filed with the minutes of proceedings of the Board or the committee. The written action is effective when authorized and dated by the required number of directors, unless a different effective time is provided in the written action. When written action is permitted to be taken by less than all directors, all directors must be notified promptly of its text and effective date. Failure to provide the notice does not invalidate the written action, but a director who does not sign and date the written action is not liable for the action.
5. **Participation by Alternate Means.** Members of the Elder Board or of any committee designated thereby may participate in a meeting of such Board or committee by means of communications equipment by which all persons participating in the meeting can effectively interact with one another, if each individual entitled to participate in the meeting consents to the meeting being held by means of that system. Participation by such means shall constitute presence in person at such meeting. When such a meeting is conducted by means of a conference telephone or other means of remote communications, the minutes recording any action taken at such meeting shall also note who participated in person and who participated by alternative communications.

SECTION SIX OFFICERS

1. **Number and Positions.** The officers of the Corporation shall be elected by the Elder Board - the Senior Pastor (who functions as President), Secretary, and Treasurer. The Board may

also elect an Executive Pastor (who functions as Vice-President), one or more assistant secretaries and assistant Treasurers. Except as otherwise provided, the officers may, but need not be, Pastors of the Church. However, all officers must be members in good standing of the Church. The Board may appoint such other officers and agents as it shall deem necessary, who shall hold their offices for such terms and shall exercise such powers and perform such duties as shall be determined from time to time by the Board. In the event that the President is incapacitated, another regional elder could be appointed to serve in the transition.

2. **Term of Office.** The Elder Board shall elect officers of the Corporation, who shall serve at the pleasure of the Board. Any officer elected or appointed by the Elder Board may be removed at any time by the affirmative vote of a two-thirds majority of the Board at a meeting duly called for that purpose and at which a quorum is present, whenever, in their judgment, the best interests of the Corporation will be served thereby. If the office of any officer becomes vacant for any reason, the vacancy shall be filled by a majority vote of the Elder Board. In case of the absence or disability of an officer of the Corporation, or in any other case that the Elder Board may deem sufficient reason therefore, a majority of the Board at a meeting duly called for that purpose and at which a quorum is present, may delegate for the time being any or all of the powers or duties of any officer to any other officer, Pastor, or any other person.
3. **The Senior Pastor (President).** To be appointed as the Senior Pastor, and to maintain that position, an individual must satisfy the criteria established for pastors, as set forth in Section 3 of *The Book of Church Order* in the exercise of pastoral plurality within the Church there shall be a first among equals; one man among the many whose gifted influence exercises a greater leadership role than that of the others. He shall be called the Senior Pastor, and shall be responsible to lead the pastoral team in ministering the Word of God to the people of God. He shall be an equal among his fellow elders in the exercise of authority, but shall have a distinct role in that he serves as the leader of his fellow elders.
 - a. **Corporate service** - He shall serve as the President and Chief Executive Officer of the Corporation, and he shall have stewardship responsibility for advancing the vision and mission of the Corporation and managing or overseeing the business of the Corporation consistent with the authority delegated and the resolutions promulgated by the Board.
 - i. He shall see that orders and resolutions of the Board are carried into effect, sign and deliver in the name of the Corporation deeds, mortgages, bonds, contracts, or other instruments pertaining to the business of the Corporation, except in cases in which the authority to sign and deliver is required by law to be exercised by another person or is expressly delegated by the Articles of Incorporation or Bylaws or by the Board to

another officer or agent of the Corporation.

- ii. He shall make reports to the Elder Board, and shall have such other rights, duties, and powers as are authorized by the Elder Board from time to time.
 - iii. This corporate role of the Senior Pastor shall always be secondary and subservient to his primary role as the spiritual leader of the local church to establish the Church's vision, mission, and priorities in accordance with the Bible, to lead the local church to be a gospel-centered reflection of Christ's body, to extend the glory and kingdom of God in and through this local church.
- b. Selection.** It is the responsibility of the eldership of the Church to identify and commission each of its members to fulfill tasks and responsibilities as they see fit, including the Senior Pastorate. However, because of the visibility that a Senior Pastor has, and because of the unique and important role in which he serves with respect to the congregation, the Church should choose a Senior Pastor carefully and with conscientious attention to the observations, concerns, and input of the flock.
- i. The selection process should include steps analogous to those for the selection of other elders, only with more nuanced attention to the unique gifting and role for which this man is being considered. These should include:
 - ii. Eldership analysis and definition of the proposed Senior Pastor role—as the needs and circumstances of the church presently define it—and of each elder's gifts relative to that analysis.
 - 1. Eldership choice (by a super-majority (two-thirds) vote of all Board members) of the man they will set before the congregation for the input of the flock.
 - 2. Eldership presentation of the candidate to the congregation for their questions, concerns, and commendations, giving a minimum of six weeks for congregational input before the eldership's final decision on the matter.
 - 3. Eldership final discussion and decision on the candidate, with a super-majority (two-thirds) vote deciding on the

candidate.

4. Eldership public presentation and formal installation of the man into the office during a Sunday gathering.

c. **Role of the Senior Pastor.** The role of the Senior Pastor is outlined in *The Book of Church Order*, section 6. The precise nature of the role of the Senior Pastor in the Church may vary depending on the maturity of an eldership, the range of gifts on the team, the level of specialization on the team, and various other factors. Each local eldership should adjust the role of the Senior Pastor to match his local job description. Generally, the Senior Pastor of the Church shall be expected to:

- i. Provide doctrinal leadership through a prominent teaching role
- ii. Develop the eldership into a cohesive leadership team
- iii. Provide pastoral care for the eldership
- iv. Facilitate decision-making by serving as Chairman of the Board of local elders, or by ensuring that another elder is so tasked
- v. Identify and deploy spiritual gifts among the elders in consultation with the other elders
- vi. Encourage efficiency
- vii. Coordinate eldership training
- viii. Act as the normal spokesman for the elders

d. **Accusation and Dismissal.** Charges made against the Senior Pastor shall be adjudicated in compliance with guidelines established by *The Book of Church Order*.

e. **Duration of the Senior Pastor's Role.** The Senior Pastor shall continue in his role until such a time either that he is disqualified from the role or is better suited for another role, or that another man is more strategically gifted for the role according to the careful and deliberate decision of the eldership. Periodic review of the Senior Pastor's role, gifting, labors, and character shall be made in accord with the standard review policies of the church.

4. **The Executive Pastor.** An Executive Pastor may be appointed by the elders if they deem the position useful. To be appointed as the Executive Pastor, and to maintain that position, an individual must satisfy the same criteria set forth for the Senior Pastor. If an Executive Pastor is appointed by the Board, he shall, in the absence of the Senior Pastor, perform the duties and exercise the powers of the Senior Pastor, or such of them as may be so

delegated, and shall have such other rights, duties, and powers as are authorized by the Elder Board from time to time. He shall serve as Vice-President of the Corporation.

5. **Vice President.** A Vice President is not required, but he should be an elder if one is appointed.

6. **The Secretary**

- a. The Secretary or an assistant Secretary shall attend all meetings of the Board and record all votes and the minutes of all proceedings in a book to be kept for that purpose.
- b. He shall bear responsibility for maintaining records of and, when necessary, certifying proceedings of the Board.
- c. He shall perform like duties for the standing committees when required.
- d. The Secretary shall give, or cause to be given, such notice as is required of all meetings of the Elder Board.
- e. He shall have such other rights, duties, and powers as are authorized by the Elder Board from time to time.
- f. The Secretary shall keep in safe custody the seal of the Corporation and, when authorized by the Board, affix the same to any instrument requiring it, and when so affixed it shall be attested by the signature of the Secretary, or by the signature of the Treasurer or an assistant Secretary.

7. **The Treasurer**

- a. Except as the Elder Board may otherwise determine, the Treasurer shall deliver all funds and securities of the Corporation which may come into his hands to such bank or trust company as the directors shall designate as a depository, and shall keep full and accurate accounts of receipts and disbursements in books belonging to the Corporation.
- b. The Treasurer shall disburse the funds of the Corporation as may be ordered by the Board, taking proper vouchers for such disbursements.
- c. He shall render to the Senior Pastor and the Elder Board, at the regular meetings of the Board or whenever they may require it, an account of all his transactions as Treasurer and of the financial condition of the Corporation.
- d. He shall deposit money, drafts, and checks in the name of and to the credit of the

Corporation in the banks and depositories designated by the Board.

- e. He shall endorse for deposit notes, checks, and drafts received by the Corporation as ordered by the Board, making proper vouchers for the deposit.
- f. He shall, upon request, provide the Senior Pastor and the Board an account of the financial condition of the Corporation.
- g. If required by the Elder Board, the Treasurer shall give the Corporation a bond in such sum and with such surety or sureties as shall be satisfactory to the Board for the faithful performance of the duties of his office, and for the restoration to the Corporation, in case of death, resignation, retirement or removal from office, of all books, papers, vouchers, money, and other property of whatever kind in possession or under the control of the Treasurer, belonging to the Corporation.
- h. The Treasurer shall also have such other rights, duties, and powers as are authorized by the Elder Board from time to time.
- i. The Treasurer may delegate his responsibilities to other qualified members but retains overall responsibility for the discharge of the duties of his office.

SECTION SEVEN ORDINATION, LICENSING, COMMISSIONING

1. **Ordination.** Ordination refers to the recognition by the Board of Elders of a man's call to the ministry, preparation as a shepherd, and qualification to serve. Such ordination shall be conferred in accordance with procedures delineated in these Bylaws, in the Church's *Policy Manual*, and in compliance with *The Book of Church Order*. Ordination within Sovereign Grace Churches shall be conferred for life, and is transferable within his region, as stated in *The Book of Church Order*, so long as the man continues to manifest the qualifications of the office.
2. **Licensing.** A license may be issued by the Board of Elders and may be given in recognition of a man's service in a ministry. Its aim is to allow a man to perform the ecclesiastical duties and functions of the Church at the discretion of the elders. Licenses will be evaluated—and issued or renewed—periodically at the discretion of the elders. Licenses are issued only to members of Grace Life Church.
3. **Commissioning.** When local-church certification is required for ministry where ordination would be unnecessary or inappropriate, a person may be commissioned by the Board of Elders 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.

4. **Appeals of Decisions.** As noted in *The Book of Church Order*, the Church's decisions on the disqualification or discipline of elders and Church members may be appealed to the Regional Judicial Committee, and decisions of the Regional Judicial Committee may be appealed to the Court of Appeals. The Corporation shall accept and/or recognize the decisions of the Regional Judicial Committee and the Court of Appeals according to the stipulations and qualifications of *The Book of Church Order* and the Partnership Agreement, to the extent that they may affect matters of corporate governance (e.g., the fitness of an individual to serve as a director based on his qualification or disqualification as an elder).

SECTION EIGHT CHURCH MEMBERS

1. **Membership Universal and Local.** As a concept distinct from corporate membership, which refers to the Elder Board, the Church follows the New Testament concept of church membership: that each person regenerated by the Holy Spirit and responding in repentance and faith toward Jesus Christ is a unique and indispensable part of the organism which is Christ's body and all such persons are members of the universal body of Christ (1 Cor. 1:2). Membership in this Body of Christ is the grounds for fellowship between Christians. However, the Bible identifies local churches as those Christians in a locality who by the leadership of God and common agreement join together under recognized local leadership and governance for the purpose of worship, instruction, mission, and fellowship.
2. **Church Polity Regarding Members.** *The Book of Church Order* addresses the qualifications, responsibilities, discipline process, and disqualification of members. The sections of *The Book of Church Order* applicable to Church members are incorporated herein by reference as if fully set forth in the Bylaws.
3. **Participation in Church Decisions.** To the extent deemed appropriate by the Board, Church members may participate in key Church decisions, including a formal and public affirmation of elders and deacons, approving the annual budget, providing comments on proposed changes in the Bylaws, implementing major changes in the Church's ministries, and receiving new Church members; provided, however, that such participation is not binding, does not nullify the authority of the elders and/or directors to govern the Church or Corporation, and does not contradict *The Book of Church Order*.
4. **Resignation of Membership.** A Church member may resign from his Church membership by submitting a written communication to one or more of the elders at any time, which shall be effective upon formal acceptance by the Chairman. However, if such resignation is an attempt to avoid the process of Church discipline, the Board will not accept the resignation until that process is completed to the satisfaction of the Board.

Though generally such resignations by Church members not under discipline shall not be formally announced or published, such information is treated as public and available to any Church member or inquiring elder from another local church.

5. **Removal from Roll.** When a Church member resigns his Church membership or he is removed from Church membership due to unrepentant sin or doctrinal error, their name will be removed from the Church membership roll.
6. **Confidentiality.** Though every reasonable effort shall be made to protect confidential communications, especially those received in a pastoral counseling context, there will be times when to properly fulfill their spiritual and leadership responsibilities, the Church's elders may, as they deem necessary or appropriate, share confidential information with one another, Church members, civil authorities, or others they deem may be part of the solution or problem. They may do this for the purpose of counsel or the purpose of protecting others from the effects of a Church member's sin, or to assist one another in providing spiritual care to the people of the Church.
7. **Settlement of Disputes.** In any dispute arising between church members and pastors or staff pertaining to any matter of spiritual teaching or practices, church finances, or title to property purchased with church contributions, the dispute may be resolved by the Board of Elders. In such cases, decisions shall be reached after prayerful consideration, in a spirit of humility, with each non-conflicted/non-accused elder regarding one another before himself and striving to preserve the unity of the Spirit in the bond of peace (Eph. 4:1-3). Any elder(s) accused shall recuse himself/themselves from the final decision made.
 - a. Disputes between members of the church which cannot be resolved privately may be adjudicated by due process under the oversight of the Board of Elders in obedience to biblical principles of conflict mediation, arbitration and reconciliation, and in compliance with procedures delineated in the Church's *Policy Manual* and *The Book of Church Order*, and as presented in the membership application signed by all who join the church.
 - b. In such cases every attempt shall be made to resolve conflicts via these means, except in such matters as involve criminal implications. In such cases legal due process may be mandated by civil law and shall be deemed permissible by the elders, if not required. If no legal process is mandated, church members will be expected (unless, at the discretion of the Board, other recourse is judged permissible) to ask the church for mediation in all personal disputes including

such matters as alleged breaches of contracts, sale of real or personal property, and/or loss of employment or employment discrimination.

SECTION NINE SEAL

The Corporation may have a seal in the form determined by the Elder Board. Said seal may be used by causing it or a facsimile thereof to be impressed or affixed or otherwise reproduced, or by writing the word "SEAL" beside the signature of an authorized officer of the Corporation.

SECTION TEN FISCAL MATTERS

1. **Deposits.** The Elder Board shall select banks, trust companies, or other depositories in which all funds of the Corporation not otherwise employed shall, from time to time, be deposited to the credit of the Corporation.
2. **Checks.** All checks or demands for money and notes of the Corporation shall be signed by such officer or officers or such other persons as the Elder Board may from time to time designate.
3. **Fiscal Year.** The Elder Board shall have the power to fix, and from time to time to change, the fiscal year of the Corporation. Unless otherwise fixed by the Board, the fiscal year shall commence on January 1 and shall terminate on December 31.
4. **Designated Contributions.** The Corporation may accept any designated contribution, grant, bequest or devise provided it is consistent with the Corporation's (1) mission and spiritual priorities as determined from time to time by the Board, (2) budget process and fiscal restrictions, (3) full ownership and control of the funds or assets, and (4) tax-exempt purposes, as set forth in the Articles and these Bylaws. As so limited, donor-designated contributions will be accepted for special funds, purposes or uses, and such designations generally will be honored. The Corporation shall reserve all right, title and interest in and to, and control of such contributions, as well as full discretion as to the ultimate expenditure or distribution thereof in connection with any special fund, purpose or use.
5. **Books and Records.** The Corporation shall keep at its office correct and complete books and records of account, the complete copies of its Articles of Incorporation and Bylaws, the activities and transactions of the Corporation, minutes of the proceedings of the Elder Board and any committee of the Board, and a current list of the directors and officers of the Corporation and their residence addresses. Any of the books, minutes, and records of the Corporation may be in written form or in any other form capable of conversion into

written form within a reasonable time.

6. **Loans to Directors and Officers Prohibited.** No loans shall be made by the Corporation to its directors or officers. Any director or officer who assents to or participates in the making of any such loan shall be liable to the Corporation for the amount of such loan until it is repaid. Nothing in this section shall bar any director or officer from receiving approved compensation in their employee capacities, or approved payments from the Corporation's benevolence fund in accordance with the policy and procedures governing such a fund, provided they do not participate in the decision to grant such benevolence.
7. **Benevolence Fund.** Consistent with Biblical teaching to share with those in need, the Corporation may establish a benevolence fund to meet material and financial needs of Church members and others. This fund shall be administered under a policy which sets forth the funds' purpose, procedures for administration, and objective criteria for selection of recipients for financial assistance.
8. **Accounting and Fiduciary Guidelines.** The directors and officers of the Corporation shall conduct their affairs with integrity in the sight of God and men, and shall to that end maintain prudent and responsible control and accountability over all funds they receive and ensure that all funds are dedicated to the Corporation's tax-exempt purposes. Toward that end, the directors and officers shall implement practices, procedures, and / or policies that position the Corporation to be a model of faithful stewardship and quality internal accounting controls and procedures. In the case where elders from the regional assembly serve as directors of the corporation, they may appoint a financial audit and budget review committee of non-ordained individuals to serve locally.

SECTION ELEVEN INDEMNIFICATION

To the extent permitted by law, the Corporation shall indemnify any person who was or is a party or is threatened to be made a party to any threatened, pending, or completed action, suit, or proceeding, whether civil, criminal, administrative, or investigative, other than by action by or in the right of the Corporation, by reason of the fact that he or she is or was a director, officer, employee, or agent of the Corporation against expenses, including attorney fees, judgments, fines, and amounts paid in settlement actually and reasonably incurred by him or her in connection with such action, suit, or proceeding if he or she acted in good faith and in a manner he or she reasonably believed to be in the or not opposed to the best interests of the Corporation, and with respect to any criminal action or proceeding, had no reasonable cause to believe his or her conduct was unlawful.

SECTION TWELVE AMENDMENTS

These Bylaws may be amended, altered, or repealed by a majority of the Elder Board in attendance at any regular meeting of the Board, or at any special meeting of the Board if notice of the proposed alteration or repeal is contained in the notice of such meeting or notice is properly waived as outlined in these Bylaws.

Secretary

Chad Bunger

From: Chad Haygood <chad@gracelifene.org>
Sent: Tuesday, March 12, 2024 3:00 PM
To: Chad Bunger
Subject: Re: Quick write-up of the school and church

Follow Up Flag: Flag for follow up
Flag Status: Flagged

Thanks, Chad! I hope this works. If you need more, please let me know.

Grace Life Church

Grace Life Church is a protestant, evangelical church that has been worshipping in Hastings for 15 years. We serve members both within Hastings and from surrounding communities. Our goal is to teach our congregation to love God through worship and love their neighbors through acts of service. We desire to bless the entire community of Hastings while upholding a Christian ethic among ourselves.

Hastings Christian School

Hastings Christian School is a ministry of Grace Life Church that exists as a separate non-profit organization from our founding church. The school will offer education for grades K-12 while serving families that desire an alternative education choice. We hope to provide an education that excels academically while also training children in character formation. We believe that this school will prove to be a blessing to our community as students graduate with an understanding of hard work while valuing moral integrity.

Chad Haygood
Grace Life Church
Hastings, NE
chad@gracelifene.org
gracelifene.org

On Mon, Mar 11, 2024 at 2:34 PM Chad Bunger <CBunger@cityofhastings.org> wrote:

Good afternoon,

I am finishing up the staff report for the rezoning. It dawned on me that it I probably need s simple write-up of the church and school so I can better describe it in the staff report.

Could you get me such a write-up by Wednesday morning? It does not need to be extensive, just a paragraph or two.

Thanks

Chad Bunger, AICP, CFM

Director of Development Services

Click [HERE](#) to subscribe to our free, “Behind-The-Scenes” newsletter

**ARTICLES OF INCORPORATION
OF
HASTINGS CHRISTIAN SCHOOL**

Pursuant to the provisions of the Nebraska Nonprofit Corporation Act, as amended (Act), the undersigned, acting as the Incorporator, hereby adopts the following Articles of Incorporation.

**ARTICLE I
NAME**

The name of the corporation is Hastings Christian School ("Corporation").

**ARTICLE II
DESIGNATION**

The Corporation is a religious corporation under the Act.

**ARTICLE III
REGISTERED OFFICE AND REGISTERED AGENT**

The street address of the Corporation's initial registered office is 10306 Regency Parkway Drive, Omaha, Nebraska 68114, and the name of the initial registered agent at such address is LDM Business Services, Inc.

**ARTICLE IV
PURPOSES**

The Corporation is organized, and shall be operated, on a not-for-profit basis exclusively for charitable, educational and scientific purposes, within the meaning of section 501(c)(3) of the Internal Revenue Code, or the corresponding section of any future federal tax code ("Code"). The initial purposes for which this Corporation is organized is to establish, conduct, and maintain Christian day school or schools to nurture the minds and souls of children through an integrated education of faith and reason.

**ARTICLE V
POWERS**

The Corporation shall have all the powers conferred upon nonprofit corporations by the Act, and any enlargement of such powers conferred by subsequent legislative acts. In addition thereto, the Corporation shall have and exercise all powers and rights not otherwise denied nonprofit corporations by the laws of the State of Nebraska, as are necessary, suitable, proper, convenient or expedient to the attainment of the purposes set forth in Article IV above; provided, however:

(a) No part of the net earnings of the Corporation shall inure to the benefit of, or be distributable to, any officer or director of the Corporation, or any private individual, except that the Corporation shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in Article IV above.

(b) No substantial part of the activities of the Corporation shall be carrying on of propaganda, or otherwise attempting to influence legislation, and the Corporation shall not

participate or intervene in, any political campaign on behalf of, or in opposition to, any candidate for public office, including the publication or distribution of statements.

(c) Notwithstanding any other provisions of these Articles of Incorporation, the Corporation shall not conduct or carry on any activities not permitted to be conducted or carried on by an organization exempt from federal income tax under section 501(c)(3) of the Code, or by an organization, contributions to which are deductible under section 170(c)(2) of the Code.

ARTICLE VI MEMBERS AND DIRECTORS

The Corporation shall have no members. The officers, directors, employees or volunteers of this Corporation shall not be personally liable for the debts, liabilities or obligations of the Corporation, and the private property of such persons shall not be subject to the payment of the debts or obligations of the Corporation.

The affairs of the Corporation shall be conducted by the Board of Directors. Officers comprise the Board of Directors of the Corporation along with any additional elected directors deemed necessary, and the number of directors and other requirements pertaining to the directors and officers of the Corporation shall be set forth in the bylaws of the Corporation.

ARTICLE VII DISSOLUTION

Upon the dissolution of the Corporation, the Board of Directors shall, after paying or making provision for the payment of all liabilities of the Corporation, dispose of all assets of the Corporation, exclusively for charitable, educational or scientific purposes within the meaning of section 501(c)(3) of the Code, or to charitable or educational organizations which are tax-exempt as an organization described in section 501(c)(3) of the Code, as the Board of Directors shall determine. Any such assets not so disposed of shall be disposed of by a court of competent jurisdiction of the county in which the principal office of the Corporation is then located, exclusively for such purposes or to such organization or organizations as said court shall determine, which are organized and operated exclusively for such purposes.

ARTICLE VIII INCORPORATOR

The name and address of the Incorporator is as follows:

LDM Business Services, Inc.
10306 Regency Parkway Drive
Omaha, NE 68114

IN WITNESS WHEREOF, the Incorporator has executed this Articles of Incorporation this 16th day of May 2022.

LDM Business Services, Inc., Incorporator

By:


Daniel J. Waters, Vice-President

Hastings Christian School By-Laws

ARTICLE I: NAME OF SCHOOL

The name of the school shall be Hastings Christian School.

ARTICLE II: OBJECTIVES

Section 1. Objective

The primary objective of the Corporation is to operate a school that will closely adhere to the Statement of Faith and Mission Statement.

Section 2. Mission

The primary objective will be pursued considering the following mission:

Mission Statement Summary: Hastings Christian School uses a classical method rooted in the Christian worldview. We nurture students' appreciation of truth, goodness, and beauty as they strive for excellence, gratitude, and service, while guiding them to live purposefully in the service of God and man.

A. God is honored:

The chief end of education is to encourage the student to honor and glorify God more fully.

B. God is the foundation of all knowledge:

All knowledge will be presented as part of an integrated whole, with God as revealed in His Scriptures at the center. All true knowledge reflects the Creator. The Christian worldview, which is further defined in our Statement of Faith, will be presupposed in all subjects.

C. The Western classical tradition is thoroughly taught:

The foundation of Western civilization will be emphasized through the study of history, philosophy, science, the arts, literature, and classical language. The method of instruction will implement the Trivium: Grammar (the fundamental data and interrelated rules of a subject); Logic (the ordered relationship of particulars in a subject); and Rhetoric (the clear expression of the grammar and logic of that subject).

D. Parents are assisted in the education of their children:

Parents are responsible for the training and instruction of their children. Hastings Christian School endeavors to assist parents in this responsibility.

E. In all its levels, programs, and teaching, Hastings Christian School will:

1. Provide a clear model of biblical Christian life through its staff and board (Matt. 22:37-40).

2. Encourage every child to begin or continue in a personal relationship with God the Father through Jesus Christ in the power of the Holy Spirit (Matt. 28:18-20).
3. Emphasize grammar, logic, and rhetoric in all subjects, with appropriate adjustments to grade level.
4. Encourage every student to grow in a love for learning and to achieve their academic potential.
5. Provide an orderly atmosphere conducive to the attaining of these goals.

ARTICLE III: STATEMENT OF FAITH

Hastings Christian School affirms the following statements:

Section 1. The Apostles Creed

We believe in God the Father Almighty, Maker of heaven and earth. And in Jesus Christ, his only begotten Son, our Lord. He was conceived by the Holy Ghost, and was born of the virgin, Mary. He suffered under Pontius Pilate, was crucified, died, and was buried. He descended into Hades. On the third day he rose again from the dead, ascended into Heaven, and sits at the right hand of God the Father Almighty; from thence he will come to judge the living and the dead. We believe in the Holy Ghost, the holy catholic Church, the communion of the saints, the forgiveness of sins, the resurrection of the body, and the life everlasting. Amen.

Section 2. Statement of Faith

In addition to the Apostles Creed stated above, Hastings Christian School holds to the following statement of faith. By enrolling their children here, parents acknowledge their personal agreement with these statements and allow their children to be taught in accordance with this Statement of Faith.

- A. We believe the Bible alone to be the inerrant, authoritative Word of God for all matters of faith and practice. (2 Timothy 3:16)
- B. We believe there is one God, eternally existent in three persons: Father, Son, and Holy Spirit. (Genesis 1:26; Acts 7:54-60; John 1:1)
- C. We believe in the deity of our Lord Jesus Christ, in his virgin birth, in his sinless life, in his miracles, in his vicarious and atoning death through his shed blood, in his bodily resurrection, in his ascension to the right hand of the Father, and in his personal return in power and glory.
- D. We believe that for the salvation of lost and sinful men, regeneration by the Holy Spirit is absolutely necessary. (Titus 3:5)
- E. We believe that salvation is by grace alone through faith alone. (Ephesians 2:8-9)

- F. We believe that faith without works is dead. (James 2:14-26)
- G. We believe the Holy Spirit indwells every Christian, enabling them to live a godly life. (Galatians 5:22-25)
- H. We believe in the resurrection of the saved to eternal life and the lost to eternal damnation. (Matthew 25:31-46)
- I. We believe in the spiritual unity of all believers in our Lord Jesus Christ. (John 17)

Section 3. Marriage, Gender, and Sexuality

To preserve the function and integrity of Hastings Christian School, and to provide a Biblical role model to the students and other members of the Hastings Christian School community, as well as the community at large, it is imperative that all persons employed by the school, or who serve as volunteers, agree to and abide by the following:

- A. God wonderfully and immutably creates each person as male or female. These two distinct, complementary genders together reflect the image and nature of God. (Gen. 1:26-27) Rejection of one's biological sex is a rejection of the image of God within that person.
- B. The term "marriage" has only one meaning: the uniting of one man and one woman in a single, exclusive union, as delineated in Scripture. (Gen. 2:18-25) We believe that God intends sexual intimacy to occur only between a man and a woman who are married to each other. (I Cor. 6:18;7:25; Hebrews 13:4) We believe that God has commanded that no intimate sexual activity be engaged in outside of a marriage between a man and a woman.
- C. Any form of sexual immorality (including adultery, fornication, homosexual behavior, bisexual conduct, bestiality, incest, and use of pornography) is sinful and offensive to God. (Matt. 15:18-20; I Cor. 6:9-10)
- D. God offers redemption and restoration to all who confess and forsake their sin, seeking His mercy and forgiveness through Jesus Christ. (Acts 3:19-21; Rom. 10:9-10; 1 Cor. 6:9-11)
- E. Every person must be afforded compassion, love, kindness, respect, and dignity. (Mark 12:28-31; Luke 6:31) Hateful and harassing behavior or attitudes directed toward any individual are to be repudiated and are not in accord with Scripture nor the doctrines of Hastings Christian School.

Section 4. The Sanctity of Human Life

We believe that all human life is sacred and created by God in his image. Human life is of inestimable worth in all its dimensions, including preborn babies, the aged, the physically or mentally challenged, and every other stage or condition from conception through natural death. We are therefore compelled to defend, protect, and value all human life. (Psalm 139)

ARTICLE IV: CORPORATE OFFICES

The principal office of the Corporation in the State of Nebraska shall be located in Hastings, Nebraska at the site of the school, in the county of Adams. The mailing address will 200 N. Burlington Ave, Suite 150, Hastings, NE 68901. The offices may, from time to time, be changed at the discretion of the Board of Directors.

ARTICLE V: MEMBERSHIP

The Corporation shall have no members. Members of the Board, all staff, and parents of current students shall comprise the Hastings Christian School Association, hereinafter “Association,” which shall have no voting rights in corporate business.

ARTICLE VI: BOARD OF DIRECTORS

Section 1. Election and Tenure

There shall be at least three (3) but not more than (7) voting members of the Board of Directors of Hastings Christian School. The board shall be made up of permanent and non-permanent members. There shall be no more than three (3) permanent members. The remaining members will serve for a term of three (3) years. A non-permanent member may be elected to serve an additional term after having taken a one (1) year sabbatical from board responsibilities.

Men and women are allowed to serve on the Board of Directors, though there is an emphasis on male leadership among the Board of Directors. Therefore, men must make up the majority of the board.

The existing members of the Board of Directors will fill the additional seats, when necessary, by unanimous appointment, subject to the required qualifications through the following process:

A. Nomination:

Candidates may be nominated by any member of the standing board and selected for candidacy by the unanimous vote of the board. The qualifications are outlined in the following section.

B. Candidacy:

Nominated candidates must complete the following steps before a final vote may be taken on their election:

1. The candidate must answer questionnaire in writing or orally before the board, at his option.
2. Candidate must read the following books prior to their election vote: *Recovering the Lost Tools of Learning*, *Repairing the Ruins*, *The Abolition of Man*, and *The Case for Classical Christian Education*.

3. Candidates are then asked to attend board-meetings, including the extended “philosophical” meetings, for a minimum of 2 months and a maximum of 6 months. During these meetings, candidates will participate in the discussions and express their vote, but it will not count.
4. Candidates will be elected by a vote of the full board within 6 months of their nomination.

Members of the Board of Directors may take up to a one-year sabbatical leave from the Board, subject to approval by the majority of the Board.

Section 2. Qualifications

Classical Christian education contradicts the established educational paradigm at many levels. This makes sustaining the classical Christian vision unusually difficult, given the pervasive influence of modern education. The board is responsible to ensure the continued vision and mission of the school. Board members must also be unified and Christ-like, given the potential for disagreement when pursuing a strong vision. For these reasons, the selection of board members who are committed to classical Christian education and who exhibit the fruits of the spirit is essential. To this end, the board of directors takes particular care in nominating and electing new directors. The board will err on the side of fewer numbers to preserve a qualified and committed board.

Subject to availability of suitable members of the Board of Directors subscribing to the agreed upon Statement of Faith (Article III), every attempt will be made to secure members of the Board of Directors having expertise valuable to the school and a demonstrated commitment to classical and Christian education. In all cases, the demonstrated Christian walk of the individual member of the Board of Directors shall be a major consideration as to their suitability as a member of the Board of Directors. Specifically, members of the Board of Directors should conduct themselves in a manner consistent with the requirements of church elders as established in I Timothy 3:1-7 and Titus 1:6-9, excepting the ability to teach.

As a matter of firm policy, it is mandatory that all members of the Board of Directors be members in good standing of a local church while also subscribing to the above Mission Statement and Statement of Faith (Article III) in a manner and method prescribed by the Board of Directors, either by written statement or by oral testimony before the Board.

In addition to the above, Directors:

1. Need not be the parent of a current Hastings Christian School student.
2. Should have a proven record of prior volunteerism within the School.
3. Must be able to articulate and agree with the school’s definition of Classical and Christian Education.
4. Must be willing to place the best interest of the school and its objectives over their personal family. Must be a director in a servant’s role, in place to accomplish the organization’s goals. This is juxtaposed to being a “parent’s voice”, primarily

representing the general desires their specific family interests or the parents in general.

5. Must be able to make the board's regular meetings, missing fewer than 3 per year. Must be able to attend up to 2 strategic planning sessions per year.
6. Should demonstrate a personal pursuit of knowledge, wisdom, and understanding. e.g. reading, studying Scripture, developing a systematic theology, etc.
7. Should be willing to commit 5-10 hours per month to perform board duties and assignments (some board offices may require more).
8. Should demonstrate wisdom in leadership.

The board also seeks directors who have skill that complement a specific need for board member oversight.

Section 3. Vacancies

Any vacancy occurring in the Board of Directors through resignation or removal may be filled by the affirmative unanimous vote of all existing Directors, though less than a quorum of Directors remains.

Section 4. Removal of Members of the Board of Directors

Three or more sitting board members or fifteen or more parents or guardians of Hastings Christian School students may petition the board for removal from the board of any board member they feel lacks a genuine commitment to the school's statement of faith, or the goals of the school as outlined in these bylaws or the policy manual, or who lacks wisdom and diligence in matters of board responsibility. A board member may be removed from the board by a two-thirds majority vote of the board members not under consideration.

Section 5. Ex-officio Members of the Board of Directors

The Board of Directors may designate non-voting, ex-officio members of the Hastings Christian School Board by a unanimous vote of the full Board. Their term of service will continue at the discretion of the Board. At the direction of the Board, a nonvoting ex-officio member may be designated as Secretary or Treasurer of the Board of Directors.

Section 6. Employment of Members of the Board of Directors

Any member of the Board of Directors may be employed by the school from time to time on such terms as may be mutually agreeable, provided that the compensation is reasonable for service rendered.

Members of the Board of Directors may be employed as staff with the school but may not vote on issues relating to compensation that would affect their staff position. A compensation committee comprised of the remaining members of the Board of Directors and a person chosen by the remaining members of the Board of Directors shall set any compensation for such position.

ARTICLE VII: OFFICERS OF THE BOARD OF DIRECTORS

Section 1. Designation of Officers

The officers of the Board of Directors shall be a Chairman, a Vice-Chairman, a Secretary, and a Treasurer, each of whom shall be elected by the Board of Directors. Such other officers and assistants as may be deemed necessary may be elected by the Board. Any two or more offices may be held by the same person except the offices of Chairman and Secretary. All officers other than the Secretary and Treasurer must be members of the Board of Directors.

Section 2. Election

The Board of Directors shall elect officers of the Board of Directors annually. A new election for officers of the Board may take place annually or upon a written request by the majority of the Board of Directors or upon the resignation of any officer. Each officer shall hold office until his successor shall have been duly elected. The office of Chairman is a three-year term. The office of treasurer may be left vacant if the school's controller serves in a financial capacity at board meetings.

Section 3. Removal of Officers

Any elected officer or agent may be removed from office by a majority vote of the Board of Directors whenever in its judgment the best interests of the school will be served thereby. Three consecutive absences from regular Board meetings shall constitute valid grounds for removal from office.

Section 4. Chairman

The Chairman shall, when present, preside at all meetings of the Board, as well as all general meetings of the Association. The Chairman of the board must be a male. He may sign with the Secretary, or any other full and proper officer thereunto authorized by the Board, any checks, deeds, contracts, or other instruments which the Board has authorized to be executed.

Section 5. Vice Chairman

In the absence of the Chairman, or in the event of the inability of the Chairman to act, the Vice Chairman shall perform the duties of Chairman. The office of Vice Chairman may be left vacant from time to time.

Section 6. Secretary

The secretary or his designees shall keep the minutes of the proceedings, see that all notices are duly given in accordance with the provisions of these by-laws or as required by law, keep a current, valid mailing address of each Association member, sign with the Chairman of the Board any legal instrument approved by the Board, and generally perform the duties of the office of Secretary for the Corporation, including such other duties as from time to time may be assigned to him by the Chairman or by the board.

Section 7. Treasurer

The Treasurer or his designee shall have charge of and be responsible for all reporting and accounting of funds of the Academy, receive and give receipt for moneys due and payable to the school and deposit all such moneys in the name of the school in such banks or other depositories as shall be selected by the board, and in general perform all duties incidental to the office of Treasurer as set out by the board.

Section 8. Compensation of Officers

The officers of the Board of Directors shall perform their services without compensation.

Section 9. Employment of Officers

Any officer may also serve as an employee of the School on such terms as may be mutually agreeable. Any such employment shall comply with Article VI, Section 6.

ARTICLE VIII: COMMITTEES OF THE BOARD

Section 1. Executive Committee

An Executive Committee, comprised of the Chairman and two other members of the Board of Directors, may, in the absence of the full Board but with prior Board approval, exercise all authority of the Board for specific decisions.

Section 2. Ad Hoc Committees

The Board of Directors may, by resolution passed by a majority, designate such ad hoc committees as may be appropriate. All committees serve at the pleasure of the Board and may be comprised of members of the Board of Directors, regular and ex-officio, parents, or any others who may be approved to serve.

ARTICLE IX: MEETINGS

Section 1. Regular Meetings of the Board of Directors

The full board shall meet at regular intervals of not less than once per quarter, at a regularly designated place at a preannounced time. All regular meetings of the Board shall be open to any member of the Association. All regular meetings of the board shall include a documented portion of the meeting open to any member of the association. The meeting shall be conducted from a pre-published printed agenda, posted to the public at least two days in advance.

Section 2. Special Meetings

Special meetings of the board may be held at a time and place designated by the board chairman to address such issues as may come before the board, requiring board action sooner than the regularly scheduled meeting, or to respond to a submitted petition requesting such special meeting, signed by twenty or more members of the Association.

Section 3. Meeting Minutes

All meeting minutes (normal or executive) shall be recorded, stored, and available for historical reference. Minutes of all regular Board meetings will be published and maintained in a permanent binder in the school offices.

Section 4. Decorum

All meetings of the Board shall be conducted according to *Roberts' Rules of Order* regarding voting and passing motions.

Section 5. Quorum

A majority of the full Board including the Chairman shall constitute a quorum for full Board action. If the Chairman cannot attend, he may designate the Vice Chairman to act in his place. Board proxies may only be held for a specific issue, exercised only on that issue.

All members of the Executive Committee shall constitute a quorum for the transaction of business.

Section 6. Executive Session

The Board may, as circumstances dictate, adjourn to closed session from time to time as the need to address spiritual, personnel, disciplinary, or other confidential issues arises.

Section 7. Board Action

The Board will be considered as having formally acted when, in a duly constituted meeting, a proposal is moved, seconded, discussed, passed with the appropriate margin of votes, entered in minutes, and duly approved.

Board discussion, consensus, debate, etc., does not constitute formal Board action.

ARTICLE X: MANAGEMENT OF THE SCHOOL

Section 1. Day-to-Day Operations

The Board will employ an executive officer (Headmaster) to implement the will of the board in the operation of the school.

Section 2. Headmaster

The board, by unanimous vote, may employ a Headmaster, who shall oversee the operation of the school in accordance with the policies of the Board of Directors. The Headmaster's duties shall include, but not be limited to, pre-qualifying all staff, overseeing financial matters, maintaining the spiritual quality of the school, evaluating and managing staff, and all day-to-day administrative duties. While matters of operational policy remain the primary duty of the Headmaster, all staff dismissals must have a majority vote of the Board.

Section 3. Principal

The Board may employ a Principal for each school (elementary, middle, high) as needed based upon student count. The principal shall oversee teacher training, discipline, testing, curriculum implementation, educational quality, and the general administration of those grades for which they are responsible. All principals report to the head of school.

ARTICLE XI: FISCAL RESPONSIBILITY

Section 1. General Policy

The board is responsible through its approval of the budget to ensure that the day-to-day operations of the school, including facility maintenance, shall be fully funded.

Section 2. Fiscal Year

The fiscal year of the Corporation shall begin on the first day of July and end on the thirtieth day of June of the following year.

Section 3. Budgets

The board shall approve the annual operating budget. The headmaster will submit an operating budget for the following fiscal year to the board in March with final board action to approve the budget taken no later than the thirtieth of April.

Section 4. Financial Statements

It shall be the headmaster's responsibility, with help from the treasurer, to prepare a monthly financial statement, to be submitted to the board prior to the next regular board meeting. All financial statements are subject to board review.

Section 5. Financial Inspection

The books of Hastings Christian School shall be open to inspection by the board at any time.

Section 6. Fundraising

It shall be the board's responsibility to set policy for the fundraising activities of the school staff and to be responsible for its effectiveness and thoroughness. The board may employ a Director of Development as well as additional personnel to generate financial support.

Section 7. Contracts

The board may authorize any officer, officers, agent, or agents to enter into any contract or to execute and deliver any instrument in the name of and on behalf of the Corporation.

Section 8. Loans

No loans shall be contracted on behalf of the Corporation without two-thirds (2/3) approval of the Board of Directors. If the above-mentioned loan creates a financial liability for individual directors, the vote must be unanimous.

Section 9. Checks and Drafts

All checks or drafts issued by Hastings Christian School shall be signed by such officers in such a manner as shall be determined by resolution of the school board.

Section 10. Deposits

All funds of the school, association, or corporation shall be deposited in such depositories as the board, or its authorized delegate may select.

ARTICLE XII: NONDISCRIMINATION POLICY

Hastings Christian School does not discriminate on the basis of race, color, national or ethnic origin, or sex in the administration of its admissions, scholarships, hiring, or other school-directed policies. All practices and policies of Hastings Christian School shall be racially

nondiscriminatory, as any such discrimination was improper before federal or state law addressed such issues and continues to be improper.

ARTICLE XIII: AMENDMENTS TO BY-LAWS

These by-laws and other elements of the Board handbook may be altered, amended, or repealed by unanimous vote of the Board at any regular or special meeting of the Board of Directors. A minimum thirty (30) day waiting period between the motion and the final vote is required.

ARTICLE XIV: INDEMNIFICATION OF DIRECTORS AND OFFICES

To the extent permitted by law, the Corporation shall indemnify any person who was or is a party, or is threatened to be made a party to any threatened, pending or completed action, suit or proceeding, whether civil, criminal, administrative or investigative, other than an action by or in the right of the Corporation, by reason of the fact that he or she is or was a director or officer of the Corporation against expenses, including attorney fees, judgments, fines and amounts paid in settlement actually and reasonably incurred by him or her in connection with such action, suit or proceeding if he or she acted in good faith and in a manner he or she reasonably believed to be in or not opposed to the best interests of the Corporation, and with respect to any criminal action or proceeding, had no reasonable cause to believe his or her conduct was unlawful. The indemnity provided for by this Article shall not be deemed to be exclusive of any other rights to which those indemnified may be otherwise entitled, nor shall the provisions of this Article be deemed to prohibit the Corporation from extending its indemnification to cover other persons or activities to the extent permitted by law or pursuant to any provision in the Bylaws.

ARTICLE XV: PROHIBITION AGAINST SHARING IN CORPORATE EARNINGS

No director, officer or employee of or member of a committee of or person connected with the Corporation, or any other private individual shall receive any of the net earnings or pecuniary profit from the operations of the Corporation; *provided, however*, this provision shall not prevent the payment to any such person of such reasonable compensation for services rendered to or for the Corporation in effecting any of its purposes as shall be fixed by the Board of Directors, and no such person or persons shall be entitled to share in the distribution of any of the corporate assets upon the dissolution of the Corporation.

ARTICLE XVI: CONFLICTS OF INTEREST

The Corporation and its Directors and officers shall comply with the Corporation's conflicts of interest policy and shall complete any and all disclosure forms in accordance with such policy.

THE UNDERSIGNED does hereby certify that the above and foregoing Bylaws of the Corporation were duly adopted by the Board of Directors of the Corporation on the 23rd day of May 2022.

Chad Haygood, President

BYLAWS

GRACE LIFE CHURCH

Adopted: August 16, 2019

SECTION ONE

GENERAL

- 1) **Incorporation of Local Church.** Grace Life Church (the “Church”) is an ecclesiastical body established by Jesus Christ in Hastings, Nebraska to preach the gospel, disciple the nations, and establish a community of Christian believers and disciples of Jesus Christ who practically live out the gospel.
- 2) **Autonomy of Local Church and Collaboration with Other Churches.** Grace Life Church is autonomous and maintains the right to govern its own affairs and own its own property and other assets. Recognizing, however, the benefits of collaboration with other churches, Grace Life Church participates in an association of churches called Sovereign Grace Churches, Inc., a Maryland nonstock corporation whose primary place of business is in Louisville, Kentucky, in accordance with *The Book of Church Order for the Sovereign Grace Churches* (hereafter called *The Book of Church Order*) and the *Sovereign Grace Partnership Agreement, as amended* (hereafter called the *Partnership Agreement*). As stipulated in said agreement, this association involves no legal transfer to, or sharing of properties with Sovereign Grace Churches, but is a collaboration that advances a shared mission and facilitates interdependent church fellowship.
 - a) **Voluntary Partnership.** Grace Life Church voluntarily partners with other local churches that are represented by the same Regional Assembly of Elders (the “Regional Assembly”), as further described in the *Partnership Agreement*. These Bylaws are subject to the authority and precedent of *The Book of Church Order*, and they shall consist of the standards of doctrine, governance, discipline, and worship employed by this and other partnering churches in the Regional Assembly. All references to *The Book of Church Order* herein shall be deemed to include any subsequent current amendments or restatements. Grace Life Church's participation in the Regional Assembly of Elders as defined by *The Book of Church Order* (including its Regional Judicial Committee) and the Sovereign Grace Court of Appeal is strictly voluntary and does not confer or transfer any of the Corporation's legal rights, privileges, assets, and liabilities to any of these distinct ecclesiastical bodies or any of their related or affiliated entities.
 - b) **Responsibilities of Partnership.** Responsibilities of and to Sovereign Grace Churches shall be such as are summarized in the *Partnership Agreement* signed by all Sovereign Grace churches as found in the *Grace Life Church Policy Manual* and *The Book of Church Order*.

- c) **Withdrawal from Partnership.** Should the Board of Elders determine that the *Church* should withdraw from the Sovereign Grace Churches association, it may do so as agreed upon by the *Church's* Board.

SECTION TWO STATEMENT OF FAITH

1) Statements of Faith, Biblical Morality, and Godly Conduct

- a) **Statement of Faith.** The Statement of Faith affirms the Church's commitment to sound biblical doctrine and to the core beliefs to which it is committed. Christianity involves essential truths which are taught in Sacred Scripture, and are meant to embody our faith and guide our practice. These truths—which reveal the nature, character, work and promises of God in the gospel—form the foundation of our faith and the center of our fellowship. The *Statement of Faith* of this Corporation is as follows:

- i) **The Scriptures.** We accept the Bible, including the 39 books of the Old Testament and the 27 books of the New Testament, as the written Word of God. The Bible is the only essential and infallible record of God's self-disclosure. It leads us to salvation through faith in Jesus Christ. Being given by God, the scriptures are both fully and verbally inspired by God. Therefore, as originally given, the Bible is free of error in all it teaches. Each book is to be interpreted according to its context and purpose and in reverent obedience to the Lord who speaks through it in living power.

All believers are exhorted to study the Scriptures and diligently apply them to their lives. The Scriptures are the authoritative and normative rule and guide of all Christian life, practice, and doctrine. They are totally sufficient and must not be added to, superseded, or changed by later tradition, extra-biblical revelation, or worldly wisdom. Every doctrinal formulation, whether of creed, confession, or theology, must be put to the test of the full counsel of God in Holy Scripture.¹

- ii) **God is Triune.** There is one God: infinite, eternal, almighty, and perfect in holiness, truth, and love. In the unity of the godhead there are three persons: Father, Son, and Holy Spirit; co-existent, co-equal, co-eternal. The Father is not the Son and the Son is not the Holy Spirit, yet each is truly Deity. One God and Father, Son, and Holy Spirit is the foundation of

¹ 2 Tim. 3:14-17; 2 Peter 1:19-21; Matt. 5:17, 18; John 10:34, 35; 1 Cor. 14:37; Ps. 1:2; 19:7-11; Acts 17:11; James 1:18-25; 2 Tim. 2:15; 2 Peter 3:14-17; Gal. 1:8, 9.

Christian faith and life.²

iii) God the Father. God the Father is the Creator of heaven and earth. By his word and for his glory, he freely and supernaturally created the world out of nothing. Through the same Word he daily sustains all his creatures. He rules over all and is the only Sovereign. His plans and purposes cannot thwarted.

He is faithful to every promise, works all things together for good to those who love him, and in his unfathomable grace he gave His Son Jesus Christ for mankind's redemption. He made man for fellowship with himself, and intended that all creation should live to the praise of his glory.³

iv) Jesus Christ. Jesus Christ, the only begotten Son of God, was the eternal Word made flesh, supernaturally conceived by the Holy Spirit, born of the Virgin Mary. He was perfect in nature, teaching, and obedience. He is fully God and fully man. He was always with God and is God. Through him all things came into being and were created. He was before all things and in him all things hold together by the power of his word. He is the image of the invisible God, the first-born of all creation, and in him dwells the fullness of the godhead bodily. He is the only Savior for the sins of the world, having shed his blood and died a vicarious death on Calvary's cross.

By his death in our place, he revealed the divine love and upheld divine justice, removing our guilt and reconciling us to God. Having redeemed us from sin, the third day he rose bodily from the grave, victorious over death and the powers of darkness, and for a period of forty days appeared to over five hundred witnesses, performing many convincing proofs of his resurrection. He ascended into heaven where, at God's right hand, he intercedes for His people and rules as Lord over all. He is the Head of His body, the Church, and should be adored, loved, served, and obeyed by all.⁴

v) The Holy Spirit. The Holy Spirit, the Lord and Giver of life, convicts the

² Deut. 6:4; 1 Cor. 8:4-6; 1 Tim. 1:17; 6:15, 16; Daniel 4:34, 35; Isa. 44:6, 8; 45:5, 21; Matt. 28:19; 1 Cor. 12:4-6; 2 Cor. 13:14; Eph. 4:4-6; John 1:1, 14; Acts 5:3, 4; Titus 1:13; Heb. 1:8-12

³ Gen. 1:1-31; Ps. 104:1-35; Heb. 11:3; Isa. 40:26; Daniel 4:34, 35; Ps. 115:3; Eph. 1:11; Rom. 4:20, 21; Titus 1:2; Heb. 6:17, 18; 10:23; 2 Cor. 1:20-22; 2 Peter 1:3, 4; Rom. 8:28; James 1:17; Gen. 2:8; 1 John 1:2, 3; John 17:3; Rev. 4:10, 11; Isa. 43:7

⁴ John 1:1, 2, 14-18; Matt. 1:20; Luke 1:34, 35; Heb. 1:2, 3, 8-12; 4:15; 7:26; Col. 1:15-19; 2:9; 1 John 2:2; 4:14; John 3:16; Isa. 53:3-6; Matt. 20:28; 1 Peter 4:18; Rom. 3:23-26; Heb. 7:26, 27; 10:5-12; Matt. 28:1-6; Mark 16:1-

world of sin, righteousness, and judgment. Through the proclamation of the gospel, he persuades men to repent of their sins and confess Jesus as Lord. By the same Spirit a person is led to trust in divine mercy. The Holy Spirit unites believers to Jesus Christ in faith, brings about the new birth, and dwells within the regenerate.

The Holy Spirit has come to glorify the Son who in turn came to glorify the Father. He will lead the Church into a right understanding and rich application of the truth of God's Word. He is to be respected, honored, and worshiped as God the third person of the Trinity.⁵

- vi) **Man.** God made man—male and female—in his own image, as the crown of creation, that man might have fellowship with him. Tempted by Satan, man rebelled against God. Being estranged from his Maker, yet responsible to him, he became subject to divine wrath, inwardly depraved and, apart from a special work of grace, utterly incapable of returning to God.

This depravity is radical and pervasive. It extends to his mind, will and affections. Unregenerate man lives under the dominion of sin and Satan. He is at enmity with God, hostile toward God, and hateful of God. Fallen, sinful people, whatever their character or attainments, are lost and without hope apart from salvation in Christ.⁶

- vii) **The Gospel.** Jesus Christ is the Gospel. The Good News is revealed in his birth, life, death, resurrection, and ascension. Christ's crucifixion is the heart of the Gospel; his resurrection is the power of the Gospel; and his ascension is the glory of the Gospel. Christ's death is a substitutionary and propitiatory sacrifice to God for our sins. It satisfies the demands of God's holy justice and appeases His holy wrath. It also demonstrates his mysterious love and reveals His amazing grace.

Jesus Christ is the only mediator between God and man. There is no other

8; Luke 24:1-12; John 20:1-29; Acts 1:3, 8-11; 2 Tim. 2:8; 1 Cor. 15:1-11; Heb.2:14, 15; Rev. 1:17, 18; Rom. 5:6-11; Rom. 8:34; Heb.7:23-25; Eph. 1:19-23; Col. 1:15-20; Rev. 5:1-14; 1 Cor. 1:22; John 14:21, 23, 24.

⁵ Gen. 1:2; Rom. 1:3; 8:2, 6; John 16:7-11; 1 Cor. 2:8-13; 12:3; Eph. 3:16-19; John 3:5-8; Titus 3:5; 1 Peter 1:2; John 16:13-15; 14:17, 25, 26; Acts 5:3, 4; 2 Cor. 13:14; Matt. 28:19; Gal. 5:16-25; Eph. 1:13, 14.

⁶ Gen. 1:26, 27; 9:6; James 3:9; Ps. 8:3-8; Gen. 2:8; 3:1-13; Rom. 5:12-14; Gen. 3:23, 24; Rom. 5:6-14; 1 Cor. 15:22; Gen. 6:5; Ps. 51:5; 58:3; Isa. 53:6; John 3:3, 19, 20; 8:34; 2 Peter 2:12, 18, 19; 1 Cor. 2:14; Phil. 3:18, 19; Rom. 3:9-18; 8:7; Eph. 2:1-3, 12; 4:17-19; Isa. 64:6.

name by which men must be saved. At the heart of all sound doctrine is the cross of Jesus Christ and the infinite privilege that redeemed sinners have of glorifying God because of what he has accomplished.⁷

- viii) **Man's Response to the Gospel.** Man's response to the gospel is rooted and grounded in the free and unconditional election of God for his own pleasure and glory. It is also true that the message of the gospel is only effectual to those who genuinely repent of their sins, and by God's grace, put saving faith in Christ. This gospel of grace is to be sincerely preached to all men in all nations.

Biblical repentance is characterized by a changed life, and saving faith is evidenced by kingdom service or works. While neither repentance nor works save, unless a person is willing to deny himself, pick up his cross, and follow Christ, he cannot become his disciple.⁸

- ix) **Man's Inheritance through the Gospel.** Salvation, the free gift of God, is provided by grace alone, through faith alone, because of Christ alone, for the glory of God alone. Anyone turning from sin in repentance and looking to Christ and his substitutionary death receives the gift of eternal life and is declared righteous by God as a free gift. The righteousness of Christ is imputed to him.

He is justified and fully accepted by God. Through Christ's atonement for sin an individual is reconciled to God as Father and becomes his child. The believer is forgiven the debt of his sin and, via the miracle of regeneration, liberated from the law of sin and death into the freedom of God's Spirit.⁹

- x) **Sanctification.** The Holy Spirit is the active agent in our sanctification and seeks to produce his fruit in us as our minds are renewed and we are conformed to the image of Christ. Though indwelling sin remains a reality,

⁷ Luke 2:10, 11; 2 Cor. 4:3-6; 1 Cor. 2:2; 15:1-4; Acts 8:32-35; John 20:30 cf. 17:2, 3; 1 Tim. 1:15; 2:16; Luke 24:45-47; Rom. 1:1-4; 3:21-26; 5:15-21; 6:1-4; Acts 1:6-11; 1 John 2:2; 3:9, 10; Phil. 2:5-11; John 14:6; Acts 4:12; 1 Tim. 2:5, 6, 10; Eph. 1:3-14.

⁸ Eph. 1:3-6; Rom. 8:28-30; 9:10-24; 2 Thess. 2:13, 14; 1 Cor. 1:26-29; Luke 24:46, 47; Acts 2:38; 3:19; 5:31; 16:31; 20:20, 21; 26:17, 18; Rom. 3:26-28; 4:4-8; 5:1; Eph. 2:8-10; Matt. 28:18-20; Acts 1:8; Gal. 5:6; James 2:14-26; Luke 9:23-29.

⁹ Eph. 2:8, 9; Rom. 3:27, 28; Titus 3:4, 5; Gal. 3:10-14; John 3:13-18; Rom. 4:4; 5:10, 11, 18-21; 6:23; 8:3, 4; 2 Cor. 5:20, 21; Phil. 3:8, 9; 1 Cor. 1:30; Eph. 1:5-7; Gal. 4:4-7; Rom. 8:1-8, 14-17; 1 John 1:9; Heb. 9:14; 10:12-18; Col. 2:13, 14; John 3:3-8; Titus 3:5.

as we are led by the Spirit, we grow in the knowledge of the Lord, freely keeping his commandments and endeavoring to so live in the world that all people may see our good works and glorify our Father who is in heaven.

All believers are exhorted to persevere in the faith knowing they will have to give an account to God for their every thought, word and deed. The spiritual disciplines, especially Bible study, prayer, worship and confession, are a vital means of grace in this regard. Nevertheless, the believer's ultimate confidence to persevere is based in the sure promise of God to preserve his people until the end which is most certain.¹⁰

- xi) **Empowered by the Holy Spirit.** In addition to effecting regeneration and sanctification, the Holy Spirit also empowers believers for Christian witness and service. While all genuine believers are indwelt by the Holy Spirit at conversion, the New Testament indicates the importance of an ongoing, empowering work of the Spirit subsequent to conversion as well. Being indwelt by the Spirit and being filled with the Spirit are theologically distinct experiences. The Holy Spirit desires to fill each believer continually with increased power for Christian life and witness, and believers should seek this filling as a regular and recognizable blessing for the Christian life.

The Holy Spirit also imparts his supernatural gifts for the edification of the Body and for various works of ministry in the world. All the gifts of the Holy Spirit at work in the church of the first century are available today, are vital for the mission of the church and are to be earnestly desired and practiced.¹¹

- xii) **The Church.** God by his Word and Spirit creates the Church, calling sinful men out of the whole human race into the fellowship of Christ's Body. By the same Word and Spirit, he guides and preserves that new, redeemed humanity. The Church is not a religious institution or denomination. Rather, the Church universal is made up of those who have become genuine followers of Jesus Christ and have personally appropriated the

¹⁰ Rom. 6:1-14; 8:1-16; Gal. 5:16-25; 1 Peter 1:2; Rom. 12:1, 2; Eph. 4:20-24; Col. 3:1, 2; Rom. 8:29; Eph. 5:1, 2, 18; 2 Peter 1:3-11; 3:18; 1 John 5:3; Phil. 2:14, 15; Matt. 5:16; 1 Peter 2:11, 12; Titus 2:1-14; Matt. 24:13; Heb. 2:1; 4:11; Rom. 5:3; James 1:12; 5:10, 11; Luke 8:15; Acts 14:22; 2 Tim. 3:10-15; Phil. 3:12-16; Matt. 12:33-37; 1 Cor. 3:12-15; 4:1-5; 2 Cor. 5:10; Heb. 4:12, 13; Acts 17:11; Ps. 1; 19; Col. 3:16; Luke 18:1-8; 1 Thess. 5:17; Eph. 6:18; Matt. 6:9-13; Acts 2:46, 47; Eph. 5:18-20; Col. 3:16, 17; James 5:15, 16; Jude 1:1, 20-24; John 10:27-29; Jer. 32:38-41; 1 Peter 5:10, 11; Heb. 13:20, 21; Phil. 2:12, 13; 1 Thess. 5:23, 24.

¹¹ Rom. 8:9; 1 Cor. 12:13; Acts 2:1-14, 38, 39; 4:8, 29-31; 6:3; 9:17; 13:9; 1 Cor. 12:1-31; Eph. 5:18-20; 1 Thess. 5:19-21; Gal. 3:4; Eph. 4:3-13; Rom. 12:3-8; 1 Peter 4:10, 11.

gospel. The Church exists to worship and glorify God as Father, Son, and Holy Spirit. It also exists to serve him by faithfully doing his will in the earth. This involves a commitment to see the gospel preached and churches planted in all the world for a testimony. The ultimate mission of the Church is the making of disciples through the preaching of the gospel. When God transforms human nature, this then becomes the chief means of society's transformation. Upon conversion, newly redeemed men and women are added to a local church in which they devote themselves to teaching, fellowship, and the Lord's Supper and prayer.

All members of the Church universal are to be a vital and committed part of a local church. In this context they are called to walk out the New Covenant as the people of God and demonstrate the reality of the kingdom of God. The ascended Christ has given gift ministries to the church (including apostles, prophets, evangelists, pastors and teachers) for the equipping of Christ's body that it might mature and grow. Through the gift ministries, all members of the Church are to be nurtured and equipped for the work of ministry. Women play a vital role in the life of the church but in keeping with God's created design, they are not permitted "to teach or to have authority over a man" (1 Tim. 2:11). Leadership in the church is male. In the context of the local church, God's people receive pastoral care and leadership and the opportunity to employ their God-given gifts in his service in relation to one another and to the world.¹²

xiii) **Water Baptism.** Water baptism is only intended for the individual who has received the saving benefits of Christ's atoning work and become his disciple. Therefore, in obedience to Christ's command and as a testimony to God, the Church, oneself and the world, a believer should be immersed in water in the name of the Father, Son and Holy Spirit.

Water baptism is a visual demonstration of a person's union with Christ in the likeness of his death and resurrection. It signifies that his former way of life has been put to death and vividly depicts a person's release from the mastery of sin.¹³

xiv) **The Lord's Supper.** As with water baptism, the Lord's Supper is to be observed only by those who have become genuine followers of Christ. This

¹² Matt. 16:18; 28:19, 20; Acts 2:40-47; 13:1-3; 14:27; 15:41; 1 Cor. 1:2; Gal. 1:2; Col. 4:16; 1 Thess. 1:1; 1 Cor. 12:12; Eph. 4:8-13; 2 Tim. 2:2; 4:5; Heb.3:12, 13; 10:23-25; 1 Cor. 14:31-35; 1 Tim. 2:8; Acts 20:28-31; 1 Peter 5:1-5; Heb.13:7, 17; 1 Thess. 5:12-14; 1 Peter 4:10, 11; Rom. 12:3-13.

¹³ Matt. 28:19, 20; Acts 2:38, 41; 8:35-38; 9:16-18; 10:44-48; 22:16; Rom. 6:1-4.

ordinance symbolizes the breaking of Christ's body and the shedding of his blood on our behalf, and is to be observed repeatedly throughout the Christian life as a sign of continued participation in the atoning benefits of Christ's death.

As we partake of the Lord's Supper with an attitude of faith and self-examination, we remember and proclaim the death of Christ, receive spiritual nourishment for our souls, and signify our unity with other members of Christ's body.¹⁴

xv) **The Consummation.** The consummation of all things includes the visible, personal, and glorious return of Jesus Christ, the resurrection of the dead and the translation of those alive in Christ, the judgment of the just and the unjust, and the fulfillment of Christ's kingdom in the new heavens and the new earth. In the Consummation, Satan with his hosts and all those outside Christ are finally separated from the presence of God, enduring eternal punishment, but the righteous, in glorious bodies, shall live and reign with Him forever.

Married to Christ as his Bride, the Church will be in the presence of God forever, serving him and giving him unending praise and glory. Then shall the eager expectation of creation be fulfilled and the whole earth shall proclaim the glory of God who makes all things new.¹⁵

b) **Statement of Biblical Morality.** The *Statement of Biblical Morality* is an affirmative expression of this Church's core biblical beliefs and values as well as its response to the changing legal and moral context in which it exists. It is a conscious application of the divine imperative that the Church "*not be conformed to this world but be transformed by the renewing of our mind*" (Romans 12:1, 2). In an age in which specific biblical practices are being increasingly threatened by a rapidly deteriorating moral climate and assailed by an aggressively secular agenda, it is essential that the Church respond with clear conviction and steady voice. The Bible stands as our guide for faith and practice, not the changing values of the culture. To that end we affirm the following.

i) **Church Discipline.** The Scriptures call every Christian to a life of holiness, forbidding believers from habitual conformity to the sinful desires of the

¹⁴ Matt. 26:26-29; Mark 14:22-25; Luke 22:14-20; Acts 2:42; 1 Cor. 10:16, 17; 11:17-34.

¹⁵ Matt. 24:29-31; John 5:28, 29; 14:1-3; Acts 1:11; Rom. 8:18-25; 13:11, 12; 1 Cor. 15:20-58; 2 Cor. 4:16-5:10; Phil. 3:20, 21; 1 Thess. 4:13-5:11; 2 Thess. 1:5-12; 5:23; Titus 2:13; 1 Peter 1:3-9; 2 Peter 3:8-13; 1 John 3:2, 3; Jude 1:24, 25; Eph. 5:25-27; Rev. 1:7; 5:9, 10; 20-22.

flesh or the ungodly patterns and behaviors of the world. Since sin clings so easily to the believer, Jesus, as Lord of the Church, has established means of accountability (commonly known as *church discipline*) within the local church, to guard the Christian from falling into impenitent habitual sins. Such church discipline, which ranges from private admonition to public rebuke and/or removal from membership in the Church, is to be motivated by a shared desire for holy lives, a loving desire to lead others to repentance and restoration, and a zeal for the glory of Jesus Christ, our Lord.¹⁶

For the Church to remain under God's blessing and fulfill God's intentions, at times it may become necessary, formally and corporately, to confront sin or false doctrine in a Church member, including one who is serving as a Church elder.¹⁷ The Church shall follow the rules prescribed in *The Book of Church Order* for the adjudication of matters giving rise to possible church discipline and the administration of church discipline involving Church members, and the adjudication of charges against and the possible discipline of Church elders. The Church shall submit to the decisions of each ecclesiastical body that *The Book of Church Order* prescribes as having jurisdiction over the disciplinary matter at each stage of its adjudication. Unless the Board determines that it otherwise serves the best interest of the Church, any individual serving as a director and/or officer of the Corporation who is the subject of any church disciplinary proceeding shall be required to take a leave of absence from active service. After the disciplinary process has concluded, the Board shall exercise discretion over whether it is appropriate for the individual to return to active service, to continue his leave of absence for a prescribed period of time, or to resign or be removed from his position.

- ii) **Sexuality and Marriage.** A Biblical view of manhood and womanhood and an appreciation for and commitment to marriage and the family are values rooted in the Sacred Scriptures. The holy institution of marriage is to be between one man and one woman for life, as established in God's creation of man and woman in His image and in the relationship between Christ and His Church.

While men and women are equal before God as sharers of his image in creation and partakers of his grace in Christ, we believe that specific gender

¹⁶ 1 Peter 2:11, 12; 4:1-3; Rom. 12:1, 2; Heb. 12:1; Matt. 18:15-19; Rom. 16:17, 18; Gal. 6:1; 1 Cor. 5:1-13; 2 Cor. 12:20-13:10; 2 Thess. 3:6-12; 1 Tim. 5:19-22; Titus 3:10, 11; James 5:19, 20; 2 John 1:8-11; Rev. 2:20.

¹⁷ Scriptural instruction and precedent for this practice appear in Matt. 18:15-17; 1 Cor. 5; Gal. 6:1-2; Acts 20:28ff; Gal. 2:11-14; 1 Tim. 5:20; Titus 3:10-11; Rom. 16:17; 2 Cor. 2:5-11.

roles in marriage are God's normative law for the family. We believe in the servant-leadership role of men in both home and church, and in the complementary function of women in contributing their abilities to supply the inadequacies and support the leadership of those men. We reject men's attitudes of abuse, neglect, and passivity, while simultaneously grieving women's attitudes of disrespect, liberation and superiority as being counter to Scripture, nature, and the well-being of all.

Furthermore, sexual chastity before, and lifelong fidelity in a heterosexual marriage embody an abiding divine law which is to guide the faith and life of every Christian and the teachings of this church. Sexual chastity includes abstinence from pre-marital sex, pornography, adultery, and homosexuality; indeed any sexual activity outside of a one-man-and-one-woman covenanted marriage relationship. In light of current cultural erosion of sexual morality, it is essential that the church stand firm on the Bible's teachings about sexual identity and purity. Grace Life Church and its elders may not endorse gender changes, nor approve or officiate same sex marriages or unions.

While sexual sin is uniquely serious before God, no sexual sin is beyond God's power to redeem and restore. We affirm the love of God for all who are guilty of sexual sin in any of its forms, and offer the gospel and grace of God to all who will repent of such sins and turn in faith to Christ for their forgiveness and deliverance.¹⁸

- iii) **Divorce.** It is God's intention that the covenant of marriage be a joyful union that endures for life. Those whom God has joined together must cleave as one flesh in faithful love, and are not to be torn apart. Divorce is prohibited by God except when sexual infidelity and/or abandonment occur. While permissible in such cases, divorce is not required, and should be avoided whenever possible. In all cases of marital crisis repentance and reconciliation should be the first recourse, although all reasonable steps should be taken to protect spouses from physical and/or severe mental abuse.

In addition, we believe that remarriage by those who are unbiblically divorced is strictly forbidden by Christ Jesus our Lord, and is not to be condoned by his church. The remarriage of divorced believers must be approved by the Church's Board of Elders if they determine that there is divorce for biblical cause as defined above and that reconciliation of the

¹⁸ Gen. 1:26-28; 2:18-25; 1 Cor. 11:2, 3; Eph. 5:22-33; Col. 3:18, 19; 1 Peter 3:1-7; 1 Tim. 2:9-15; Matt. 5:31, 32; 19:1-9; 1 Cor. 7:10-16; 14:34, 35; Mal. 2:14-16; Rom. 1:24-27; 1 Cor. 6:9-20; Gal. 5:19-21; 1 Cor. 5:1-13.

previous marriage has been considered in a meaningful way.¹⁹

- iv) **The Sanctity of Life.** The Scriptures teach that human life, which is made in the image of God, begins at conception. This infuses sanctity into all human life from conception to natural death, or death brought about justly at the hands of a civil magistrate for capital crimes. This sacredness must afford to the unborn and to the infirmed of any age all the rights and protections granted to all other human beings. It is the duty of every Christian to speak for and defend such rights in every way he or she is able.

As a means of protecting the sanctity of innocent human life, Scripture allows for capital punishment (1) administered by the civil magistrate (2) through a just process under strict guidelines (3) for those found guilty of capital crimes. Consistent with the value of human life, which is made in God's image, all people, including those guilty of capital crimes, should be treated with dignity.²⁰

- v) **Parental Discipline of Children.** Children are a gift from God to be cherished and enjoyed with all affection and love. It is every parent's duty to delight in his or her children and to create a home of tender affection and love. The Holy Scriptures further mandate that parents train up their children to become responsible, mature, relationally-skilled, and faith-embracing men and women. To this end the Bible commands parents to love, nourish, teach, train, and discipline their children.

While the Scriptures teach the corporeal discipline of children, such discipline must be applied with great caution and tender care. Remembering that every child is made in the image of God, he or she must always be treated with respect and dignity. This precludes every form of wrathful, harmful, or injurious physical discipline, and requires that parents be loving, humble, cautious, and measured in the exercise of any corporeal training.

The Church deplores child abuse in any and all its forms, and shall make every reasonable effort to ensure that its parents understand and practice parental discipline with all due regard for the safety, well-being and joy of every child. To do harm to a child is to incur the special displeasure of

¹⁹ Gen. 2:18-25; Prov. 5:15-20; Mal. 2:14-16; Matt. 5:27-32; 19:1-9; 1 Cor. 7:10-16; Eph. 5:22-33.

²⁰ Ps. 139:13-16; 51:5; Luke 1:41-44; Gen. 1:27; 9:6; Prov. 24:11, 12; 31:8, 9; Ps. 72:1-4; James 1:27; Gen. 9:6; Deut. 17:6, 7; 19:15-20; Leviticus 19:15; Rom. 13:1-4; Gen. 1:27.

God.²¹

- 2) **Religious Practices of Corporation.** To be consistent with the Church's religious mission, the Corporation shall not:
 - a) Establish any public or private policies or positions that conflict with the Statement of Faith.
 - b) Elect or appoint or retain any Board member who has not subscribed to and maintained agreement with the Statement of Faith. Any elder who drifts from agreement with the statement of faith is bound to alert the board to his disagreement.
 - c) Hire or retain any employee whom the Board has determined has not subscribed to the Statement of Faith or acted in a manner consistent with the Statement of Faith or the religious mission of the Corporation unless, the Board determines that he or she has fully and properly repented of such action.

SECTION THREE OFFICES

1. **Registered Office and Agent.** The Corporation shall continuously maintain a registered office and registered agent within the state of Nebraska.
2. **Principal Office.** The principal office of the Corporation shall be located in 200 N Burlington Ave., Suite 150, Hastings, Nebraska 68901, or such place as shall be determined by the Elder Board.
3. **Additional Offices.** The Corporation may also have offices at such other places as the Elder Board may from time to time determine and the business of the Corporation may require.

SECTION FOUR ELDER BOARD

1. **Elders as Directors.** All authority in the Church is derived from Jesus Christ and is exercised on His behalf. The primary governance structure in this local church is its eldership. The elders serve as the Corporation's Board of Directors, which shall exercise all such powers of the Corporation and do all such lawful acts and things that are not prohibited by statute, the Articles of Incorporation, or by these Bylaws. While ordination to eldership and appointment to the board are two separate appointments, all elders of a particular local church are to be appointed to the board and therefore the terms elder and

²¹ Ps. 127:3-5; 1 Thess. 2:7, 8; Matt. 19:13, 14; Eph. 6:1-4; Deut. 6:4-9; Ps. 78:2-10; Prov. 22:15; 23:13, 14; 29:15; Heb.12:11; Matt. 18:2-5.

board member are interchangeable. *The Book of Church Order* addresses the number, term, qualifications, selection process, responsibilities, voting rights, removal, and resignation of elders, and is incorporated herein by reference as if fully set forth in these Bylaws. The Church shall be responsible for the ordination of its elders in accordance with the standards maintained by its Regional Assembly and subject to the accountability generally described in these Bylaws, and more specifically described in Section 3 of *The Book of Church Order*.

2. **Number.** The Elder Board shall consist of not less than three (3) persons, as may be determined from time to time by resolution of the Elder Board. If the Church has only one elder, the Corporation shall appoint as directors at least two other elders from one or more local churches represented in the same Regional Assembly in which the Church is a Partner. If the Church has only two elders, the Corporation shall appoint as director at least one other elder from a local church represented in the same Regional Assembly in which the Church is a Partner. Directors shall be appointed by the Elder Board for terms as determined by the Board or until their successors are appointed and qualify in their stead.
3. **Vacancy.** If the office of any director becomes vacant, the remaining directors, though less than a quorum, shall be authorized to select a successor who shall be appointed by the Elder Board of the Corporation to serve the unexpired term of the vacated directorship.
4. **Powers.** The government of the *Church* is vested in its elders, who shall provide oversight in the spiritual and temporal affairs of the *Church*, and shall appoint and confer authority upon an Elder Board to manage the Corporation. The Elder Board shall exercise all such powers of the Corporation and do all such lawful acts and things that are not prohibited by statute, the Articles of Incorporation, or by these Bylaws.
5. **Removal and Resignation.** Any director who resigns or is removed as an elder in the *Church* (or another local church associated with Sovereign Grace Churches, if the Church has only one or two elders) shall automatically be removed as a director of the Corporation. A director otherwise may deliver a written notice of intent to resign to the Board chair, which shall be effective upon its acceptance by the Board. Any director may be removed from the Board with or without cause when, in the sole judgment and discretion of the Elder Board, it is determined by at least a two-thirds percent majority of the Board at a meeting duly called for that purpose and at which a quorum is present that such director should no longer serve on the Board; provided, however, that a notice, including the names of the director(s) proposed to be removed, and the date, time and

place of any meeting called to consider such removal shall be given in writing to each of the directors at least seven (7) days prior to the date of such meeting.

- a. Any elder may be removed from the board/eldership at any regular or special meeting of the Board if he is found to be physically or mentally incapacitated, or in the case of being found spiritually unqualified according to the procedural steps outlined in *The Book of Church Order* and the relevant policies of this Church (according to the Scriptures, including 1 Timothy 3:1-7 and Titus 1:5-9 as well as other texts describing mature Christian character; e.g.- Galatians 5:18-24; 1 Corinthians 13), after thorough corroborating investigation by the elders.
- b. Should an elder confess to serious sin, and agrees to resign from his position, the regional Judicial Review Committee should be contacted to appoint a moderator of just cause to review the resignation agreement to confirm a trial is not necessary. Should the moderator determine the process and agreement are fair and freely agreed upon, the eldership will follow the same guidelines as outlined in 24.8.5 of The Book of Church Order for removal from office.
- c. Removal of an elder from the board may also occur for non-disciplinary reasons. Evaluation regarding the performance of a man in his office or the elimination of a role at the discretion of the Board may necessitate removal as well. In such instances great care should be exercised to decide such matters:
 - i. Only upon careful review and discussion.
 - ii. By a two-thirds majority of the Board.
 - iii. With due consideration of the man's needs, family, and calling, as well as the church's needs. Pastoral care should be given to clarify to the congregation the reasons for the decision, so as to avoid any appearance of discipline that might reflect negatively upon the man or his reputation.
 - iv. Removal of a man for non-disciplinary reasons does not revoke his ordination.
- d. Whenever a man is removed from office for any reason, such actions should be taken with all care and gentleness, giving due regard to family, financial, and other considerations. In such cases the man removed shall

be informed of the possibilities of future restoration; and if such restoration is deemed possible, the process involved.

The elders reserve the right to dismiss the Senior Pastor in accordance with *The Book of Church Order*. The Senior Pastor must give thirty (30) days' notice if he intends to resign.

6. **Accusations against an Elder.** Full adjudication of the matter shall be completed in accord with procedures more fully outlined in Scripture, the Church's *Policy Manual*, and in *The Book of Church Order*.
7. **Transactions with Interested Parties.** A contract or other transaction between the Corporation and one or more of its directors, officers, or family members thereof (hereinafter "Interested Party"), or between the Corporation and any other entity of which entity one or more directors, officers, elders, or trustees are also Interested Parties, or in which entity an Interested Party has a material financial interest, shall be voidable at the sole election of the Corporation unless all of the following provisions are satisfied:
 - a. The transaction was fair and reasonable as to the Corporation, or was reasonably determined to be in furtherance of its exempt purposes at the time the Corporation entered into the transaction.
 - b. Prior to consummating the transaction, or any part, the Elder Board authorized or approved the transaction, in good faith, by a vote of a majority of the directors then in office, without counting the vote of the interested director or directors, and with full knowledge of the material facts concerning the transaction and the Interested Parties' interest in the transaction, even though the disinterested directors are less than a quorum.
 - c. The Corporation entered into the transaction solely to advance its corporate purposes and not for the personal benefit of any other party or other entity. Prior to authorizing or approving the transaction, the disinterested members of the Elder Board, in good faith and with ordinary care, determined, after reasonable investigation and consideration, that either the Corporation could not have obtained a more advantageous arrangement, with reasonable effort under the circumstances, or the transaction was in furtherance of the Corporation's tax-exempt purposes.

Common or interested directors may be counted in determining the presence of a quorum at a meeting of the Elder Board (or a committee

thereof) which authorizes, approves, or ratifies such contract or transaction.

Notwithstanding the above, no loan shall be made by the Corporation to any of its directors or officers, as provided further in these Bylaws.

8. **Conflicts of Interest Policy.** It is the policy of the Corporation to avoid conflicts of interest and to provide for full disclosure of any and all material conflicting interests by Board members, officers, senior management, and employees. The Board should be equipped to gather all relevant facts and circumstances to determine in accordance with the guidelines above, whether or not any disclosed potential conflict is benign and not in any way jeopardizing the religious mission, exempt function, or reputation of Christ's church, so that the contemplated transaction may be authorized as just, fair, and reasonable to the Corporation. This policy will be implemented by appropriate practices and / or written procedures adopted by the Elder Board.

9. **Fees and Compensation.** Elders (as such) shall not receive any stated or fixed salary for their Board services. However, nothing herein contained shall be construed to preclude any elders from serving the Corporation in any other capacity and receiving compensation. Any person receiving compensation directly or indirectly from Grace Life Church shall not be in a position to determine the nature or amount of said compensation.

Elders of the Church shall receive remuneration for their labors in accordance with policies for compensation as prescribed in the church's *Policy Manual*. Fixed salaries may be determined through:

- a. The extent and nature of the elder's work.
- b. Any salary recommendations of our Sovereign Grace Churches family of churches.

10. **Royalties and Honoraria.** Elders of the church shall establish a royalties and honoraria policy to be reflected in the Church *Policy Manual*.

11. **Resignation, Termination, and Severance of Elders Employed by Church.** The *Policy Manual* shall provide the Church's guidelines regarding the resignation, termination, and severance of elders who are employed by the Church.

SECTION FIVE MEETINGS OF THE ELDER BOARD

1. **Notice.** Regular, annual, and special meetings of the Elder Board may be held within or outside the State of Nebraska without formal notice at such time and place as shall from

time to time be determined by the Board.

2. **Waiver of Notice.** Whenever any notice is required to be given by statute, the Articles of Incorporation, or these Bylaws, a waiver thereof in writing signed by the person or persons entitled to the notice, whether before or after the time stated therein, shall be deemed equivalent thereto. Attendance at a meeting by a person entitled to notice shall constitute a waiver of proper notice of such meeting, except where attendance is for the express purpose of objecting to the transaction of business because the meeting is not lawfully called or convened.
3. **Quorum.** A majority of the directors shall be necessary and sufficient to constitute a quorum for the transaction of business, and the act of a majority of the Board at a meeting duly called for that purpose and at which a quorum is present shall be the act of the Elder Board, except as may be otherwise specifically provided by statute, the Articles of Incorporation, or these Bylaws.
4. **Action Without a Meeting.** Any action required or permitted to be taken at a meeting of the Elder Board or by a committee thereof may be taken without a meeting, by written action authorized by all the directors. However, a written consent setting forth the action so taken and authorized and dated by all the members of the Board or of a committee, as the case may be, must be filed with the minutes of proceedings of the Board or the committee. The written action is effective when authorized and dated by the required number of directors, unless a different effective time is provided in the written action. When written action is permitted to be taken by less than all directors, all directors must be notified promptly of its text and effective date. Failure to provide the notice does not invalidate the written action, but a director who does not sign and date the written action is not liable for the action.
5. **Participation by Alternate Means.** Members of the Elder Board or of any committee designated thereby may participate in a meeting of such Board or committee by means of communications equipment by which all persons participating in the meeting can effectively interact with one another, if each individual entitled to participate in the meeting consents to the meeting being held by means of that system. Participation by such means shall constitute presence in person at such meeting. When such a meeting is conducted by means of a conference telephone or other means of remote communications, the minutes recording any action taken at such meeting shall also note who participated in person and who participated by alternative communications.

SECTION SIX OFFICERS

1. **Number and Positions.** The officers of the Corporation shall be elected by the Elder Board - the Senior Pastor (who functions as President), Secretary, and Treasurer. The Board may

also elect an Executive Pastor (who functions as Vice-President), one or more assistant secretaries and assistant Treasurers. Except as otherwise provided, the officers may, but need not be, Pastors of the Church. However, all officers must be members in good standing of the Church. The Board may appoint such other officers and agents as it shall deem necessary, who shall hold their offices for such terms and shall exercise such powers and perform such duties as shall be determined from time to time by the Board. In the event that the President is incapacitated, another regional elder could be appointed to serve in the transition.

2. **Term of Office.** The Elder Board shall elect officers of the Corporation, who shall serve at the pleasure of the Board. Any officer elected or appointed by the Elder Board may be removed at any time by the affirmative vote of a two-thirds majority of the Board at a meeting duly called for that purpose and at which a quorum is present, whenever, in their judgment, the best interests of the Corporation will be served thereby. If the office of any officer becomes vacant for any reason, the vacancy shall be filled by a majority vote of the Elder Board. In case of the absence or disability of an officer of the Corporation, or in any other case that the Elder Board may deem sufficient reason therefore, a majority of the Board at a meeting duly called for that purpose and at which a quorum is present, may delegate for the time being any or all of the powers or duties of any officer to any other officer, Pastor, or any other person.
3. **The Senior Pastor (President).** To be appointed as the Senior Pastor, and to maintain that position, an individual must satisfy the criteria established for pastors, as set forth in Section 3 of *The Book of Church Order* in the exercise of pastoral plurality within the Church there shall be a first among equals; one man among the many whose gifted influence exercises a greater leadership role than that of the others. He shall be called the Senior Pastor, and shall be responsible to lead the pastoral team in ministering the Word of God to the people of God. He shall be an equal among his fellow elders in the exercise of authority, but shall have a distinct role in that he serves as the leader of his fellow elders.
 - a. **Corporate service** - He shall serve as the President and Chief Executive Officer of the Corporation, and he shall have stewardship responsibility for advancing the vision and mission of the Corporation and managing or overseeing the business of the Corporation consistent with the authority delegated and the resolutions promulgated by the Board.
 - i. He shall see that orders and resolutions of the Board are carried into effect, sign and deliver in the name of the Corporation deeds, mortgages, bonds, contracts, or other instruments pertaining to the business of the Corporation, except in cases in which the authority to sign and deliver is required by law to be exercised by another person or is expressly delegated by the Articles of Incorporation or Bylaws or by the Board to

another officer or agent of the Corporation.

- ii. He shall make reports to the Elder Board, and shall have such other rights, duties, and powers as are authorized by the Elder Board from time to time.
 - iii. This corporate role of the Senior Pastor shall always be secondary and subservient to his primary role as the spiritual leader of the local church to establish the Church's vision, mission, and priorities in accordance with the Bible, to lead the local church to be a gospel-centered reflection of Christ's body, to extend the glory and kingdom of God in and through this local church.
- b. Selection.** It is the responsibility of the eldership of the Church to identify and commission each of its members to fulfill tasks and responsibilities as they see fit, including the Senior Pastorate. However, because of the visibility that a Senior Pastor has, and because of the unique and important role in which he serves with respect to the congregation, the Church should choose a Senior Pastor carefully and with conscientious attention to the observations, concerns, and input of the flock.
- i. The selection process should include steps analogous to those for the selection of other elders, only with more nuanced attention to the unique gifting and role for which this man is being considered. These should include:
 - ii. Eldership analysis and definition of the proposed Senior Pastor role—as the needs and circumstances of the church presently define it—and of each elder's gifts relative to that analysis.
 - 1. Eldership choice (by a super-majority (two-thirds) vote of all Board members) of the man they will set before the congregation for the input of the flock.
 - 2. Eldership presentation of the candidate to the congregation for their questions, concerns, and commendations, giving a minimum of six weeks for congregational input before the eldership's final decision on the matter.
 - 3. Eldership final discussion and decision on the candidate, with a super-majority (two-thirds) vote deciding on the

candidate.

4. Eldership public presentation and formal installation of the man into the office during a Sunday gathering.

c. **Role of the Senior Pastor.** The role of the Senior Pastor is outlined in *The Book of Church Order*, section 6. The precise nature of the role of the Senior Pastor in the Church may vary depending on the maturity of an eldership, the range of gifts on the team, the level of specialization on the team, and various other factors. Each local eldership should adjust the role of the Senior Pastor to match his local job description. Generally, the Senior Pastor of the Church shall be expected to:

- i. Provide doctrinal leadership through a prominent teaching role
- ii. Develop the eldership into a cohesive leadership team
- iii. Provide pastoral care for the eldership
- iv. Facilitate decision-making by serving as Chairman of the Board of local elders, or by ensuring that another elder is so tasked
- v. Identify and deploy spiritual gifts among the elders in consultation with the other elders
- vi. Encourage efficiency
- vii. Coordinate eldership training
- viii. Act as the normal spokesman for the elders

d. **Accusation and Dismissal.** Charges made against the Senior Pastor shall be adjudicated in compliance with guidelines established by *The Book of Church Order*.

e. **Duration of the Senior Pastor's Role.** The Senior Pastor shall continue in his role until such a time either that he is disqualified from the role or is better suited for another role, or that another man is more strategically gifted for the role according to the careful and deliberate decision of the eldership. Periodic review of the Senior Pastor's role, gifting, labors, and character shall be made in accord with the standard review policies of the church.

4. **The Executive Pastor.** An Executive Pastor may be appointed by the elders if they deem the position useful. To be appointed as the Executive Pastor, and to maintain that position, an individual must satisfy the same criteria set forth for the Senior Pastor. If an Executive Pastor is appointed by the Board, he shall, in the absence of the Senior Pastor, perform the duties and exercise the powers of the Senior Pastor, or such of them as may be so

delegated, and shall have such other rights, duties, and powers as are authorized by the Elder Board from time to time. He shall serve as Vice-President of the Corporation.

5. **Vice President.** A Vice President is not required, but he should be an elder if one is appointed.

6. **The Secretary**

- a. The Secretary or an assistant Secretary shall attend all meetings of the Board and record all votes and the minutes of all proceedings in a book to be kept for that purpose.
- b. He shall bear responsibility for maintaining records of and, when necessary, certifying proceedings of the Board.
- c. He shall perform like duties for the standing committees when required.
- d. The Secretary shall give, or cause to be given, such notice as is required of all meetings of the Elder Board.
- e. He shall have such other rights, duties, and powers as are authorized by the Elder Board from time to time.
- f. The Secretary shall keep in safe custody the seal of the Corporation and, when authorized by the Board, affix the same to any instrument requiring it, and when so affixed it shall be attested by the signature of the Secretary, or by the signature of the Treasurer or an assistant Secretary.

7. **The Treasurer**

- a. Except as the Elder Board may otherwise determine, the Treasurer shall deliver all funds and securities of the Corporation which may come into his hands to such bank or trust company as the directors shall designate as a depository, and shall keep full and accurate accounts of receipts and disbursements in books belonging to the Corporation.
- b. The Treasurer shall disburse the funds of the Corporation as may be ordered by the Board, taking proper vouchers for such disbursements.
- c. He shall render to the Senior Pastor and the Elder Board, at the regular meetings of the Board or whenever they may require it, an account of all his transactions as Treasurer and of the financial condition of the Corporation.
- d. He shall deposit money, drafts, and checks in the name of and to the credit of the

Corporation in the banks and depositories designated by the Board.

- e. He shall endorse for deposit notes, checks, and drafts received by the Corporation as ordered by the Board, making proper vouchers for the deposit.
- f. He shall, upon request, provide the Senior Pastor and the Board an account of the financial condition of the Corporation.
- g. If required by the Elder Board, the Treasurer shall give the Corporation a bond in such sum and with such surety or sureties as shall be satisfactory to the Board for the faithful performance of the duties of his office, and for the restoration to the Corporation, in case of death, resignation, retirement or removal from office, of all books, papers, vouchers, money, and other property of whatever kind in possession or under the control of the Treasurer, belonging to the Corporation.
- h. The Treasurer shall also have such other rights, duties, and powers as are authorized by the Elder Board from time to time.
- i. The Treasurer may delegate his responsibilities to other qualified members but retains overall responsibility for the discharge of the duties of his office.

SECTION SEVEN ORDINATION, LICENSING, COMMISSIONING

1. **Ordination.** Ordination refers to the recognition by the Board of Elders of a man's call to the ministry, preparation as a shepherd, and qualification to serve. Such ordination shall be conferred in accordance with procedures delineated in these Bylaws, in the Church's *Policy Manual*, and in compliance with *The Book of Church Order*. Ordination within Sovereign Grace Churches shall be conferred for life, and is transferable within his region, as stated in *The Book of Church Order*, so long as the man continues to manifest the qualifications of the office.
2. **Licensing.** A license may be issued by the Board of Elders and may be given in recognition of a man's service in a ministry. Its aim is to allow a man to perform the ecclesiastical duties and functions of the Church at the discretion of the elders. Licenses will be evaluated—and issued or renewed—periodically at the discretion of the elders. Licenses are issued only to members of Grace Life Church.
3. **Commissioning.** When local-church certification is required for ministry where ordination would be unnecessary or inappropriate, a person may be commissioned by the Board of Elders 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.

4. **Appeals of Decisions.** As noted in *The Book of Church Order*, the Church's decisions on the disqualification or discipline of elders and Church members may be appealed to the Regional Judicial Committee, and decisions of the Regional Judicial Committee may be appealed to the Court of Appeals. The Corporation shall accept and/or recognize the decisions of the Regional Judicial Committee and the Court of Appeals according to the stipulations and qualifications of *The Book of Church Order* and the Partnership Agreement, to the extent that they may affect matters of corporate governance (e.g., the fitness of an individual to serve as a director based on his qualification or disqualification as an elder).

SECTION EIGHT CHURCH MEMBERS

1. **Membership Universal and Local.** As a concept distinct from corporate membership, which refers to the Elder Board, the Church follows the New Testament concept of church membership: that each person regenerated by the Holy Spirit and responding in repentance and faith toward Jesus Christ is a unique and indispensable part of the organism which is Christ's body and all such persons are members of the universal body of Christ (1 Cor. 1:2). Membership in this Body of Christ is the grounds for fellowship between Christians. However, the Bible identifies local churches as those Christians in a locality who by the leadership of God and common agreement join together under recognized local leadership and governance for the purpose of worship, instruction, mission, and fellowship.
2. **Church Polity Regarding Members.** *The Book of Church Order* addresses the qualifications, responsibilities, discipline process, and disqualification of members. The sections of *The Book of Church Order* applicable to Church members are incorporated herein by reference as if fully set forth in the Bylaws.
3. **Participation in Church Decisions.** To the extent deemed appropriate by the Board, Church members may participate in key Church decisions, including a formal and public affirmation of elders and deacons, approving the annual budget, providing comments on proposed changes in the Bylaws, implementing major changes in the Church's ministries, and receiving new Church members; provided, however, that such participation is not binding, does not nullify the authority of the elders and/or directors to govern the Church or Corporation, and does not contradict *The Book of Church Order*.
4. **Resignation of Membership.** A Church member may resign from his Church membership by submitting a written communication to one or more of the elders at any time, which shall be effective upon formal acceptance by the Chairman. However, if such resignation is an attempt to avoid the process of Church discipline, the Board will not accept the resignation until that process is completed to the satisfaction of the Board.

Though generally such resignations by Church members not under discipline shall not be formally announced or published, such information is treated as public and available to any Church member or inquiring elder from another local church.

5. **Removal from Roll.** When a Church member resigns his Church membership or he is removed from Church membership due to unrepentant sin or doctrinal error, their name will be removed from the Church membership roll.
6. **Confidentiality.** Though every reasonable effort shall be made to protect confidential communications, especially those received in a pastoral counseling context, there will be times when to properly fulfill their spiritual and leadership responsibilities, the Church's elders may, as they deem necessary or appropriate, share confidential information with one another, Church members, civil authorities, or others they deem may be part of the solution or problem. They may do this for the purpose of counsel or the purpose of protecting others from the effects of a Church member's sin, or to assist one another in providing spiritual care to the people of the Church.
7. **Settlement of Disputes.** In any dispute arising between church members and pastors or staff pertaining to any matter of spiritual teaching or practices, church finances, or title to property purchased with church contributions, the dispute may be resolved by the Board of Elders. In such cases, decisions shall be reached after prayerful consideration, in a spirit of humility, with each non-conflicted/non-accused elder regarding one another before himself and striving to preserve the unity of the Spirit in the bond of peace (Eph. 4:1-3). Any elder(s) accused shall recuse himself/themselves from the final decision made.
 - a. Disputes between members of the church which cannot be resolved privately may be adjudicated by due process under the oversight of the Board of Elders in obedience to biblical principles of conflict mediation, arbitration and reconciliation, and in compliance with procedures delineated in the Church's *Policy Manual* and *The Book of Church Order*, and as presented in the membership application signed by all who join the church.
 - b. In such cases every attempt shall be made to resolve conflicts via these means, except in such matters as involve criminal implications. In such cases legal due process may be mandated by civil law and shall be deemed permissible by the elders, if not required. If no legal process is mandated, church members will be expected (unless, at the discretion of the Board, other recourse is judged permissible) to ask the church for mediation in all personal disputes including

such matters as alleged breaches of contracts, sale of real or personal property, and/or loss of employment or employment discrimination.

SECTION NINE SEAL

The Corporation may have a seal in the form determined by the Elder Board. Said seal may be used by causing it or a facsimile thereof to be impressed or affixed or otherwise reproduced, or by writing the word "SEAL" beside the signature of an authorized officer of the Corporation.

SECTION TEN FISCAL MATTERS

1. **Deposits.** The Elder Board shall select banks, trust companies, or other depositories in which all funds of the Corporation not otherwise employed shall, from time to time, be deposited to the credit of the Corporation.
2. **Checks.** All checks or demands for money and notes of the Corporation shall be signed by such officer or officers or such other persons as the Elder Board may from time to time designate.
3. **Fiscal Year.** The Elder Board shall have the power to fix, and from time to time to change, the fiscal year of the Corporation. Unless otherwise fixed by the Board, the fiscal year shall commence on January 1 and shall terminate on December 31.
4. **Designated Contributions.** The Corporation may accept any designated contribution, grant, bequest or devise provided it is consistent with the Corporation's (1) mission and spiritual priorities as determined from time to time by the Board, (2) budget process and fiscal restrictions, (3) full ownership and control of the funds or assets, and (4) tax-exempt purposes, as set forth in the Articles and these Bylaws. As so limited, donor-designated contributions will be accepted for special funds, purposes or uses, and such designations generally will be honored. The Corporation shall reserve all right, title and interest in and to, and control of such contributions, as well as full discretion as to the ultimate expenditure or distribution thereof in connection with any special fund, purpose or use.
5. **Books and Records.** The Corporation shall keep at its office correct and complete books and records of account, the complete copies of its Articles of Incorporation and Bylaws, the activities and transactions of the Corporation, minutes of the proceedings of the Elder Board and any committee of the Board, and a current list of the directors and officers of the Corporation and their residence addresses. Any of the books, minutes, and records of the Corporation may be in written form or in any other form capable of conversion into

written form within a reasonable time.

6. **Loans to Directors and Officers Prohibited.** No loans shall be made by the Corporation to its directors or officers. Any director or officer who assents to or participates in the making of any such loan shall be liable to the Corporation for the amount of such loan until it is repaid. Nothing in this section shall bar any director or officer from receiving approved compensation in their employee capacities, or approved payments from the Corporation's benevolence fund in accordance with the policy and procedures governing such a fund, provided they do not participate in the decision to grant such benevolence.
7. **Benevolence Fund.** Consistent with Biblical teaching to share with those in need, the Corporation may establish a benevolence fund to meet material and financial needs of Church members and others. This fund shall be administered under a policy which sets forth the funds' purpose, procedures for administration, and objective criteria for selection of recipients for financial assistance.
8. **Accounting and Fiduciary Guidelines.** The directors and officers of the Corporation shall conduct their affairs with integrity in the sight of God and men, and shall to that end maintain prudent and responsible control and accountability over all funds they receive and ensure that all funds are dedicated to the Corporation's tax-exempt purposes. Toward that end, the directors and officers shall implement practices, procedures, and / or policies that position the Corporation to be a model of faithful stewardship and quality internal accounting controls and procedures. In the case where elders from the regional assembly serve as directors of the corporation, they may appoint a financial audit and budget review committee of non-ordained individuals to serve locally.

SECTION ELEVEN INDEMNIFICATION

To the extent permitted by law, the Corporation shall indemnify any person who was or is a party or is threatened to be made a party to any threatened, pending, or completed action, suit, or proceeding, whether civil, criminal, administrative, or investigative, other than by action by or in the right of the Corporation, by reason of the fact that he or she is or was a director, officer, employee, or agent of the Corporation against expenses, including attorney fees, judgments, fines, and amounts paid in settlement actually and reasonably incurred by him or her in connection with such action, suit, or proceeding if he or she acted in good faith and in a manner he or she reasonably believed to be in the or not opposed to the best interests of the Corporation, and with respect to any criminal action or proceeding, had no reasonable cause to believe his or her conduct was unlawful.

SECTION TWELVE AMENDMENTS

These Bylaws may be amended, altered, or repealed by a majority of the Elder Board in attendance at any regular meeting of the Board, or at any special meeting of the Board if notice of the proposed alteration or repeal is contained in the notice of such meeting or notice is properly waived as outlined in these Bylaws.

Secretary

Grace Life Church Property – Legal Description

All that real estate legally described as:

- i. Lot One (1) and Lot Two (2), Budson's Second Subdivision, Hastings, Adams County, Nebraska, according to the recorded plat thereof; and
- ii. Lot Two in Budson's Second Subdivision and the West 30 feet of vacated North Briggs Avenue between the North line of the West Eighteen Street and the South line of vacated West Twentieth Street, in the City of Hastings, Adams County, Nebraska, according to the recorded plat thereof; and
- iii. Lot Two, Consolidated Concrete Subdivision Number Three, Hastings, Adams County, Nebraska, according to the recorded plat thereof;
- iv. The South 552.05 feet of vacated Webster Avenue lying North of West 18th Street right-of-way, in Highland's Addition, in the City of Hastings, Adams County, Nebraska, subject to an easement in favor of the City of Hastings, Nebraska for ingress and egress to property of the City of Hastings, Nebraska, located directly to the North of said real estate





File No.	2024-727
Project	Public hearing for a change of zoning for property commonly addressed as 1220 W. 18 th St., City of Hastings, Adams County, Nebraska, from I-1, Light Industrial District to C-1, Local Business District, and to amend the Official Zoning District Map.
Applicant	Grace Life Church, LLC



BALTIMORE AVE N

BALTIMORE AVE N

BALTIMORE AVE N

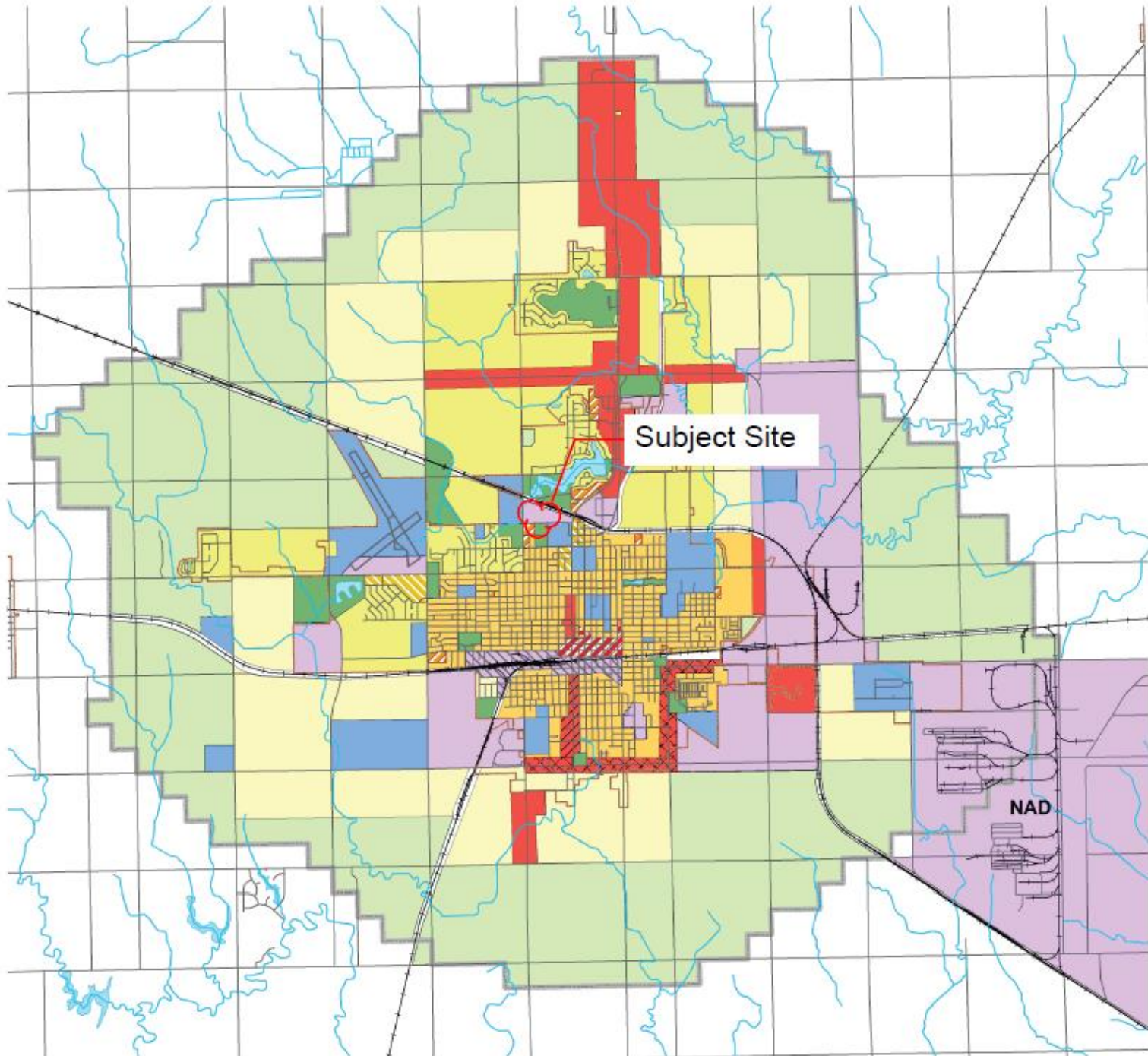
18TH ST W

18TH ST W

18TH ST W

18TH ST W

NDERS AVE



Future Land Use City of Hastings, Nebraska

Future Land Use Plan Adopted
Planning Commission: 1-20-2009
City Council: 2-24-2009
Ordinance #4215

Map Last Updated: December 28, 2016

Land Use:

- Rural Residential
- Suburban Residential
- Urban Residential
- Mixed-Use - Neighborhood
- Mixed-Use - Community
- Mixed-Use Downtown
- Commercial/Retail
- Employment/Industrial
- Public / Semi-Public
- Parks & Recreation
- Agriculture

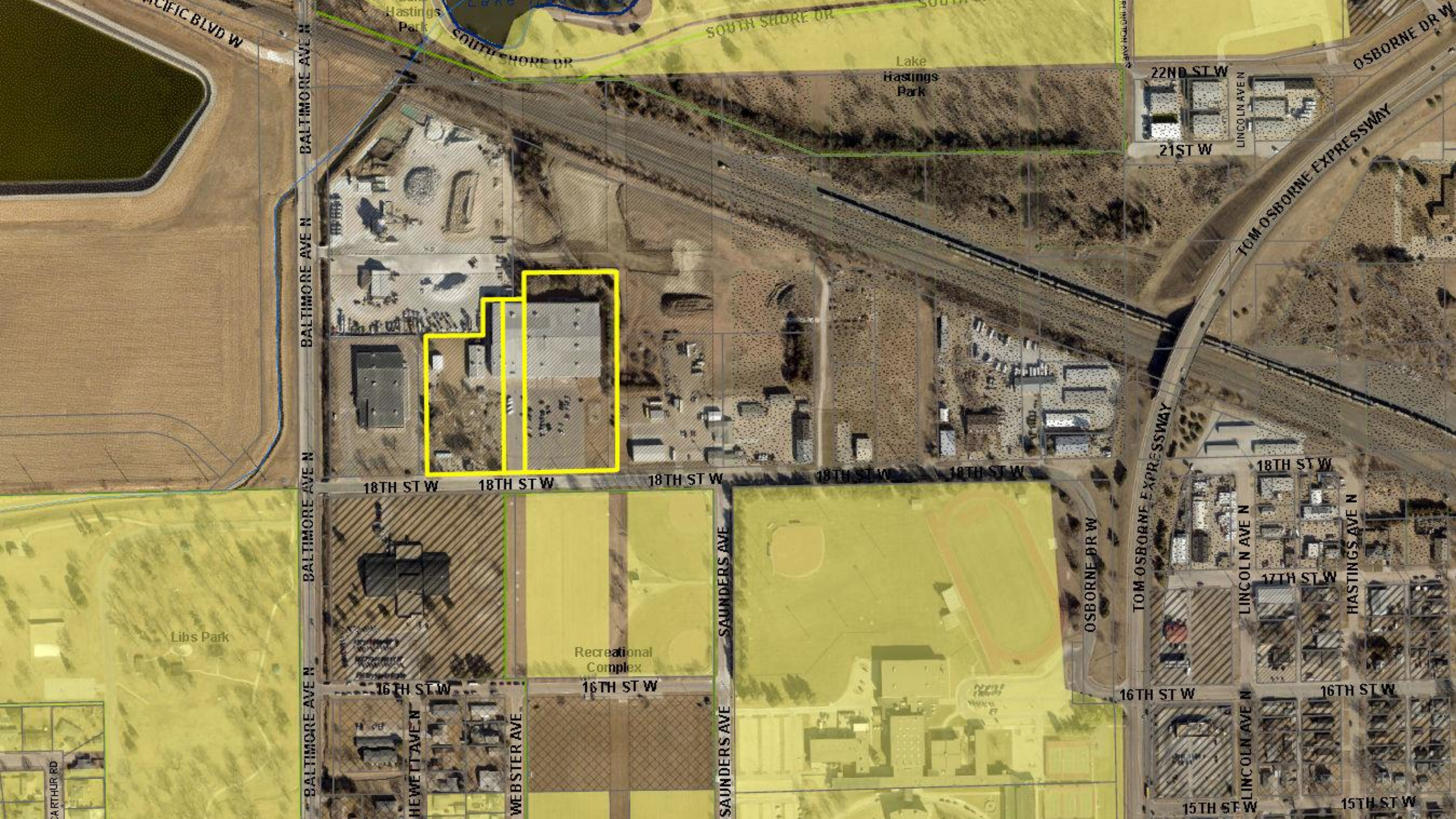
Overlay Districts:

- South Burlington Overlay
- Highway 6 Overlay
- Urban Industrial Overlay
- Floodplain

- City Boundary
- ETJ Boundary
- Education

not to scale





Staff Findings Summary

- The request generally conforms with the 2009 Comprehensive Plan
- Adequate public infrastructure is available in the area to serve the development.
- The zoning and existing and potential uses are in character with the surrounding neighborhood.
- The proposed rezoning is compatible with the zoning and uses of nearby properties.

Staff Recommendation

City staff recommends to the Planning Commission to recommend approval for an ordinance and the amendment to the Official Zoning District Map to rezone property commonly addressed as 1220 W. 18th St., City of Hastings, Adams County, Nebraska, from I-1 Light Industrial District to C-1, Local Business District, and to amend the Official Zoning District Map.



HASTINGS

Nebraska

Department: Development Services
Staff Contact: Chad Bunger
Planning Commission Meeting Date: 3/19/2024
File No: 2024-735
Prepared By: Chad Bunger, Director of Development Services

AGENDA ITEM SUMMARY SHEET

Description of Item:

A public hearing on a request to designate approximately 100.7 acres generally bounded by North Cedar Avenue, East 6th Street, North 2nd Avenue, and East 9th Street in Hastings, Nebraska, known as Proposed Redevelopment Area 17, as a blighted and substandard area, and to determine consistency with the Comprehensive Plan.

Motion to recommend approval to the City Council to adopt the Blight and Substandard Study for Proposed Redevelopment Area 17 by resolution.

Names of People/Business affected by this action:

The property owners, City of Hastings, and all affected taxing authorities.

Why Planning Commission action is required:

From N.R.S 18-2109: Redevelopment plan; preparation; requirements; planning commission or board; public hearing; notice; governing body; public hearing; notice; resolution.

(1) A redevelopment plan for a redevelopment project area shall not be prepared and the governing body of the city in which such area is located shall not approve a redevelopment plan unless the governing body has, by resolution adopted after the public hearings required under this section, declared such area to be a substandard and blighted area in need of redevelopment.

(2) Prior to making such declaration, the governing body of the city shall conduct or cause to be conducted a study or an analysis on whether the area is substandard and blighted and shall submit the question of whether such area is substandard and blighted to the planning commission or board of the city for its review and recommendation. The planning commission or board shall hold a public hearing on the question after giving notice of the hearing as provided in section [18-2115.01](#). The planning commission or board shall submit its written recommendations to the governing body of the city within thirty days after the public hearing.

(3) Upon receipt of the recommendations of the planning commission or board, or if no recommendations are received within thirty days after the public hearing required under subsection (2) of this section, the governing body shall hold a public hearing on the question of whether the area is substandard and blighted after giving notice of the hearing as provided in section [18-2115.01](#). At the public hearing, all interested parties shall be afforded a reasonable opportunity to express their views respecting the proposed declaration. After such hearing, the governing body of the city may adopt a resolution declaring that substandard and blighted conditions exist in the area under study. After the governing body has declared that substandard and blighted conditions exist in the area under study, the governing body may, by one or more resolutions, declare such area or any portion of such area to be a substandard and blighted area without further public hearing.

(4) Copies of each substandard and blighted study or analysis conducted pursuant to subsection (2) of this section shall be posted on the city's public website or made available for public inspection at a location designated by the city.

Type of action requested:

Motion

Suggested motion:

Motion to recommend approval to the City Council to adopt the Blight and Substandard Study for Proposed Redevelopment Area 17 by resolution.

Deadlines associated with action:

This case is scheduled to be heard by the City Council on April 22, 2024, pending an affirmative recommendation by the Planning Commission and the Community Redevelopment Authority.

Department head comments:

Through this process, the City and property owners will attempt to address economic and/or social liabilities which impact the well-being of the entire community, guide future development in the area, and facilitate certain redevelopment incentives to mitigate barriers to redevelopment. The attached Blight and Substandard study details existing conditions and statutory requirements for the area.

Planning Commission actions pertaining to this case:

The Planning Commission shall find that the Blight and Substandard study are consistent with the Comprehensive Plan. Imagine Hastings projects that this area's Future Land Use is Urban Residential. Development Services staff has reviewed the Blight and Substandard Study for Proposed Redevelopment Area 17.

The complete details of the staff review and recommendation are in the attached staff report.

Recommendation:

City staff recommends to the Planning Commission to recommend approval to the City Council to adopt the Blight and Substandard Study for Proposed Redevelopment Area 17 by Resolution.

City of Hastings Planning Commission

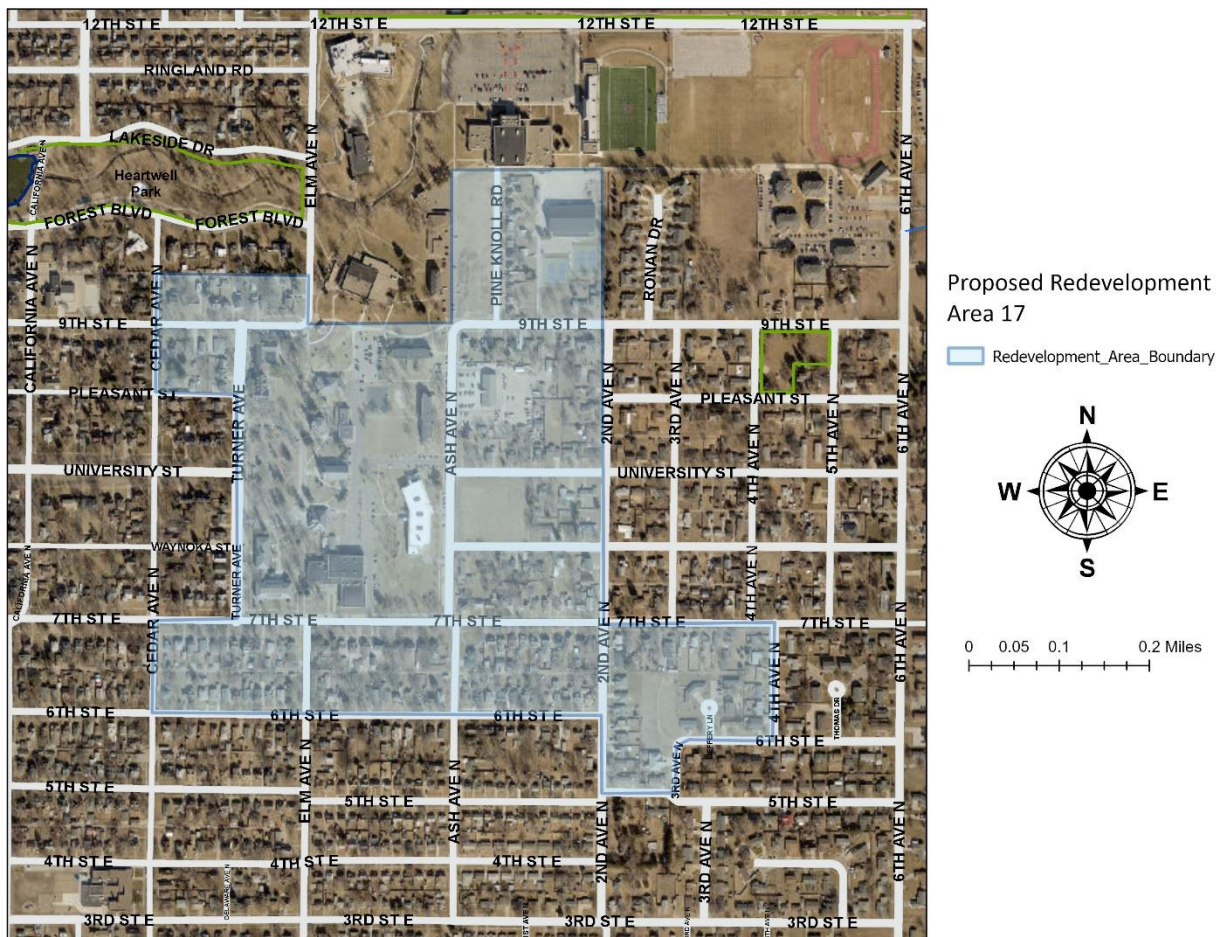
STAFF REPORT

Blight and Substandard Study: Proposed Redevelopment Area 17

Applicant: Hastings Community Redevelopment Authority

Redevelopment Area Location: Generally bounded by North Cedar Avenue, East 6th Street, North 2nd Avenue, and East 9th Street.

Date of Public Hearing: March 19, 2024



SECTION AND REQUIREMENT OF NEBRASKA STATE STATUTES ALLOWING FOR BLIGHT AND SUBSTANDARD AREAS

- **Statute 18-2103:** Terms, defined.
 - **(3) Blighted area** means an area which substantially impairs or arrests the sound growth of the community, retards the provision of housing accommodations, or constitutes an economic or social liability and is detrimental to the public health, safety, morals, or welfare through the presence of the following criteria, or any combination of such factors:
 - Presence of a substantial number of deteriorated or deteriorating structures
 - Existence of defective or inadequate street layout
 - Faulty lot layout in relation to size, adequacy, accessibility, or usefulness
 - Insanitary or unsafe conditions
 - Deterioration of site or other improvements
 - Diversity of ownership
 - Tax or special assessment delinquency exceeding the fair value of the land
 - Defective or unusual conditions of title
 - Improper subdivision or obsolete platting
 - Existence of conditions which endanger life or property by fire and other cause
 - One of the following conditions:
 - i. Unemployment in the designated area is at least one hundred twenty percent of the state or national average
 - ii. Average age of the residential or commercial units in the area is at least forty years
 - iii. More than half of the plotted and subdivided property in an area is unimproved land that has been within the city for forty years and has remained unimproved during that time
 - iv. The per capita income of the area is lower than the average per capita income of the city or village in which the area is designated
 - v. The area has had either stable or decreasing population based on the last two decennial censuses.
 - **(31) Substandard area** means an area in which there is a predominance of buildings or improvements that are conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, and crime, and is detrimental to the public health, safety, morals, or welfare through the presence of the following criteria or any combination of such factors:
 - Dilapidation
 - Deterioration
 - Age or obsolescence
 - Inadequate provision of ventilation, light, air, sanitation, or open spaces
 - High density of population and overcrowding
 - Existence of conditions which endanger life or property by fire and other causes

DESCRIPTION OF BLIGHT AND SUBSTANDARD STUDY CONSULTANT'S FINDINGS:

Five Rule Rural Planning completed the Blight and Substandard Study on February 13, 2024 on behalf of the Hastings Community Redevelopment Authority. The study is to determine whether the Proposed Redevelopment Area 17 met the blight and substandard criteria in the Nebraska State Statutes. The summary of the consultant's findings are listed below.

The Community Redevelopment Authority (CRA) held a meeting on February 21, 2024, where the consultant presented the study. The CRA recommended approval of the study.

- **Blight Criteria:** The presence of **six** factors were identified in the Proposed Redevelopment Area 17 as well as two of the additional conditions.
 - **Presence of a substantial number of deteriorated or deteriorating structures:**
Seventeen percent of the structures within Redevelopment Area 17 were classified as "Below Normal" and were considered deteriorating. The number of deteriorated structures must be at least 10 percent to be considered a substantial factor. With 17 percent of structures considered deteriorating, Proposed Redevelopment Area 17 meets the criteria.
 - **Faulty lot layout in relation to size, adequacy, accessibility, or usefulness:**
The sidewalk network is inconsistent throughout the redevelopment area. In addition to missing sidewalk links, many intersections in the Proposed Redevelopment Area lack ADA accessible curb ramps. With accessibility issues throughout the redevelopment area, Proposed Redevelopment Area 17 meets the criteria.
 - **Insanitary or unsafe conditions:**
The sidewalk system within Proposed Redevelopment Area 17 is inconsistent and contains deteriorated sidewalks, lacks sidewalks, or lacks ADA compliant access curb ramps. This creates unsafe conditions by not providing for safe pedestrian travel within Proposed Redevelopment Area 17 and therefore meets the criteria.
 - **Deterioration of site or other improvements:**
The streets and sidewalks within Proposed Redevelopment Area 17 show signs of deterioration. The streets and sidewalks contain fractures caused by the expansion of moisture as temperatures fluctuate. The sidewalk panels have also been displaced by the growth of trees. These signs of deterioration within Proposed Redevelopment Area 17 meet the criteria of deterioration of site or other improvements.
 - **Improper subdivision or obsolete platting:**
Properties within Proposed Redevelopment Area 17 were not properly platted to preserve right-of-way that would enable these properties to be developed with adequate street access. For example, a parcel along North Ash Avenue prevents another parcel from gaining direct street access. This lack of street access within Proposed Redevelopment Area 17 is an example of obsolete platting and therefore the Area meets the criteria.

- **Existence of conditions that endanger life or property by fire and other causes:** Recommended Standards for Water Works recommends that to provide adequate fire protection the minimum size of a water main must be no less than 6 inches in diameter. Water mains throughout Proposed Redevelopment Area 17 do not meet the minimum recommended size for adequate fire protection and therefore meet the criteria.
- **One of the following conditions necessary (two additional conditions were met):**
 - ♦ The average age of the residential or commercial units in the area is at least forty years: The average age of structures in Proposed Redevelopment Area 17 is 80 years old and therefore meets the criteria.
 - ♦ The area has had either stable or decreasing population based on the last two decennial censuses: The Proposed Redevelopment Area 17 had 1,251 residents in the 2010 US Census and 1,061 residents in the 2020 US Census. Thus, the Proposed Redevelopment Area 17 meets the criteria.
- **Substandard Criteria:** The presence of **four** factors were identified in the Proposed Redevelopment Area 17.
 - **Dilapidation:** 17 percent of the structures within Redevelopment Area 17 were classified as “Below Normal” and were considered deteriorating. The number of deteriorated structures must be at least 10 percent to be considered a substantial factor. With 17 percent of structures considered deteriorating, Proposed Redevelopment Area 17 meets the criteria.
 - **Deterioration:** The streets and sidewalks within Proposed Redevelopment Area 17 show signs of deterioration. The streets and sidewalks contain fractures caused by the expansion of moisture as temperatures fluctuate. The sidewalk panels have also been displaced by the growth of trees. These signs of deterioration within Proposed Redevelopment Area 17 meet the criteria of deterioration of site or other improvements.
 - **Age or Obsolescence:** To be considered aged, the average age of structures within the redevelopment area must be at least 40 years old. The average age of structures in Proposed Redevelopment Area 17 is 80 years old and therefore meets the criteria.
 - **Existence of conditions that endanger life or property by fire and other causes:** Recommended Standards for Water Works recommends that to provide adequate fire protection the minimum size of a water main must be no less than 6 inches in diameter. Water mains throughout Proposed Redevelopment Area 17 do not meet the minimum recommended size for adequate fire protection and therefore meet the criteria.
- **Consultant’s Conclusion:** Proposed Redevelopment Area 17 meets the definition of a blighted area in need of redevelopment projects that should be completed and encouraged by the Hastings Planning Commission, Hastings City Council, and Community Redevelopment Authority.

CONFORMANCE WITH COMPREHENSIVE PLAN:

The 2009, Imagine Hastings Comprehensive Plan identifies the Proposed Redevelopment Area 17 as “Urban Residential” and “Public/Semi-Public” on Hastings College campus grounds. Urban Residential is defined as a higher density residential development typically in the 4 to 10 units per acre range with lots ranging in size from 7,000 to 10,750 square feet in size.

It should be noted that the Imagine Hastings Plan is fifteen years old and its vision for this area and others across the community may not reflect the current development realities. The community is in the process of updating the Comprehensive Plan. The Plan update is anticipated to be completed this year in the late Spring or Summer.

Additionally, the subsequent redevelopment plan may likely take on a more intense residential use or a different type of use altogether. The Community Redevelopment Authority and developers should work with the City to review the forthcoming redevelopment plan and specific development projects for conformance with the Comprehensive Plan and request amendments and rezonings as needed.

STANDARDS TO ADOPT BLIGHT AND SUBSTANDARD STUDY:

The provisions of Nebraska State Statutes, 18-2109, regulate the redevelopment of areas within blighted and substandard areas.

The City Council, by recommendation from the City Planning Commission, will declare an area as blighted and substandard prior to the development of a redevelopment plan.

STAFF COMMENTS: Staff concurs with the consultant’s findings. Staff recommends the Planning Commission recommend **APPROVAL** to adopt the **BLIGHT AND SUBSTANDARD STUDY**, as written, for the Proposed Redevelopment Area 17 to the City Council, as it meets the provisions of Nebraska State Statutes 18-2109.

PREPARED BY: Ember Batelaan

DATE: March 8, 2024

ATTACHMENTS:

1. Blight and Substandard Study for Proposed Redevelopment Area 17

[Home](#) / [Blight Study #17](#)

Public Input - Blight Study #17

The City of Hastings offers several ways for people to provide input on applications to the Hastings Planning Commission. Regardless of the method, all public input is considered, so people need to use only one method.

Instructions for leaving a public comment are below:

- Your comment will be available to the Planning Commission, City Council, staff, and others to review immediately instead of waiting until the public hearing.
- Your comment will be posted and publicly viewable as soon as you hit 'Submit'.
- Please introduce yourself, your neighborhood, and your thoughts about this project.

Example: Barbara Smith, Ward 1. The project is two blocks from my home and my children would have to walk past it every day on their way to school. Please consider adding sidewalks to this project.

Other ways to provide comment:

1 - Send an email to the Development Services Staff. Your email will be provided to the Planning Commission. To have your comments provided in the Planning Commission packet, your comments must be received by noon, Wednesday before the Planning Commission Meeting. Otherwise, your email must be received by 12:00 pm the day of the Planning Commission to be given to them at the meeting.

2 - Attend the meeting in person to give public input. The public hearing date, time, and meeting location is described above.

If you have any difficulties with participating, contact Development Services at 402-461-2331.

Leave your Feedback

SUBMIT

The out of focus map is useless ! And needs to be expandable for viewing.

don robertson, 6 days ago

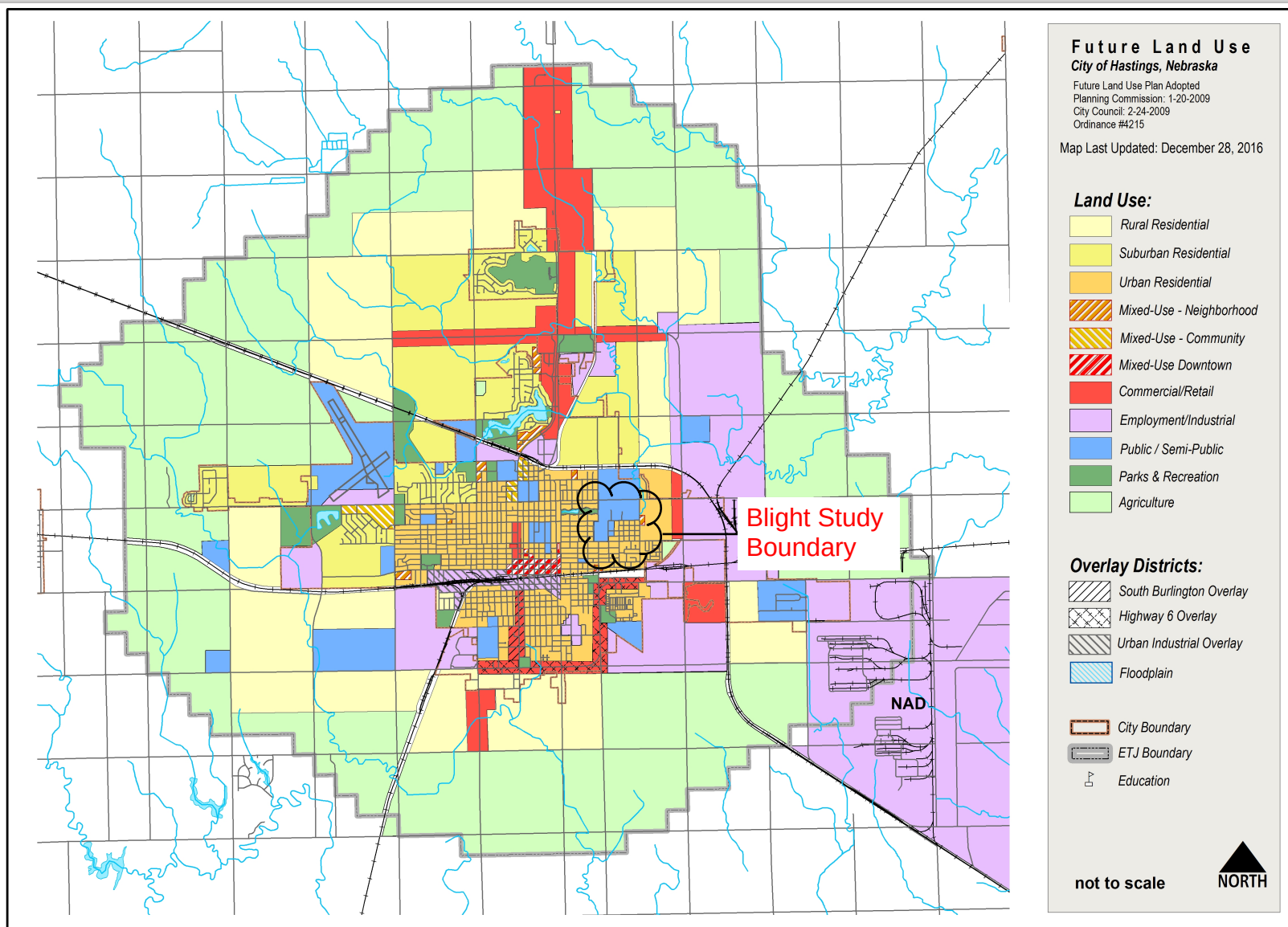
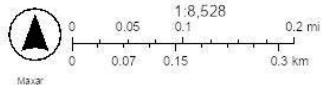


Figure 2.2: Future Land Use Plan

February 13, 2024



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PROPOSED REDEVELOPMENT AREA 17

BLIGHT & SUBSTANDARD STUDY

COMMUNITY REDEVELOPMENT LAW

The State of Nebraska has established Community Redevelopment Law to correct conditions of blight within the State's municipalities and provide guidance for remedying conditions of blight, thereby encouraging redevelopment projects to take place in areas that would be considered otherwise undevelopable.

(NRS 18-2102):

It is hereby found and declared that there exist in cities of all classes and villages of this state areas which have deteriorated and become substandard and blighted because of the unsafe, insanitary, inadequate, or overcrowded condition of the dwellings therein, or because of inadequate planning of the area, or excessive land coverage by the buildings thereon, or the lack of proper light and air and open space, or because of the defective design and arrangement of the buildings thereon, or faulty street or lot layout, or congested traffic conditions, or economically or socially undesirable land uses.

Such conditions or a combination of some or all of them have resulted and will continue to result in making such areas economic or social liabilities harmful to the social and economic well-being of the entire communities in which they exist, needlessly increasing public expenditures, imposing onerous municipal burdens, decreasing the tax base, reducing tax revenue, substantially impairing or arresting the sound growth of municipalities, aggravating traffic problems, substantially impairing or arresting the elimination of traffic hazards and the improvement of traffic facilities, and depreciating general community-wide values.

The existence of such areas contributes substantially and increasingly to the spread of disease and crime, necessitating excessive and disproportionate expenditures of public funds for the preservation of the public health and safety, for crime prevention, correction, prosecution, punishment, and the treatment of juvenile delinquency, and for the maintenance of adequate police, fire, and accident protection and other public services and facilities. These conditions are beyond remedy and control solely by regulatory process in the exercise of the police power and cannot be dealt with effectively by the ordinary operations of private enterprise without the aids herein provided. The elimination of such conditions and the acquisition and preparation of land in or necessary to the renewal of substandard and blighted areas and its sale or lease for development or redevelopment in accordance with general plans and redevelopment plans of communities and any assistance which may be given by any state public body in connection therewith are public uses and purposes for which public money may be expended and private property acquired. The necessity in the public interest for the provisions of the Community Development Law is hereby declared to be a matter of legislative determination.

It is further found and declared that the prevention and elimination of blight is a matter of state policy, public interest, and statewide concern and within the powers and authority inhering in and reserved to the state, in order that the state and its municipalities shall not continue to be endangered by areas which are focal centers of disease, promote juvenile delinquency, and consume an excessive proportion of their revenue.

It is further found and declared that certain substandard and blighted areas, or portions thereof, may require acquisition, clearance, and disposition, subject to use restrictions, as provided in the Community Development Law, since the prevailing conditions of decay may make impracticable the reclamation of the area by conservation or rehabilitation; that other areas or portions thereof may, through the means provided in the Community Development Law, be susceptible of conservation or rehabilitation in such a manner that the conditions and evils, hereinbefore enumerated, may be eliminated, remedied, or prevented; and that salvageable substandard and blighted areas can be conserved and rehabilitated through appropriate public action and the cooperation and voluntary action of the owners and tenants of property in such areas.

PURPOSE

The purpose of the study is to assist in following the guidance set forth by the Nebraska State Legislature regarding the definition of blighted and substandard and to identify new target areas in the community for redevelopment and workforce housing development and to propose a general redevelopment plan for these areas.

The area in question was compared to the definition of a substandard and blighted area as defined by Nebraska Revised Statute 18-2103.31, which explicitly defines a substandard area as:

[A]n area in which there is a predominance of buildings or improvements, whether non-residential or residential in character, which, by reason of dilapidation, deterioration, age or obsolescence, inadequate provision for ventilation, light, air, sanitation, or open spaces, high density of population and overcrowding, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, and crime, (which cannot be remedied through construction of prisons), and is detrimental to the public health, safety, morals, or welfare;

Section 18-2103:03 also defines a blighted area as:

[A]n area, which (a) by reason of the presence of a substantial number of deteriorated or deteriorating structures, existence of defective or inadequate street layout, faulty lot layout in relation to size, adequacy, accessibility, or usefulness, insanitary or unsafe conditions, deterioration of site or other improvements, diversity of ownership, tax or special assessment delinquency exceeding the fair value of the land, defective or unusual conditions of title, improper subdivision or obsolete platting, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, substantially impairs or arrests the sound growth of the community, retards the provision of housing accommodations, or constitutes an economic or social liability and is detrimental to the public health, safety, morals, or welfare in its present condition and use and (b) in which there is at least one of the following conditions: (i) Unemployment in the designated area is at least one hundred twenty percent of the state or national average; (ii) the average age of the residential or commercial units in the area is at least forty years; (iii) more than half of the plotted and subdivided property in an area is unimproved land that has been within the city for forty years and has remained unimproved during that time; (iv) the per capita income of the area is lower than the average per capita income of the city or village in which the area is designated; or (v) the area has had either stable or decreasing population based on the last two decennial censuses.

Section 18-2103:03 also states the amount of area that a city can designate as blighted and substandard. Thus, Hastings, a city of the first class, shall not declare more than 35% of the land within the city's corporate limits as blighted & substandard, and in need of redevelopment:

In no event shall a city of the metropolitan, primary, or first class designate more than thirty-five percent of the city as blighted, a city of the second class shall not designate an area larger than fifty percent of the city as blighted, and a village shall not designate an area larger than one hundred percent of the village as blighted.

IDENTIFICATION OF PROPOSED REDEVELOPMENT AREA 17

Area Description:

Hastings Proposed Redevelopment Area 17 encompasses approximately 100.7 acres and is described as follows:

Beginning at a point on the northwest corner of Parcel ID (PID) #010013923, then moving south in a straight line until reaching the southwest corner of PID #010012754, then moving east along the northern right-of-way (ROW) line of East 7th Street until reaching a point on the northern ROW line of East 7th Street directly north of the northwest corner of PID #010013821, then moving south in a straight line along the eastern ROW line of North 4th Avenue until reaching the southern ROW line of East 6th Street, then moving west along the southern ROW line of East 6th Street until reaching the northwest corner of PID #010013789, then moving south along the eastern ROW line until reaching a point directly east of the northeast corner of PID #010008125, then moving west along the southern ROW line of East 5th Street until reaching the western ROW line of North 2nd Avenue, then moving north along the western ROW line of North 2nd Avenue until reaching the northeast corner of PID #010012806, then moving west along the southern ROW line of East 6th Street until reaching the northeast corner of PID #010012013, then moving north along the western ROW line of North Cedar Avenue until reaching the northeast corner of PID #010011989, then moving east along the south ROW line of East 7th Street until reaching a point on the south ROW line of East 7th Street directly south of the southeast corner of PID #010011835, then moving north along the western ROW line of Turner Avenue until reaching the northeast corner of PID #010011686, then moving west along the south ROW line of Pleasant Street until reaching the northeast corner of PID #010011713, then moving north along the along the western ROW line of North Cedar Avenue until reaching the southeast corner of PID #010011594, then moving east in a straight line until reaching the eastern ROW line of North Elm Avenue, then moving south along the eastern ROW line of North Elm Avenue until reaching the northern ROW line of East 9th Street, then moving east in a straight line until reaching the intersecting corner of the northern ROW line of East 9th Street and the western ROW line of North Ash Avenue, then moving north in a straight line until reaching a point directly west of the northernmost point of Pine Knoll Road, then moving east in a straight line until reaching the northwest corner of PID #010013923, which is the point of beginning, approximately 100.7 acres.

Parcel ID Numbers Within Proposed Redevelopment Area 17							
010011977	010011614	010012784	010013815	010012825	010012803	010012622	010014462
010011677	010011615	010012627	010013814	010012785	010011603	010011984	010014465
010013942	010012799	010011981	010013805	010012792	010011678	010016843	010017196
010011978	010011631	010011423	010013806	010016930	010011638	010013946	010014466
010011966	010012793	010011424	010013807	010012617	010011422	010011666	010014464
010011655	010012801	010014360	010013808	010011426	010011647	010011669	010013949
010013943	010012783	010012788	010013804	010016844	010011646	010012619	010018034
010011979	010016931	010011986	010011667	010011676	010012782	010011672	010013802
010011974	010011643	010012790	010011645	010014361	010011644	010011671	010011635
010012629	010011627	010012613	010013811	010011427	010011632	010011657	010012820
010011982	010011604	010011662	010013801	010012796	010011637	010011630	010018971
010011983	010011605	010012786	010013950	010012789	010011628	010011634	010018972
010011969	010011606	010012787	010016864	010011665	010011648	010012620	010018973
010011970	010011607	010011975	010013810	010012626	010011652	010012618	010018974
010011971	010011608	010011626	010013809	010012624	010011659	010013947	010014467
010011972	010011609	010012614	010013813	010012623	010011658	010012791	010018967
010011636	010011610	010011987	010011988	010012624	010011651	010011980	010018968
010012804	010011611	010011985	010014459	010012616	010011653	010011973	010018969
010011976	010011613	010011425	010013812	010011650	010011663	010011673	010018970
010011967	010012625	010011633	010014460	010011602	010011656	010011675	010016870
010012821	010011674	010012615	010016856	010012794	010011664	010011660	010011679
010012822	010011654	010012628	010014461	010012797	010008123	010011661	010016859
010012823	010011649	010011670	010013948	010012798	010008124	010011642	010011641
010012824	010011640	010012795	010014463	010012800	010011968	010011629	010011639
010011668	010016851	010016850	010012802	010016854	010011612		

Area Map:



BLIGHT & SUBSTANDARD CRITERIA

SUBSTANDARD CRITERIA

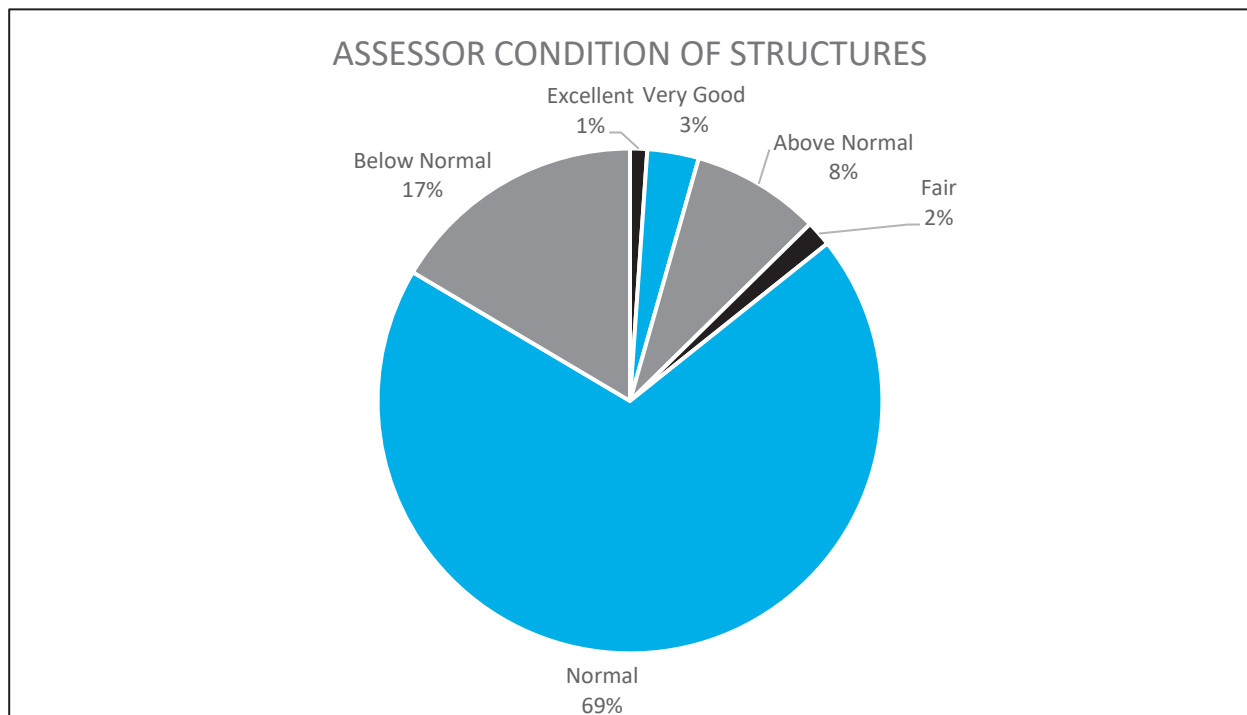
An area with the presence of any combination of such factors can be deemed substandard:

1. Dilapidation;
2. Deterioration;
3. Age or Obsolescence;
4. Conditions that endanger life or property by fire and other causes;
5. Inadequate provision for ventilation, light, air, sanitation, or open spaces; and
6. High density of population or overcrowding.

Dilapidation:

Condition of Structures

The Adams County Assessor provides a condition rating for the residential structures in Adams County ranging from Below Normal to Excellent. Based on the information collected from Hastings County Assessor property records (gis.adamscounty.org), the condition of more than **17% of the structures** in Proposed Redevelopment Area 17 is rated as having “Below Normal” condition. To be considered substantial, the percentage of dilapidated structures must be at least 10% of the total number of structures. Thus, 17% deteriorated structures meets the criteria of deterioration. Structures classified as Below Normal were considered deteriorated. Examples of dilapidated structures located within the proposed redevelopment area are shown on the following page. The photos displayed on the following page were taken in January 2024.



Examples of Deteriorated Structures are displayed by the photos below:



Deterioration:

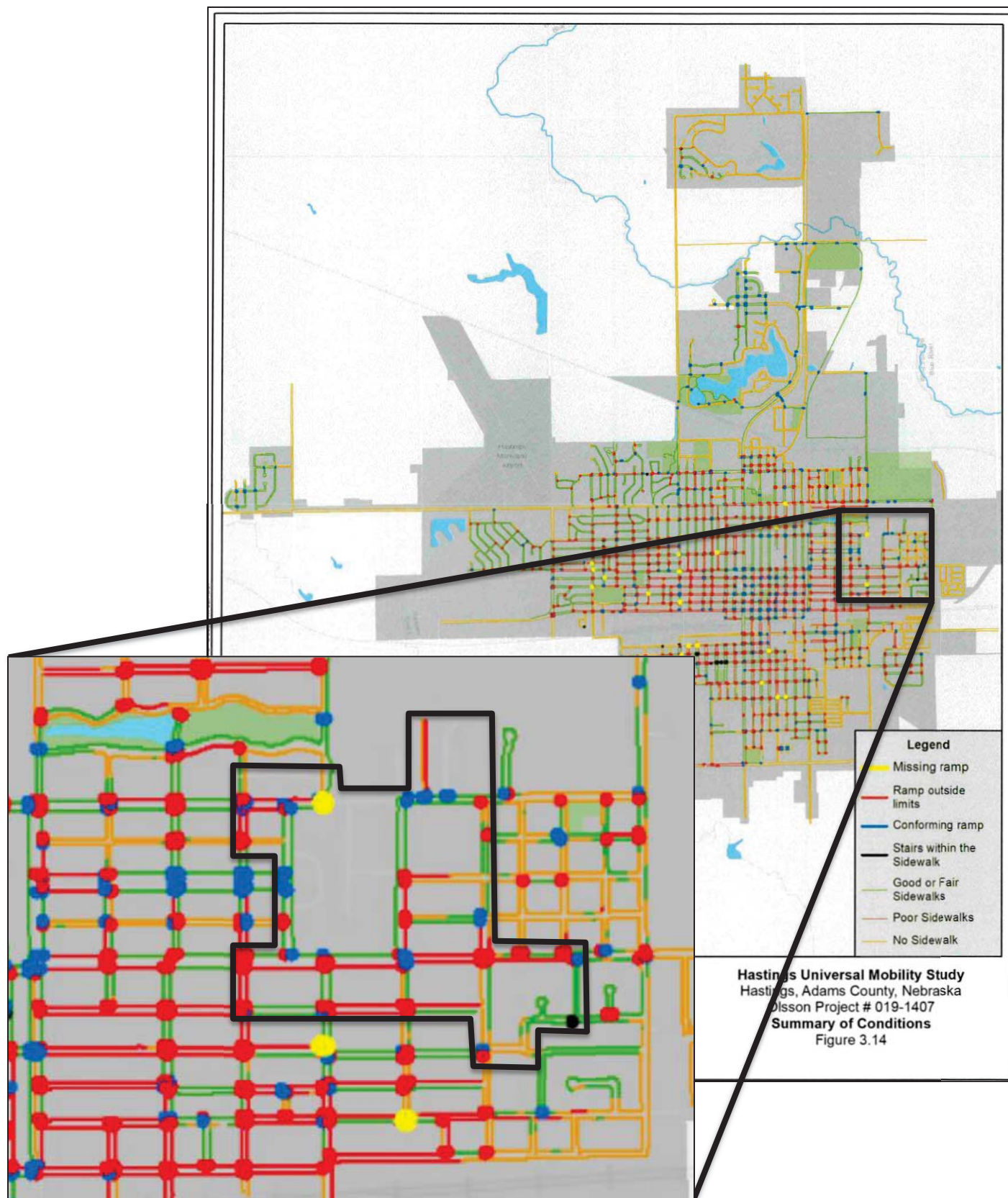
Sidewalks and Streets

The sidewalks within Proposed Redevelopment Area 17 are showing signs of deterioration. In many places along the sidewalks within Proposed Redevelopment Area 17, the sidewalks are either lacking or there are fractures in the concrete. The streets within Proposed Redevelopment Area 17 have also exhibited signs of deterioration. This can be caused by the expansion of moisture as the temperatures freeze and fluctuate. The sidewalks within Proposed Redevelopment Area 17 have also experienced deterioration resulting from the growth of trees next to the sidewalk, displacing the concrete panels of the sidewalk. As displayed by the map on the following page, taken from the *Hastings Barriers to Universal Mobility* prepared in 2019, there are segments of sidewalks that are either lacking or are in Poor Condition as represented by orange and red respectively.

Examples of deterioration along the sidewalks and streets within Proposed Redevelopment Area 17 are displayed by the photos on the following pages:

Sidewalks





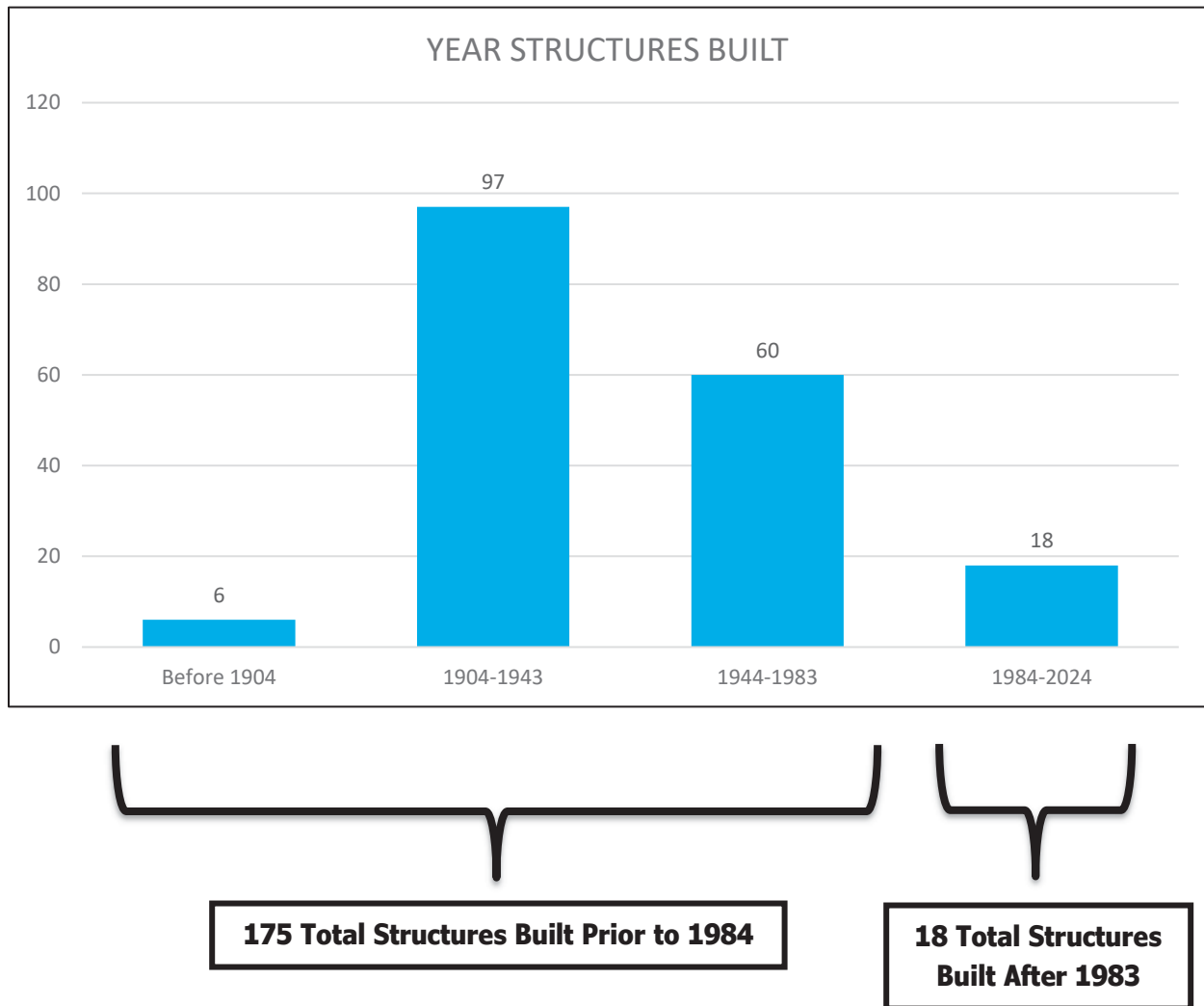
Streets



Age or Obsolescence:

Age of Structures

To be considered aged, the average age of structures within the proposed redevelopment area must be at least 40 years old. Most of the structures within Proposed Redevelopment Area 17 were built prior to 1980. The average age of the structures in Proposed Redevelopment Area 17 is 80 years old. This means that the average year of construction for the structures within this redevelopment area is 1944. Because the average age of buildings in Proposed Redevelopment Area 17 is more than 40 years old (built prior to 1984), these structures are considered aged.



Obsolete Platting

According to the Nebraska Revised Statutes (NRS) 9-916, parcels of land are located within Proposed Redevelopment Area 17 that were platted through methods that are currently considered obsolete.

Per NRS 19-916:

The local legislative body shall have power by ordinance to provide the manner, plan, or method by which land within the corporate limits of any such municipality, or land within the area designated by... a city of the second class or village pursuant to subsection (1) of section 17-1002, may be subdivided, platted, or laid out, including a plan or system for the avenues, streets, or alleys to be laid out within or across such land, and to compel the owners of any such land that are subdividing, platting, or laying out such land to conform to the requirements of the ordinance and to lay out and dedicate the avenues, streets, and alleys in accordance with the ordinance as provided in sections 16-901 to 16-905 and sections 17-1001 to 17-1004.

The images below display a “landlocked” parcel that was platted in the City of Hastings that does not have adequate street access or rights of way (Parcel ID #010011635). As displayed by the map taken from the Adams County Land Use GIS website (gis.adamscounty.org/map/landuse/), this parcel is prevented from street right-of-way access by the adjacent parcel (Parcel ID #010016856).



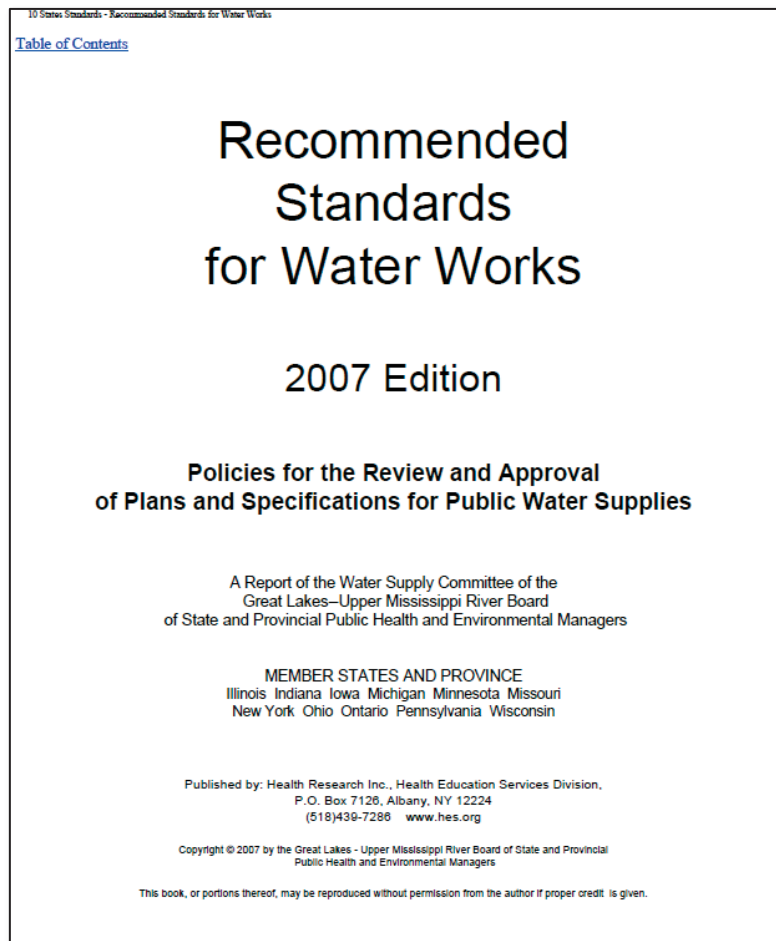
Size of Water Mains

Recommended Standards for Water Works is a document that was created in 1953 and is continuously updated. The document provides best practices for public water systems and is commonly relied upon by the civil engineering profession. According to the latest revision, the recommended minimum size of a water main must be no less than 6" in diameter to provide adequate fire protection.

The image on the following page is provided by the City of Hastings and is taken from the city water system map. This map shows the presence of water mains that were previously installed within Proposed to Redevelopment Area 17 that have a diameter of 4". These water mains are highlighted in blue on the map on the following page.

Also included is the outline of Proposed Redevelopment Area 17 to show the obsolete water lines within the redevelopment area.

Water mains that are 4" are smaller than the recommendation of 6". Therefore, the size of these mains would be considered obsolete by current development standards and practices.

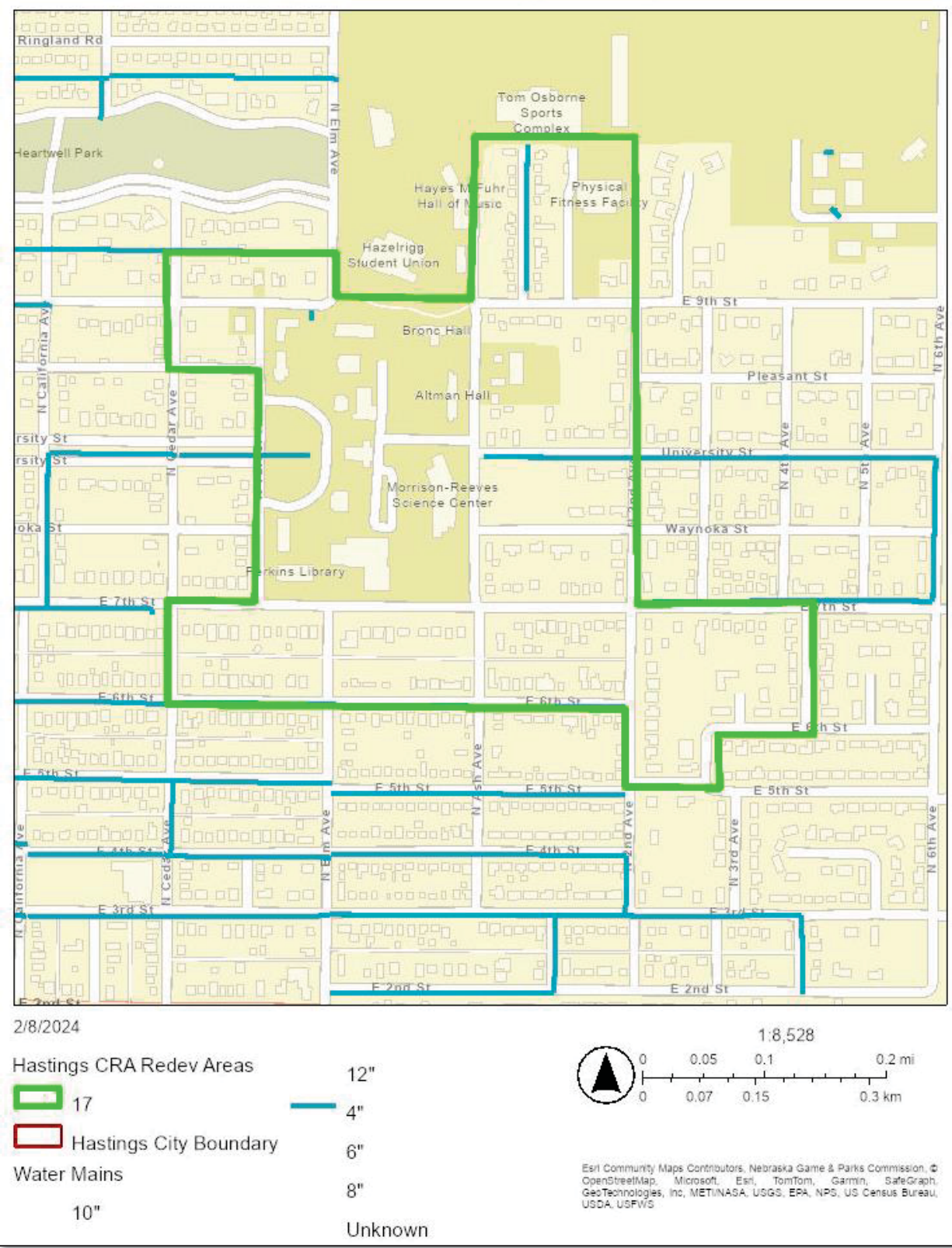


8.2.2 Diameter

The minimum size of water main which provides for fire protection and serving fire hydrants shall be six-inch diameter. Larger size mains will be required if necessary to allow the withdrawal of the required fire flow while maintaining the minimum residual pressure specified in [Section 8.1.1](#).

The minimum size of water main in the distribution system where fire protection is not to be provided should be a minimum of three (3) inch diameter. Any departure from minimum requirements shall be justified by hydraulic analysis and future water use, and can be considered only in special circumstances.

Proposed Redevelopment Area 17 4" Water Mains



Conditions that endanger life or property by fire and other causes:

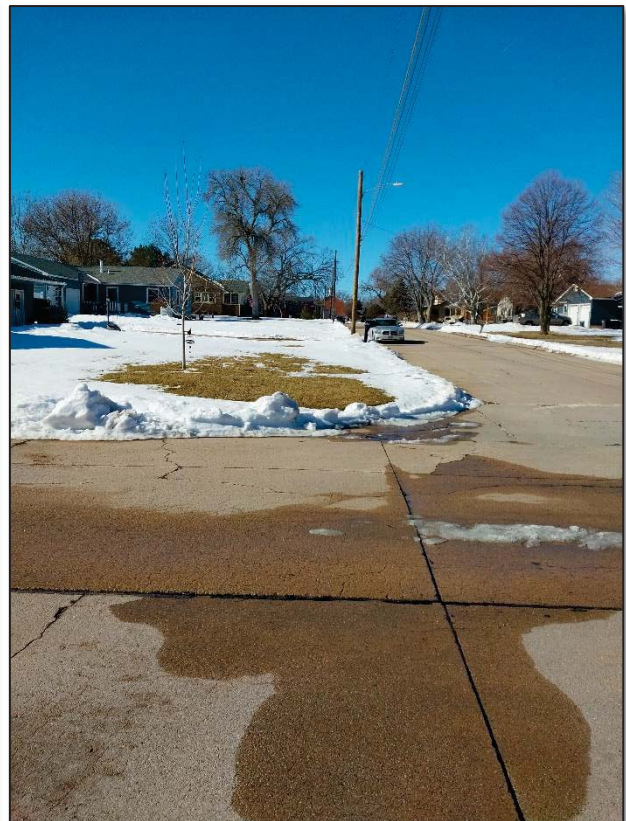
Fire Protection

Recommended Standards for Water Works recommends that to provide adequate fire protection, the minimum size of a water main must be no less than six inches in diameter. As noted in the previous section, Proposed Redevelopment Area 17 lacks an adequate water main distribution system that meets the minimum six-inch requirement for adequate protection. Therefore, conditions also exist within the proposed area that may damage property by fire.

Pedestrian Safety

Additionally, the sidewalk system within Proposed Redevelopment Area 17 is inconsistent and offers little safe refuge for pedestrian transportation. There are segments of street that are lacking sidewalks and segments of existing sidewalks that are significantly deteriorated. Examples of the inadequate sidewalk system within Proposed Redevelopment Area 17 are shown by the photos on the following page.

Examples of deteriorated sidewalks or street lengths lacking sidewalks:



Inadequate provision for ventilation, light, air, sanitation, or open spaces:

This factor is not a substantial factor within Proposed Redevelopment Area 17.

High density of population or overcrowding:

This factor is not a substantial factor within Proposed Redevelopment Area 17

SUBSTANDARD CONCLUSION

Substandard Factors Present

Four out of six substandard factors are substantial within *Proposed Redevelopment Area 17*.

Substandard Criteria	Area 17
Dilapidation	X
Deterioration	X
Age or Obsolescence	X
Conditions that endanger life or property by fire and other causes	X
Inadequate provision for ventilation, light, air, sanitation, or open spaces	
High density of population or overcrowding	

Substandard Determination

Proposed Redevelopment Area 17 meets the definition of a substandard area in need of redevelopment projects that should be completed and encouraged by the Hastings Planning Commission, Hastings City Council, and Hastings Community Redevelopment Authority.

BLIGHT CRITERIA

In accordance with Community Redevelopment Law, a blighted area must have a strong presence of the following factors:

Subjective Factors are defined as any combination of:

1. Substantial number of deteriorated or deteriorating structures;
2. Deterioration of site or other improvements;
3. Existence of defective or inadequate street layout;
4. Faulty lot layout in relation to size, adequacy, accessibility, or usefulness;
5. Improper subdivision or obsolete platting;
6. Insanitary or unsafe conditions;
7. Diversity of ownership;
8. Tax or special assessment delinquency exceeding the fair value of the land;
9. Defective or unusual conditions of title; and
10. Existence of conditions that endanger life or property by fire and other causes.

Objective Factors are identified as at least one of the following factors:

1. Unemployment in the redevelopment area is at least one hundred twenty percent of the state or national average;
2. The average age of the residential or commercial units in the area is at least forty years;
3. More than half of the plotted and subdivided property in an area is unimproved land that has been within the city for forty years and has remained unimproved during that time;
4. The per capita income of the area is lower than the average per capita income of the city in which the redevelopment area is located; and the
5. Area has had either stable or decreasing population based on the last two decennial censuses.

SUBJECTIVE FACTORS:

Substantial number of deteriorated or deteriorating structures:

As described in the substandard portion of this study, the Adams County Assessor website (gis.adamscounty.org) classified the structures in Adams County on a scale ranging from "Below Normal" to "Excellent". 17% of the structures within Proposed Redevelopment Area 17 were classified as "Below Normal" and were considered to be deteriorated. To be considered a substantial factor, the number of deteriorated structures must be at least 10% of the total number of structures. Thus, with 17% of structures considered deteriorated, Proposed Redevelopment Area 17 meets the criteria to be considered substantial.

Deterioration of site or other improvements:

Streets & Sidewalks

As mentioned previously in the substandard portion of this study, the sidewalks and the streets within Proposed Redevelopment Area 17 display deterioration. In multiple locations, the sidewalks and the streets have fractured as moisture has expanded as the temperatures have fluctuated over the years. There are also locations where the sidewalk concrete panels have been displaced as the nearby trees have grown.

The *Hastings Barriers to Universal Mobility* document created in 2019 defines sidewalks in poor condition as exhibiting "cracking and/or displacement of the slabs that would inhibit the use of a wheelchair or potentially become a trip hazard" (p. 19).

Existence of defective or inadequate street layout:

This factor is not a substantial factor within Proposed Redevelopment Area 17.

Faulty lot layout in relation to size, adequacy, accessibility, or usefulness:

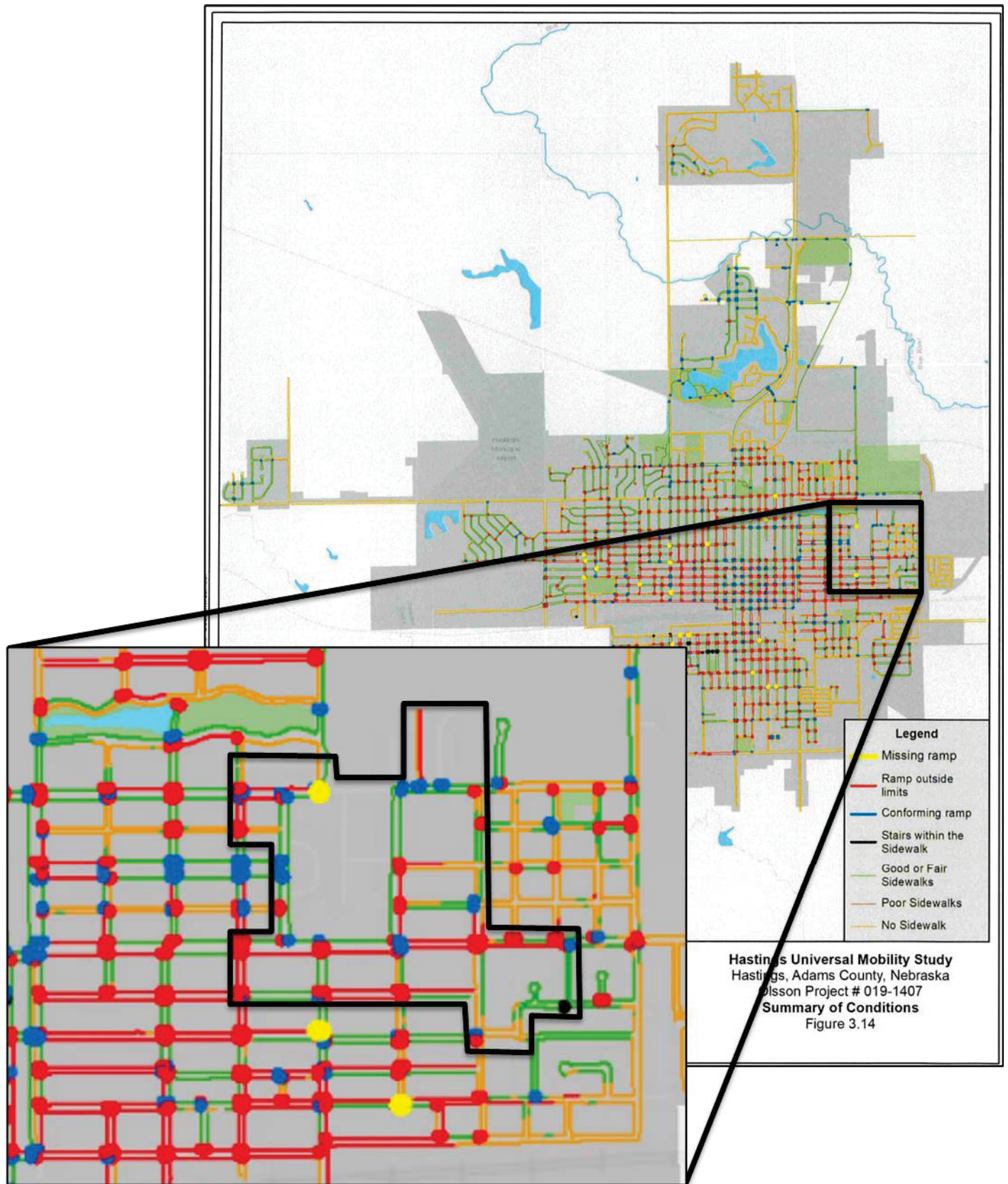
ADA Accessible Sidewalks

The sidewalk network is inconsistent throughout the redevelopment area. In addition to missing sidewalk links, many intersections in the Proposed Redevelopment Areas lack ADA (Americans with Disabilities Act) accessible curb ramps. Per the Code of Federal Regulations (C.F.R. §§ 35.150(d)(2), 35.151(2 (e))), Title II of the ADA requires "state and local governments to make pedestrian crossings accessible to people with disabilities by providing curb ramps."

The map on pg. 24, taken from the *Hastings Barriers to Universal Mobility* document prepared in 2019, displays intersections with missing or non-conforming ADA curb ramps.

The photos below document examples of intersections within Proposed Redevelopment Area 17 that lack adequate ADA accessible curb ramps.





Parcel Accessibility

As mentioned in the *Age or Obsolescence* section in the Substandard portion of this study, a parcel within Proposed Redevelopment Area 17 is prevented from street access by the adjacent parcel. As described in the Substandard portion of this study, Parcel ID #010011635 is prevented from accessing adequate street right-of-way by PID #010016856. This lot was platted in a faulty manner in that it is not provided adequate accessibility.

Improper subdivision or obsolete platting:

As stated in the substandard portion of this study (*Age or Obsolescence*), a parcel is located within Proposed Redevelopment Area 17 that was not properly platted to preserve right of way that would enable these properties to be developed with adequate street access. That parcel, identified in the *Age or Obsolescence* section of the Substandard portion of this study, is prevented by a separate and adjacent parcel from street access right-of-way.

Insanitary or unsafe conditions:

Sidewalks

As mentioned before in the substandard portion of this study, the sidewalk system within Proposed Redevelopment Area 17 is inconsistent and provides little refuge for pedestrians seeking to travel along the road by foot. In multiple locations, the proposed redevelopment area contains deteriorated sidewalks, lacks sidewalks, or lacks ADA compliant access curb ramps. This creates unsafe conditions by not providing safe conditions for pedestrian travel within the redevelopment area.

Diversity of ownership:

This factor is not a substantial factor within Proposed Redevelopment Area 17.

Tax or special assessment delinquency exceeding the fair value of the land:

This factor is not a substantial factor within Proposed Redevelopment Area 17.

Defective or unusual conditions of title:

This factor is not a substantial factor within Proposed Redevelopment Area 17.

Existence of conditions that endanger life or property by fire and other causes:

Recommended Standards for Water Works recommends that to provide adequate fire protection, the minimum size of a water main must be no less than 6" in diameter. As noted in the substandard section of this study, water mains are located throughout Proposed Redevelopment Area 17 that do not meet the minimum six-inch recommendation for adequate protection.

Additionally, as mentioned before, the sidewalk system is inconsistent and provides little refuge for pedestrians seeking to travel along the road by foot. In multiple locations, the proposed redevelopment area contains deteriorated sidewalks, lacks sidewalks, or lacks ADA compliant access curb ramps. This creates unsafe conditions by not providing safe conditions for pedestrian travel within the redevelopment area.

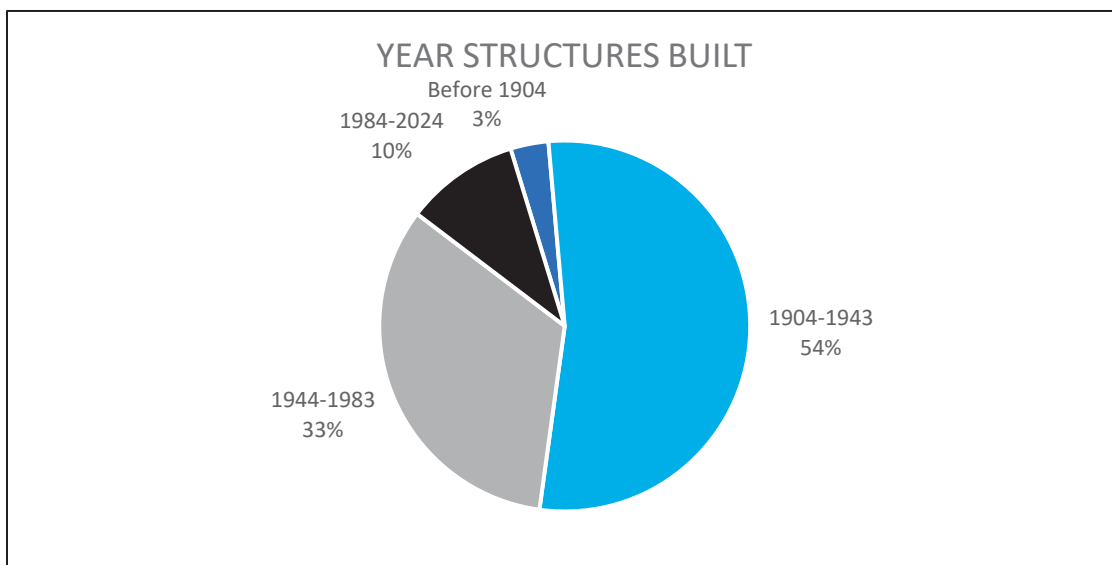
Objective Factors:

Unemployment in the redevelopment area is at least one hundred twenty percent of the state or national average:

This factor is not substantial within Proposed Redevelopment Area 17.

The average age of the residential or commercial units in the area is at least forty years:

As demonstrated in the substandard section of this study, the average age of structures in Proposed Redevelopment Area 17 is 80 years old (Built prior to 1944). This meets the 40-year threshold required to meet this objective factor criteria (Built prior to 1984).



More than half of the plotted and subdivided property in an area is unimproved land that has been within the city for forty years and has remained unimproved during that time:

This factor is not substantial within Proposed Redevelopment Area 17.

The per capita income of the area is lower than the average per capita income of the city in which the redevelopment area is located:

This factor is not substantial within Proposed Redevelopment Area 17.

The Proposed Redevelopment Area has had either stable or decreasing population based on the last two decennial censuses:

According to the US Census Bureau, the population of Proposed Redevelopment Area 17 in the 2010 US Census was 1251 residents.

In 2020, the population of Proposed Redevelopment Area 17 was 1061 residents. This represents a decreasing population within the proposed redevelopment area.

BLIGHT CONCLUSION

Presence of Subjective Factors

The presence of **six** subjective factors was identified in *Proposed Redevelopment Area 17*.

Blight Subjective Criteria	Area 17
Substantial number of deteriorated or deteriorating structures	X
Deterioration of site or other improvements	X
Existence of defective or inadequate street layout	
Faulty lot layout in relation to size, adequacy, accessibility, or usefulness	X
Improper subdivision or obsolete platting	X
Insanitary or unsafe conditions	X
Diversity of ownership	
Tax or special assessment delinquency exceeding the fair value of the land	
Defective or unusual conditions of title	
Existence of conditions that endanger life or property by fire and other causes	X

Presence of Objective Factors

The presence of **two** objective factors was identified in *Proposed Redevelopment Area 17*.

Blight Objective Criteria	Area 17
Unemployment in the redevelopment area is at least one hundred twenty percent of the state or national average	
The average age of the residential or commercial units in the area is at least forty years	X
More than half of the plotted and subdivided property in an area is unimproved land that has been within the city for forty years and has remained unimproved during that time	
The per capita income of the area is lower than the average per capita income of the city in which the redevelopment area is located	
Area has had either stable or decreasing population based on the last two decennial censuses	X

Blight Determination

Proposed Redevelopment Area 17 meets the definition of a blighted area in need of redevelopment projects that should be completed and encouraged by the Hastings Planning Commission, Hastings City Council, and Community Redevelopment Authority.

Department: Development Services
Staff Contact: Chad Bunger
Planning Commission Meeting Date: 3/19/2024
File No: 2024-736
Prepared By: Chad Bunger, Director of Development Services

AGENDA ITEM SUMMARY SHEET

Description of Item:

Public hearing at the request of the Community Redevelopment Authority to review a Blight and Substandard Study for an area to be known as Area 18. The area is generally bounded by East 26th Street, the Pioneer Spirit Trail, Union Pacific Railroad, and East 13th Street.

Motion to recommend to the City Council to adopt the draft Blight and Substandard Study for the area to be known as Area 18 by resolution.

Names of People/Business affected by this action:

The property owners, City of Hastings, and all affected taxing authorities.

Why Planning Commission action is required:

From N.R.S 18-2109: Redevelopment plan; preparation; requirements; planning commission or board; public hearing; notice; governing body; public hearing; notice; resolution.

(1) A redevelopment plan for a redevelopment project area shall not be prepared and the governing body of the city in which such area is located shall not approve a redevelopment plan unless the governing body has, by resolution adopted after the public hearings required under this section, declared such area to be a substandard and blighted area in need of redevelopment.

(2) Prior to making such declaration, the governing body of the city shall conduct or cause to be conducted a study or an analysis on whether the area is substandard and blighted and shall submit the question of whether such area is substandard and blighted to the planning commission or board of the city for its review and recommendation. The planning commission or board shall hold a public hearing on the question after giving notice of the hearing as provided in section [18-2115.01](#). The planning commission or board shall submit its written recommendations to the governing body of the city within thirty days after the public hearing.

(3) Upon receipt of the recommendations of the planning commission or board, or if no recommendations are received within thirty days after the public hearing required under subsection (2) of this section, the governing body shall hold a public hearing on the question of whether the area is substandard and blighted after giving notice of the hearing as provided in section [18-2115.01](#). At the public hearing, all interested parties shall be afforded a reasonable opportunity to express their views respecting the proposed declaration. After such hearing, the governing body of the city may adopt a resolution declaring that substandard and blighted conditions exist in the area under study. After the governing body has declared that substandard and blighted conditions exist in the area under study, the governing body may, by one or more resolutions, declare such area or any portion of such area to be a substandard and blighted area without further public hearing.

(4) Copies of each substandard and blighted study or analysis conducted pursuant to subsection (2)

of this section shall be posted on the city's public website or made available for public inspection at a location designated by the city.

Type of action requested:

Motion

Suggested motion:

Motion to recommend approval to the City Council to adopt the Blight and Substandard Study for Proposed Redevelopment Area 18 by resolution.

Deadlines associated with action:

This case is scheduled to be heard by the City Council on April 22, 2024, pending an affirmative recommendation by the Planning Commission and the Community Redevelopment Authority.

Department head comments:

Through this process, the City and property owners will attempt to address economic and/or social liabilities which impact the well-being of the entire community, guide future development in the area, and facilitate certain redevelopment incentives to mitigate barriers to redevelopment. The attached Blight and Substandard study details existing conditions and statutory requirements for the area.

Planning Commission actions pertaining to this case:

The Planning Commission shall find that the Blight and Substandard study are consistent with the Comprehensive Plan. Imagine Hastings projects that this area's Future Land Use is a mix of Suburban Residential and Urban Residential. Development Services staff has reviewed the Blight and Substandard Study for Proposed Redevelopment Area 18.

The complete details of the staff review and recommendation are in the attached staff report.

Recommendation:

City staff recommends to the Planning Commission to recommend approval to the City Council to adopt the Blight and Substandard Study for Proposed Redevelopment Area 18 by Resolution.

City of Hastings Planning Commission

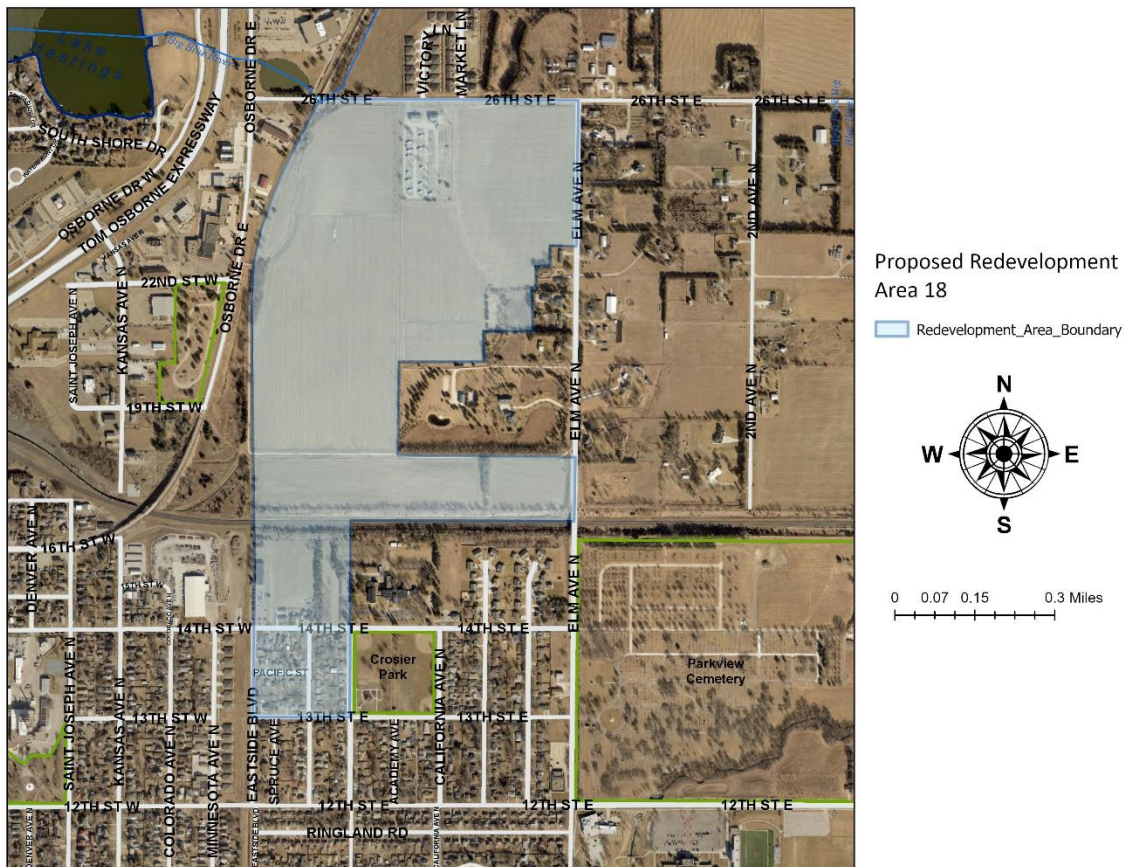
STAFF REPORT

Blight and Substandard Study: Proposed Redevelopment Area 18

Applicant: Hastings Community Redevelopment Authority

Redevelopment Area Location: Generally bounded by EAST 26th STREET, PIONEER SPIRIT TRAIL, UNION PACIFIC RAILROAD, AND NORTH ELM AVENUE.

Date of Public Hearing: March 19, 2024



SECTION AND REQUIREMENT OF NEBRASKA STATE STATUTES ALLOWING FOR BLIGHT AND SUBSTANDARD AREAS

- **Statute 18-2103:** Terms, defined.
 - **(3) Blighted area** means an area which substantially impairs or arrests the sound growth of the community, retards the provision of housing accommodations, or constitutes an economic or social liability and is detrimental to the public health, safety, morals, or welfare through the presence of the following criteria, or any combination of such factors:
 - Presence of a substantial number of deteriorated or deteriorating structures
 - Existence of defective or inadequate street layout
 - Faulty lot layout in relation to size, adequacy, accessibility, or usefulness
 - Insanitary or unsafe conditions
 - Deterioration of site or other improvements
 - Diversity of ownership
 - Tax or special assessment delinquency exceeding the fair value of the land
 - Defective or unusual conditions of title
 - Improper subdivision or obsolete platting
 - Existence of conditions which endanger life or property by fire and other cause
 - One of the following conditions:
 - i. Unemployment in the designated area is at least one hundred twenty percent of the state or national average
 - ii. Average age of the residential or commercial units in the area is at least forty years
 - iii. More than half of the plotted and subdivided property in an area is unimproved land that has been within the city for forty years and has remained unimproved during that time
 - iv. The per capita income of the area is lower than the average per capita income of the city or village in which the area is designated
 - v. The area has had either stable or decreasing population based on the last two decennial censuses.
 - **(31) Substandard area** means an area in which there is a predominance of buildings or improvements that are conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, and crime, and is detrimental to the public health, safety, morals, or welfare through the presence of the following criteria or any combination of such factors:
 - Dilapidation
 - Deterioration
 - Age or obsolescence
 - Inadequate provision of ventilation, light, air, sanitation, or open spaces
 - High density of population and overcrowding
 - Existence of conditions which endanger life or property by fire and other causes

DESCRIPTION OF BLIGHT AND SUBSTANDARD STUDY CONSULTANT'S FINDINGS:

Five Rule Rural Planning completed the Blight and Substandard Study on February 13, 2024, to determine whether the Proposed Redevelopment Area 18 met the blight and substandard criteria in the Nebraska State Statutes. The summary of the consultant's findings are listed below.

The Community Redevelopment Authority (CRA) held a meeting on February 21, 2024, where the consultant presented the study. The CRA recommended approval of the study.

- **Blight Criteria:** The presence of **seven** factors were identified in the Proposed Redevelopment Area 18 as well as one of the additional conditions.
 - **Presence of a substantial number of deteriorated or deteriorating structures:**
Fifteen percent of the structures within Redevelopment Area 18 were classified as "Below Normal" and were considered deteriorating. The number of deteriorated structures must be at least 10 percent to be considered a substantial factor. With 15 percent of structures considered deteriorating, Proposed Redevelopment Area 18 meets the criteria.
 - **Existence of defective or inadequate street layout:**
Properties located within Proposed Redevelopment Area 18 were not properly platted to preserve right-of-way that would enable these properties to be developed with adequate street access. Lack of proper connectivity and public access will negatively impact these potential neighborhoods and lead to a continuation of these areas being underdeveloped. These issues within Redevelopment Area 18 meet the criteria.
 - **Faulty lot layout in relation to size, adequacy, accessibility, or usefulness:**
The sidewalk network is inconsistent throughout the redevelopment area. In addition to missing sidewalk links, many intersections in the Proposed Redevelopment Area lack ADA accessible curb ramps. With accessibility issues throughout the redevelopment area, Proposed Redevelopment Area 18 meets the criteria.
 - **Insanitary or unsafe conditions:**
The sidewalk system within Proposed Redevelopment Area 18 is inconsistent and contains deteriorated sidewalks, lacks sidewalks, or lacks ADA compliant access curb ramps. This creates unsafe conditions by not providing for safe pedestrian travel within Proposed Redevelopment Area 18 and therefore meets the criteria.
 - **Deterioration of site or other improvements:**
The streets and sidewalks within Proposed Redevelopment Area 18 show signs of deterioration. The streets and sidewalks contain fractures caused by the expansion of moisture as temperatures fluctuate. The sidewalk panels have also been displaced by the growth of trees. These signs of deterioration within Proposed Redevelopment Area 18 meet the criteria of deterioration of site or other improvements.

- **Improper subdivision or obsolete platting:**
Properties within Proposed Redevelopment Area 18 were not properly platted to preserve right of way that would enable these properties to be developed with adequate street access. This lack of street access within Proposed Redevelopment Area 18 is an example of obsolete platting and therefore the Area meets the criteria.
- **Existence of conditions that endanger life or property by fire and other causes:**
Recommended Standards for Water Works recommends that to provide adequate fire protection the minimum size of a water main must be no less than 6 inches in diameter. Water mains throughout Proposed Redevelopment Area 18 do not meet the minimum recommended size for adequate fire protection and therefore meet the criteria.
- **One of the following conditions necessary (one additional condition were met):**
 - ♦ The average age of the residential or commercial units in the area is at least forty years: The average age of structures in Proposed Redevelopment Area 18 is 74 years old and therefore meets the criteria.
- **Substandard Criteria:** The presence of **four** factors were identified in the Proposed Redevelopment Area 18.
 - **Dilapidation:**
Fifteen percent of the structures within Redevelopment Area 18 were classified as “Below Normal” and were considered deteriorating. The number of deteriorated structures must be at least 10 percent to be considered a substantial factor. With 15 percent of structures considered deteriorating, Proposed Redevelopment Area 18 meets the criteria.
 - **Deterioration:**
The streets and sidewalks within Proposed Redevelopment Area 18 show signs of deterioration. The streets and sidewalks contain fractures caused by the expansion of moisture as temperatures fluctuate. The sidewalk panels have also been displaced by the growth of trees. These signs of deterioration within Proposed Redevelopment Area 18 meet the criteria of deterioration of site or other improvements.
 - **Age or Obsolescence:**
To be considered aged, the average age of structures within the redevelopment area must be at least 40 years old. The average age of structures in Proposed Redevelopment Area 18 is 74 years old and therefore meets the criteria.
 - **Existence of conditions that endanger life or property by fire and other causes:**
Recommended Standards for Water Works recommends that to provide adequate fire protection the minimum size of a water main must be no less than 6 inches in diameter. Water mains throughout Proposed Redevelopment Area 18 do not meet the minimum recommended size for adequate fire protection and therefore meet the criteria.
- **Consultant’s Conclusion:** Proposed Redevelopment Area 18 meets the definition of a blighted area in need of redevelopment projects that should be completed and encouraged by the Hastings Planning Commission, Hastings City Council, and Community Redevelopment Authority.

CONFORMANCE WITH COMPREHENSIVE PLAN:

The 2009, Imagine Hastings, Comprehensive Plan identifies the Proposed Redevelopment Area 18 as primarily “Suburban Residential”. Suburban Residential is defined as a residential development typically in the 2 to 5 units per acre range with lots ranging in size from 8,750 to 20,000 square feet in size.

It should be noted that the Imagine Hastings Plan is fifteen years old and its vision for this area and others across the community may not reflect the current development realities. The community is in the process of updating the Comprehensive Plan. The Plan update is anticipated to be completed this year in the late Spring or Summer.

Additionally, the subsequent redevelopment plan may likely take on a more intense residential use or a different type of use altogether. The Community Redevelopment Authority and developers should work with the City to review the forthcoming redevelopment plan and specific development projects for conformance with the Comprehensive Plan and request amendments and rezonings as needed.

STANDARDS TO ADOPT BLIGHT AND SUBSTANDARD STUDY:

The provisions of Nebraska State Statutes, 18-2109, regulate the redevelopment of areas within blighted and substandard areas.

The City Council, by recommendation from the City Planning Commission, will declare an area as blighted and substandard prior to the development of a redevelopment plan.

STAFF COMMENTS: Staff concurs with the consultant’s findings. Staff recommends the Planning Commission recommend **APPROVAL** to adopt the **BLIGHT AND SUBSTANDARD STUDY**, as written, for the Proposed Redevelopment Area 18 to the City Council, as it meets the provisions of Nebraska State Statutes 18-2109.

PREPARED BY: Ember Batelaan

DATE: March 8, 2024

ATTACHMENTS:

1. Blight and Substandard Study for Proposed Redevelopment Area 18

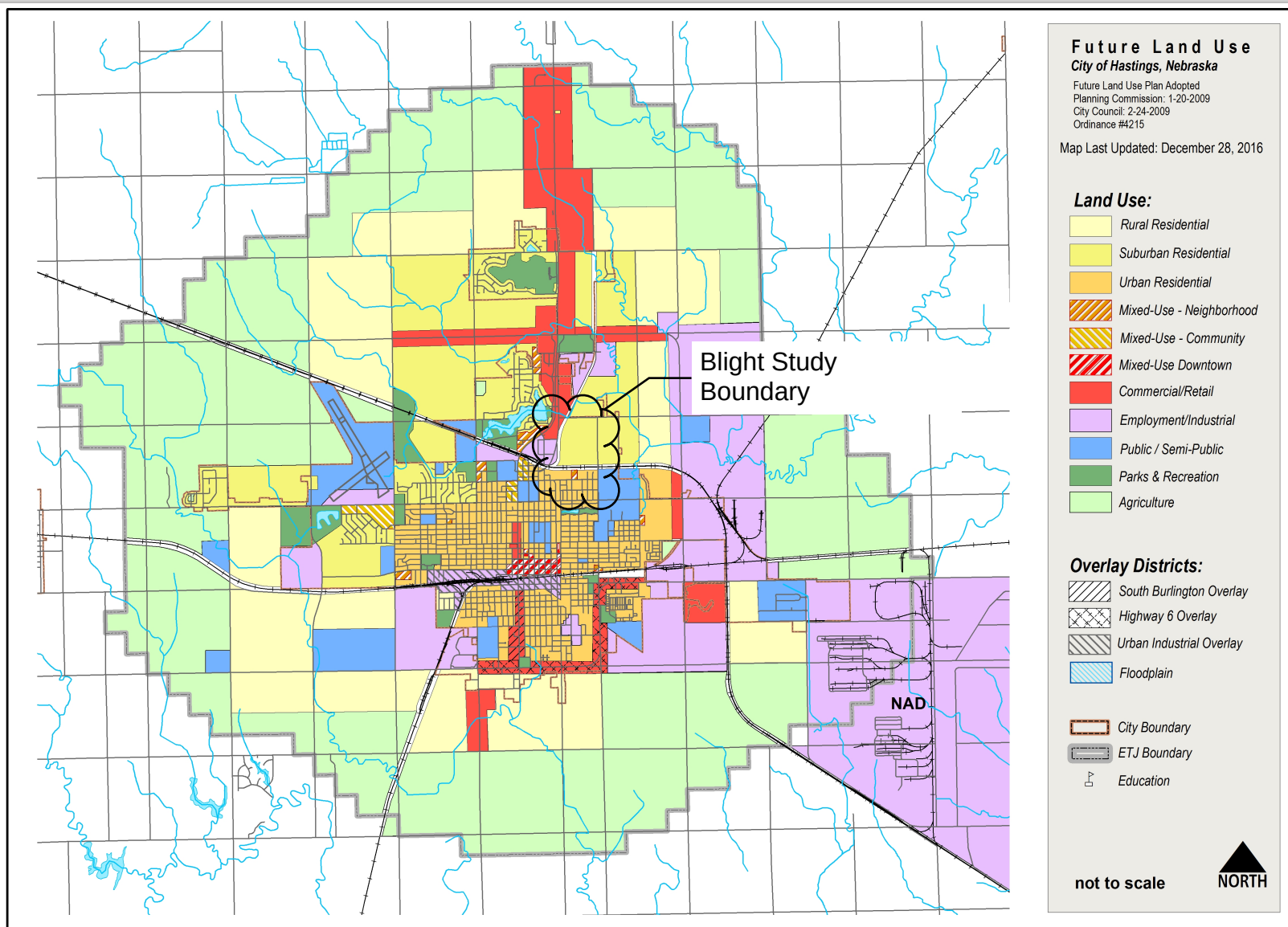


Figure 2.2: Future Land Use Plan

CITY OF HASTINGS, NEBRASKA

Blight & Substandard Study – Proposed Redevelopment Area 18

Bobbi Pettit, AICP

February 13, 2024



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PROPOSED REDEVELOPMENT AREA 18

BLIGHT & SUBSTANDARD STUDY

COMMUNITY REDEVELOPMENT LAW

The State of Nebraska has established Community Redevelopment Law to correct conditions of blight within the State's municipalities and provide guidance for remedying conditions of blight, thereby encouraging redevelopment projects to take place in areas that would be considered otherwise undevelopable.

(NRS 18-2102):

It is hereby found and declared that there exist in cities of all classes and villages of this state areas which have deteriorated and become substandard and blighted because of the unsafe, insanitary, inadequate, or overcrowded condition of the dwellings therein, or because of inadequate planning of the area, or excessive land coverage by the buildings thereon, or the lack of proper light and air and open space, or because of the defective design and arrangement of the buildings thereon, or faulty street or lot layout, or congested traffic conditions, or economically or socially undesirable land uses.

Such conditions or a combination of some or all of them have resulted and will continue to result in making such areas economic or social liabilities harmful to the social and economic well-being of the entire communities in which they exist, needlessly increasing public expenditures, imposing onerous municipal burdens, decreasing the tax base, reducing tax revenue, substantially impairing or arresting the sound growth of municipalities, aggravating traffic problems, substantially impairing or arresting the elimination of traffic hazards and the improvement of traffic facilities, and depreciating general community-wide values.

The existence of such areas contributes substantially and increasingly to the spread of disease and crime, necessitating excessive and disproportionate expenditures of public funds for the preservation of the public health and safety, for crime prevention, correction, prosecution, punishment, and the treatment of juvenile delinquency, and for the maintenance of adequate police, fire, and accident protection and other public services and facilities. These conditions are beyond remedy and control solely by regulatory process in the exercise of the police power and cannot be dealt with effectively by the ordinary operations of private enterprise without the aids herein provided. The elimination of such conditions and the acquisition and preparation of land in or necessary to the renewal of substandard and blighted areas and its sale or lease for development or redevelopment in accordance with general plans and redevelopment plans of communities and any assistance which may be given by any state public body in connection therewith are public uses and purposes for which public money may be expended and private property acquired. The necessity in the public interest for the provisions of the Community Development Law is hereby declared to be a matter of legislative determination.

It is further found and declared that the prevention and elimination of blight is a matter of state policy, public interest, and statewide concern and within the powers and authority inhering in and reserved to the state, in order that the state and its municipalities shall not continue to be endangered by areas which are focal centers of disease, promote juvenile delinquency, and consume an excessive proportion of their revenue.

It is further found and declared that certain substandard and blighted areas, or portions thereof, may require acquisition, clearance, and disposition, subject to use restrictions, as provided in the Community Development Law, since the prevailing conditions of decay may make impracticable the reclamation of the area by conservation or rehabilitation; that other areas or portions thereof may, through the means provided in the Community Development Law, be susceptible of conservation or rehabilitation in such a manner that the conditions and evils, hereinbefore enumerated, may be eliminated, remedied, or prevented; and that salvageable substandard and blighted areas can be conserved and rehabilitated through appropriate public action and the cooperation and voluntary action of the owners and tenants of property in such areas.

PURPOSE

The purpose of the study is to assist in following the guidance set forth by the Nebraska State Legislature regarding the definition of blighted and substandard and to identify new target areas in the community for redevelopment and workforce housing development and to propose a general redevelopment plan for these areas.

The area in question was compared to the definition of a substandard and blighted area as defined by Nebraska Revised Statute 18-2103.31, which explicitly defines a substandard area as:

[A]n area in which there is a predominance of buildings or improvements, whether non-residential or residential in character, which, by reason of dilapidation, deterioration, age or obsolescence, inadequate provision for ventilation, light, air, sanitation, or open spaces, high density of population and overcrowding, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, and crime, (which cannot be remedied through construction of prisons), and is detrimental to the public health, safety, morals, or welfare;

Section 18-2103:03 also defines a blighted area as:

[A]n area, which (a) by reason of the presence of a substantial number of deteriorated or deteriorating structures, existence of defective or inadequate street layout, faulty lot layout in relation to size, adequacy, accessibility, or usefulness, insanitary or unsafe conditions, deterioration of site or other improvements, diversity of ownership, tax or special assessment delinquency exceeding the fair value of the land, defective or unusual conditions of title, improper subdivision or obsolete platting, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, substantially impairs or arrests the sound growth of the community, retards the provision of housing accommodations, or constitutes an economic or social liability and is detrimental to the public health, safety, morals, or welfare in its present condition and use and (b) in which there is at least one of the following conditions: (i) Unemployment in the designated area is at least one hundred twenty percent of the state or national average; (ii) the average age of the residential or commercial units in the area is at least forty years; (iii) more than half of the plotted and subdivided property in an area is unimproved land that has been within the city for forty years and has remained unimproved during that time; (iv) the per capita income of the area is lower than the average per capita income of the city or village in which the area is designated; or (v) the area has had either stable or decreasing population based on the last two decennial censuses.

Section 18-2103:03 also states the amount of area that a city can designate as blighted and substandard. Thus, Hastings, a city of the first class, shall not declare more than 35% of the land within the city's corporate limits as blighted & substandard, and in need of redevelopment:

In no event shall a city of the metropolitan, primary, or first class designate more than thirty-five percent of the city as blighted, a city of the second class shall not designate an area larger than fifty percent of the city as blighted, and a village shall not designate an area larger than one hundred percent of the village as blighted.

IDENTIFICATION OF PROPOSED REDEVELOPMENT AREA 18

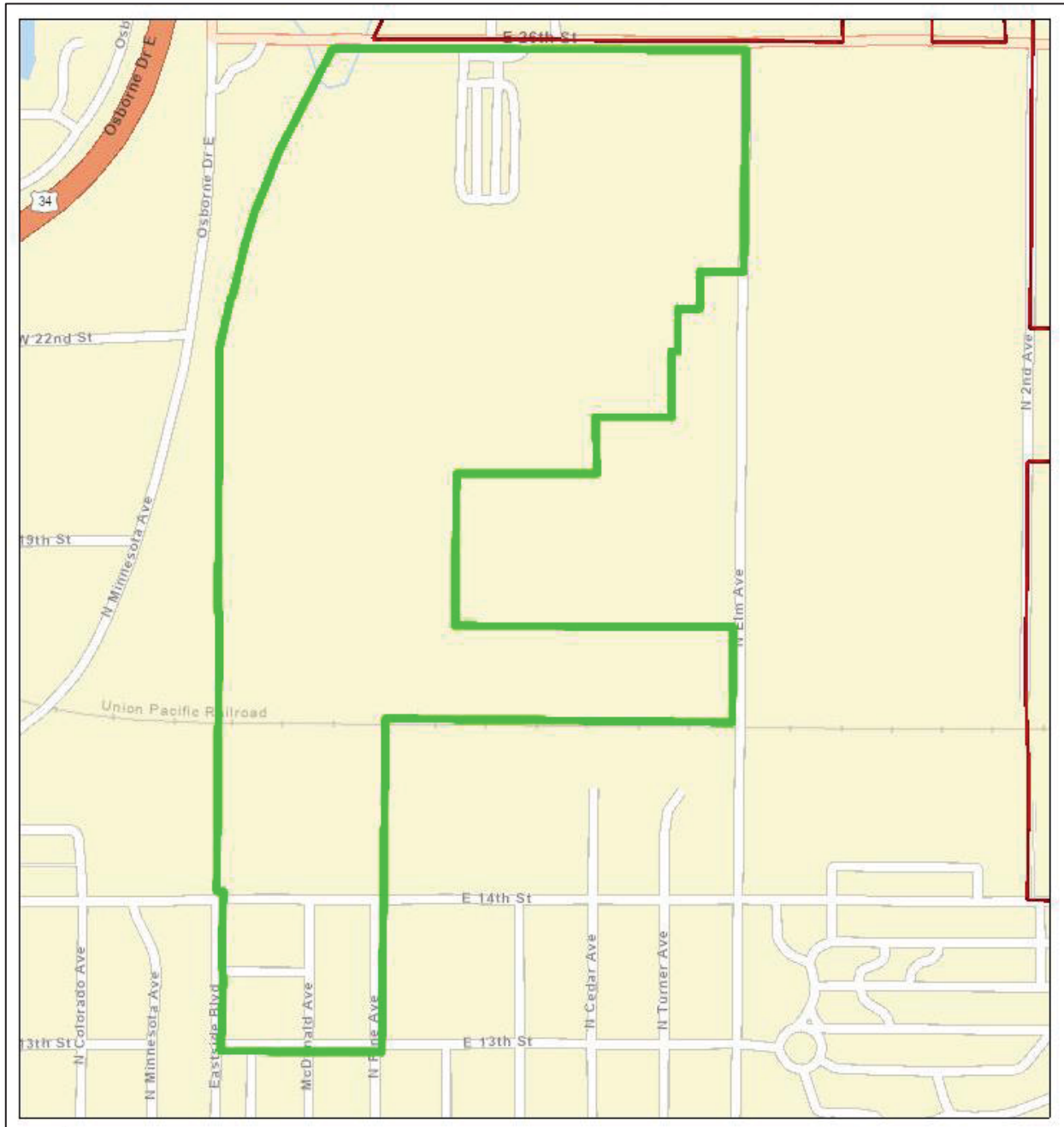
Area Description:

Hastings Proposed Redevelopment Area 18 encompasses approximately 161.57 acres and is described as follows:

From a point beginning at the northwest corner of Parcel ID (PID) #010011396, then moving north along the eastern right-of-way (ROW) line of North Pine Avenue and then continuing north in a straight line beyond the northern ROW line of East 4th Street until reaching the northern ROW line of Union Pacific Railroad, then moving east along the northern ROW line of Union Pacific Railroad until reaching the western ROW line of North Elm Avenue, then moving north along the west ROW line of North Elm Avenue until reaching the northeast corner of PID #010016830, then moving west in a straight line until reaching a point on the northern property line of PID #010016832 directly south of the southwest corner of PID #010013906, then moving north until reaching the northwest corner of PID #010013906, then moving east until reaching a point on the northern property line of PID #010013906 directly south of the southwest corner of PID #010013903, then moving north in a straight line until reaching the northwest corner of PID #010013903, then moving east until reaching the southwest corner of PID #010013902, then moving north in a straight line until reaching the northwest corner of PID #010013904, then moving east until reaching the southwest corner of PID #010013901, then moving north until reaching the northwest corner of PID #010013901, then moving east until reaching the southwest corner of PID #010017658, then moving north until reaching the northwest corner of PID #010017658, then moving east until reaching the northeast corner of PID #010017658, then moving north along the western ROW line of North Elm Avenue until reaching the northeast corner of PID #010013900, then moving west along the southern ROW line of East 26th Street until reaching the northwest corner of PID #010013899, then moving south along the western property line of PID #010013899 and continuing south in a straight line beyond the southwestern corner of PID #010013899 until reaching the northern ROW line of East 14th Street, then moving east along the northern ROW line of East 14th Street until reaching a point on the northern ROW line directly north of the northwest corner of PID #010011326, then moving south along the eastern ROW line of Eastside Boulevard until reaching the northwestern corner of PID #010011363, then moving east along the southern ROW line of East 13th Street until reaching the northwest corner of PID #010011396, which is the point of beginning, approximately 161.57 acres.

Parcel ID Numbers Within Proposed Redevelopment Area 18							
010011225	010011315	010011346	010011224	010011313	010011328	010011349	010013899
010011324	010011337	010011338	010014336	010011327	010011319	010011335	010016834
010011332	010011309	010011343	010011312	010011311	010011336	010011342	010016830
010011333	010011334	010011347	010014334	010011316	010011320	010011330	010016832
010011323	010011348	010011345	010014335	010011325	010011322	010011310	010016833
010011331	010011341	010011344	010014457	010011339	010011318	010011329	010011321
010011326	010011340	010011314	010013900	010011317			

Area Map:



BLIGHT & SUBSTANDARD CRITERIA

SUBSTANDARD CRITERIA

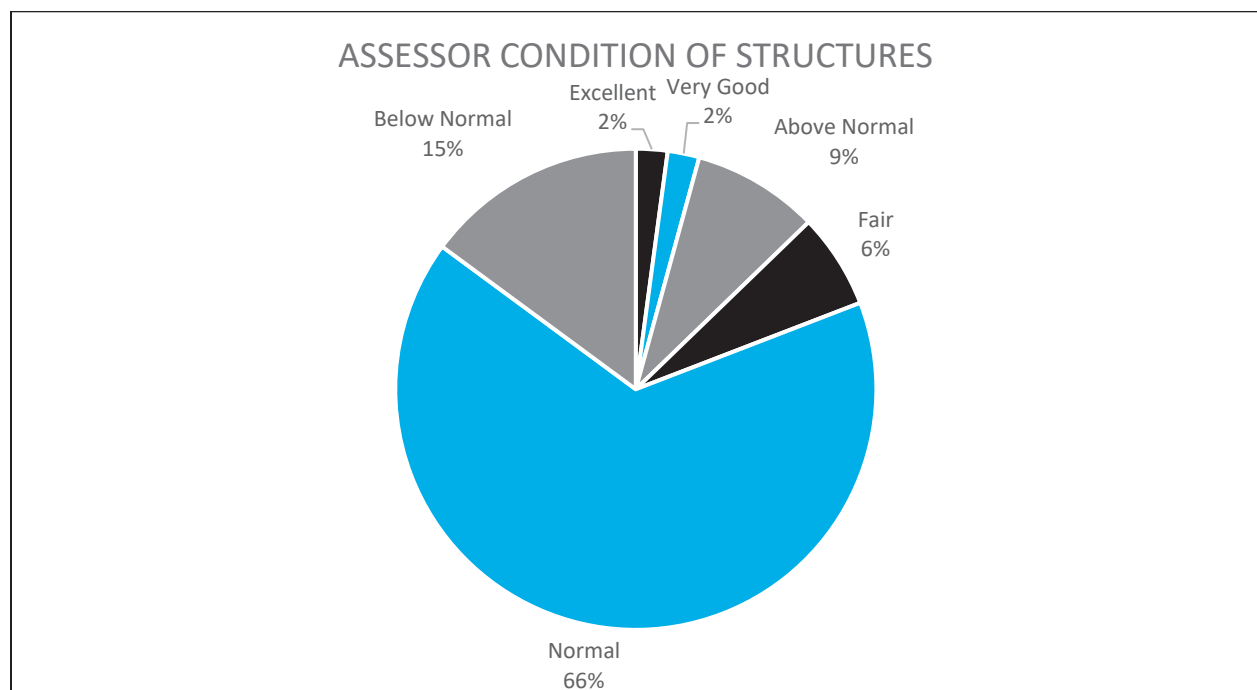
An area with the presence of any combination of such factors can be deemed substandard:

1. Dilapidation;
2. Deterioration;
3. Age or Obsolescence;
4. Conditions that endanger life or property by fire and other causes;
5. Inadequate provision for ventilation, light, air, sanitation, or open spaces; and
6. High density of population or overcrowding.

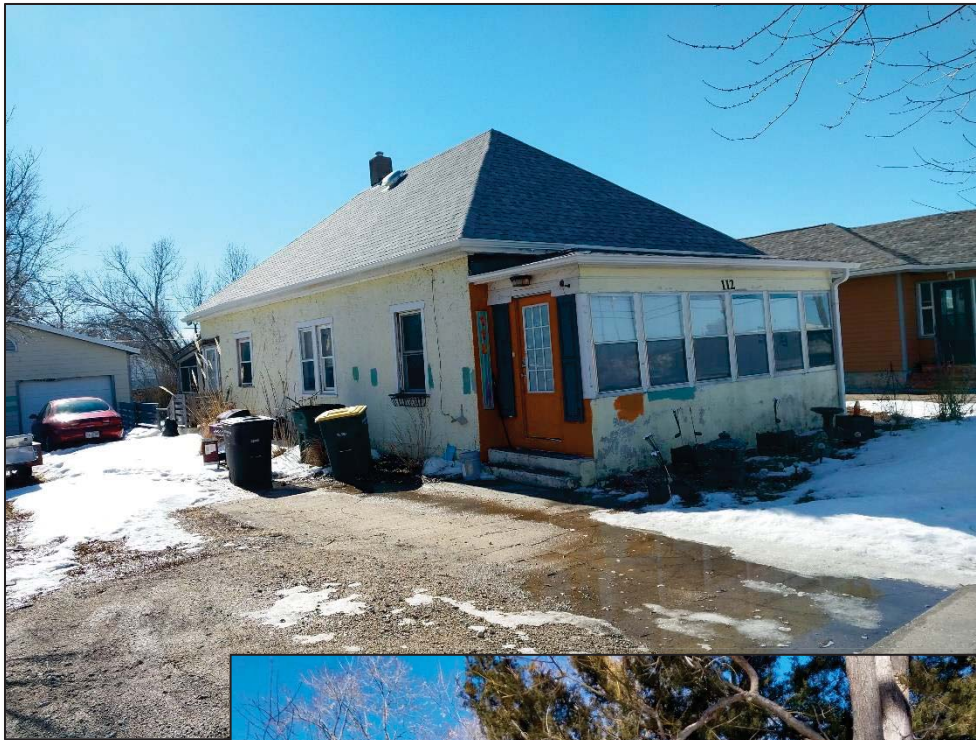
Dilapidation:

Condition of Structures

The Adams County Assessor provides a condition rating for the residential structures in Adams County ranging from Below Normal to Excellent. Based on the information collected from Hastings County Assessor property records (gis.adamscounty.org), the condition of more than **15% of the structures** in Proposed Redevelopment Area 18 is rated as having “Below Normal” condition. To be considered substantial, the percentage of dilapidated structures must be at least 10% of the total number of structures. Thus, 15% deteriorated structures meets the criteria of deterioration. Structures classified as Below Normal were considered deteriorated. Examples of dilapidated structures located within the proposed redevelopment area are shown on the following page. The photos displayed on the following page were taken in January 2024.



Examples of deteriorated/dilapidated structures are displayed below.

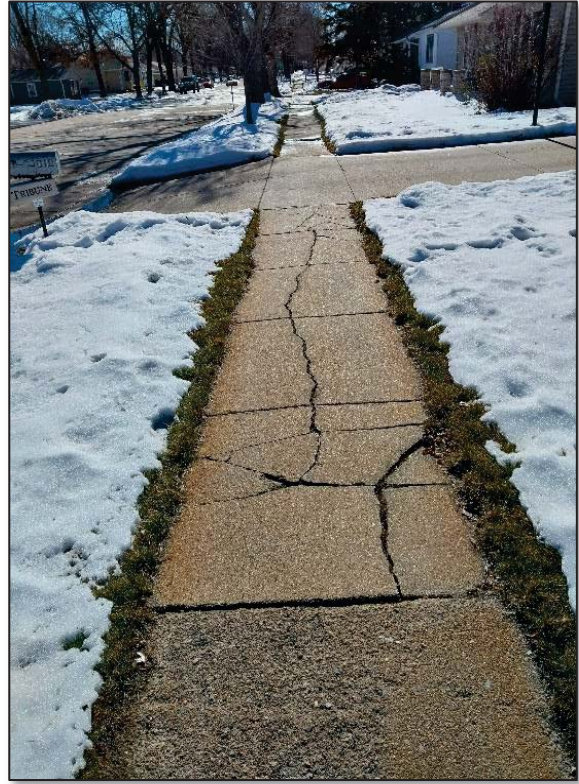


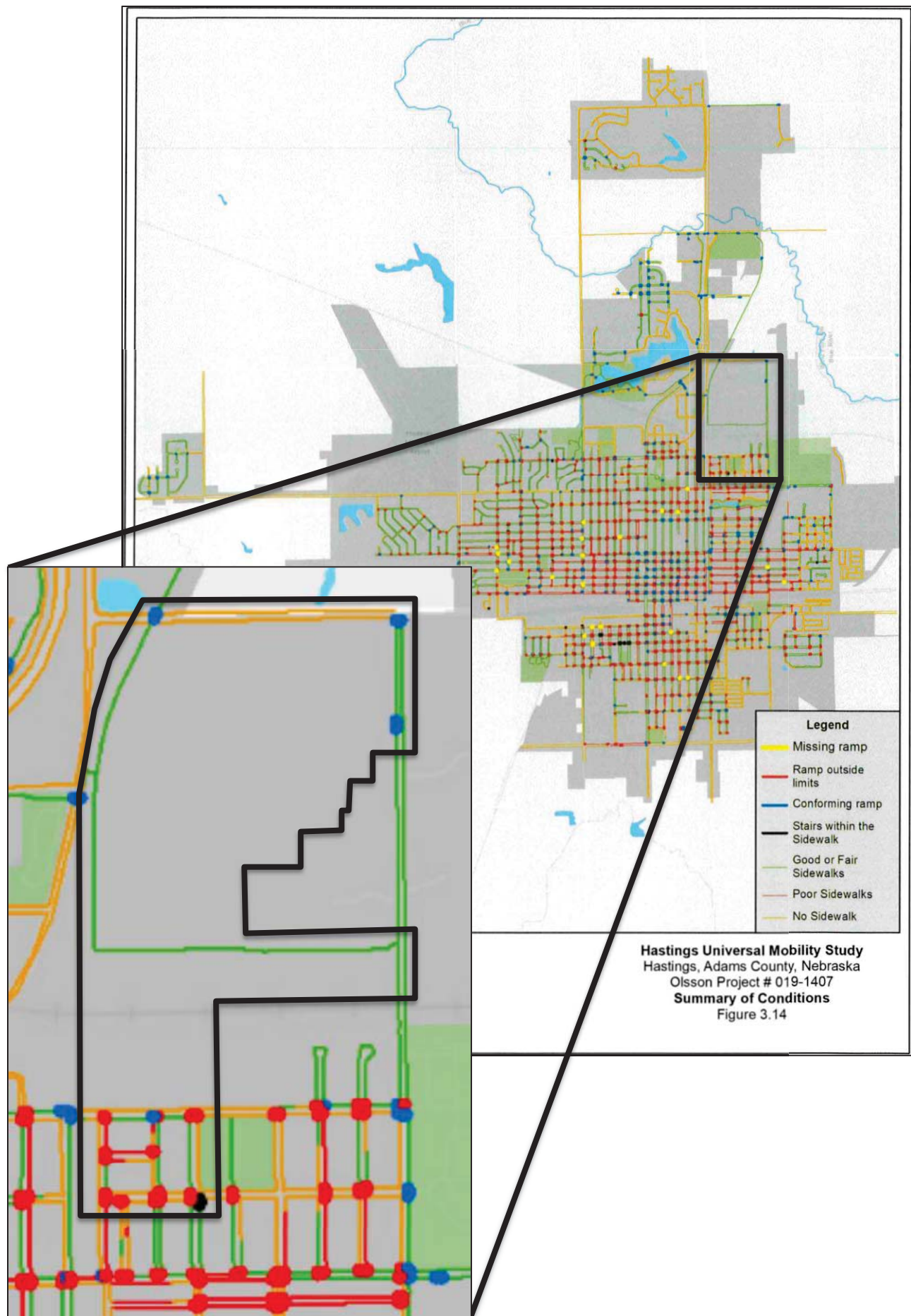
Deterioration:

Sidewalks and Streets

The sidewalks within Proposed Redevelopment Area 18 are showing signs of deterioration. In many places within Proposed Redevelopment Area 18, the sidewalks are either lacking or there are fractures in the concrete. The streets within Proposed Redevelopment Area 18 have also exhibited signs of deterioration. This can be caused by the expansion of moisture as the temperatures freeze and fluctuate. The sidewalks within Proposed Redevelopment Area 18 have also experienced deterioration resulting from the growth of trees next to the sidewalk, displacing the concrete panels of the sidewalk. As displayed by the map on page 13, taken from the *Hastings Barriers to Universal Mobility* prepared in 2019, there are segments of sidewalks that are either lacking or are in Poor Condition as represented by orange and red respectively. This document defines sidewalks in poor condition as exhibiting “cracking and/or displacement of the slabs that would inhibit the use of a wheelchair or potentially become a trip hazard” (p. 19).

Examples of deterioration along the sidewalks and streets within Proposed Redevelopment Area 18 are displayed by the photos on the following page:





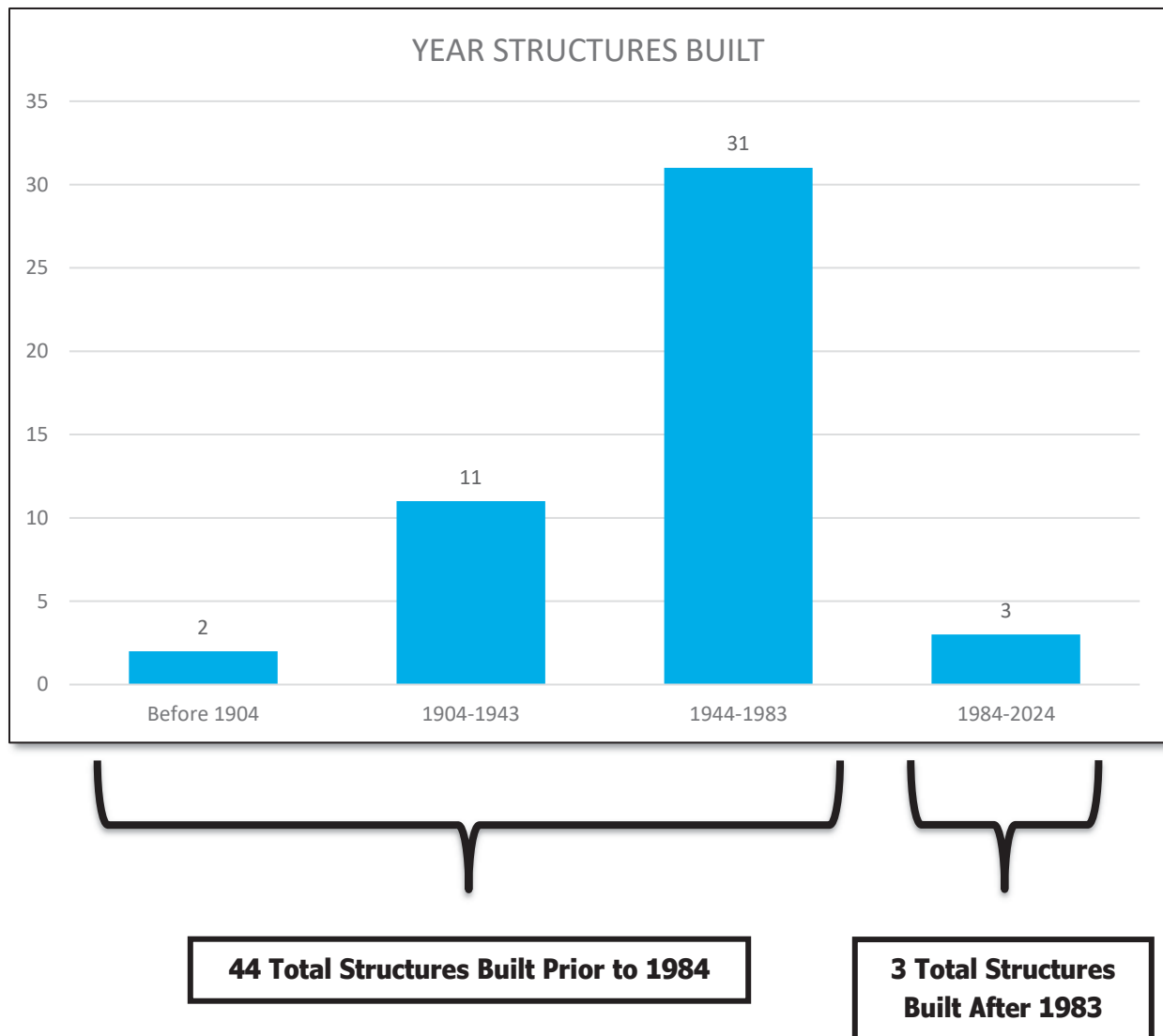
Streets



Age or Obsolescence:

Age of Structures

To be considered aged, the average age of structures within the proposed redevelopment area must be at least 40 years old. Most of the structures within Proposed Redevelopment Area 18 were built prior to 1980. The average age of the structures in Proposed Redevelopment Area 18 is 74 years old. This means that the average year of construction for the structures within this redevelopment area is 1950. Because the average age of buildings in Proposed Redevelopment Area 18 is more than 40 years old (built prior to 1984), these structures are considered aged.



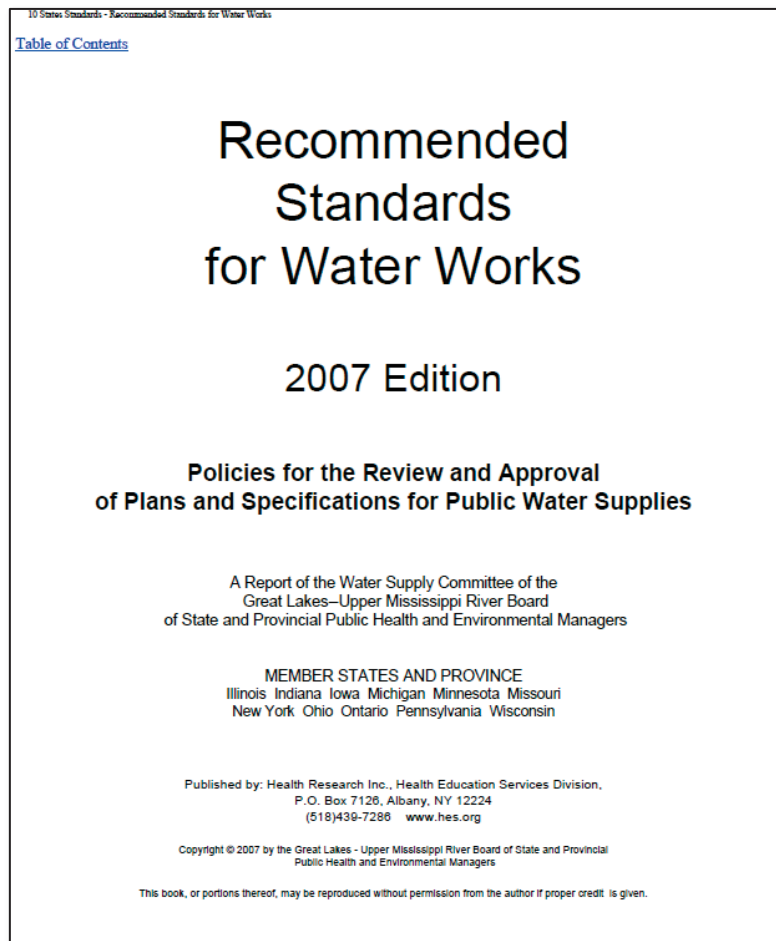
Size of Water Mains

Recommended Standards for Water Works is a document that was created in 1953 and is continuously updated. The document provides best practices for public water systems and is commonly relied upon by the civil engineering profession. According to the latest revision, the recommended minimum size of a water main must be no less than 6" in diameter to provide adequate fire protection.

The image on the following page is provided by the City of Hastings and is taken from the city water system map. This map shows the presence of water mains that were previously installed within Proposed Redevelopment Area 18 that have a diameter of 4". These water mains are highlighted in purple in the utility map on the following page.

Also included is the outline of Proposed Redevelopment Area 18 to show the obsolete water lines within the redevelopment area.

Water mains that are 4" are smaller than the recommendation of 6". Therefore, the size of these mains would be considered obsolete by current development standards and practices.



8.2.2 Diameter

The minimum size of water main which provides for fire protection and serving fire hydrants shall be six-inch diameter. Larger size mains will be required if necessary to allow the withdrawal of the required fire flow while maintaining the minimum residual pressure specified in [Section 8.1.1](#).

The minimum size of water main in the distribution system where fire protection is not to be provided should be a minimum of three (3) inch diameter. Any departure from minimum requirements shall be justified by hydraulic analysis and future water use, and can be considered only in special circumstances.

Proposed Redevelopment Area 18 4" Water Mains



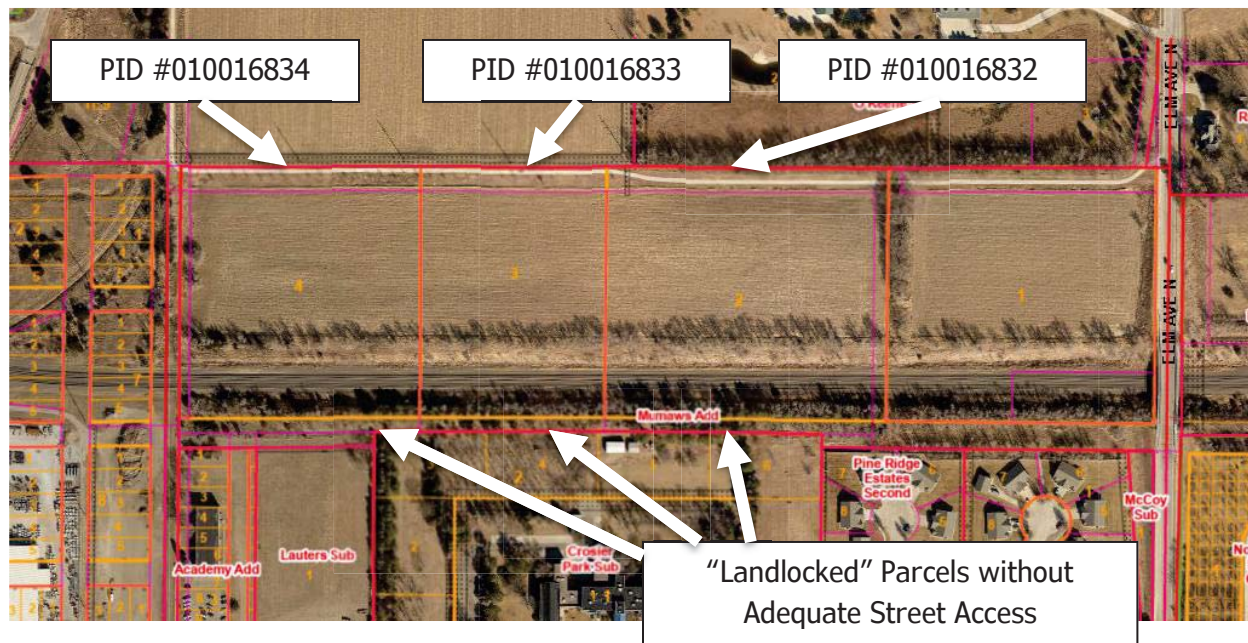
Obsolete Platting

According to the Nebraska Revised Statutes (NRS) 9-916, parcels of land are located within Proposed Redevelopment Area 18 that were platted through methods that are currently considered obsolete.

Per NRS 19-916:

The local legislative body shall have power by ordinance to provide the manner, plan, or method by which land within the corporate limits of any such municipality, or land within the area designated by... a city of the second class or village pursuant to subsection (1) of section 17-1002, may be subdivided, platted, or laid out, including a plan or system for the avenues, streets, or alleys to be laid out within or across such land, and to compel the owners of any such land that are subdividing, platting, or laying out such land to conform to the requirements of the ordinance and to lay out and dedicate the avenues, streets, and alleys in accordance with the ordinance as provided in sections 16-901 to 16-905 and sections 17-1001 to 17-1004.

The image below displays “landlocked” parcels that were platted in the City of Hastings that do not have adequate street access or rights of way (Parcel ID #010016834, #010016833, #010016832). As displayed by the map taken from the Adams County Land Use GIS website (gis.adamscounty.org/map/landuse/), this parcel is prevented from street right-of-way access and must be replatted to facilitate further development in the area.



Conditions that endanger life or property by fire and other causes:

Fire Protection

Recommended Standards for Water Works recommends that to provide adequate fire protection, the minimum size of a water main must be no less than six inches in diameter. As noted in the previous section, Proposed Redevelopment Area 18 lacks an adequate water main distribution system that meets the minimum six-inch requirement for adequate protection. Therefore, conditions also exist within the proposed area that may damage property by fire.

Pedestrian Safety

Additionally, as mentioned previously in the Deterioration section of this study, the sidewalk system within Proposed Redevelopment Area 18 is inconsistent and offers little safe refuge for pedestrian transportation. There are segments of street that are lacking sidewalks and segments of existing sidewalks that are significantly deteriorated. Examples of the inadequate sidewalk system within Proposed Redevelopment Area 18 are shown by the photos on the following page.

Examples of deteriorated sidewalks or street lengths lacking sidewalks:



Inadequate provision for ventilation, light, air, sanitation, or open spaces:

This factor is not a substantial factor within Proposed Redevelopment area 18.

High density of population or overcrowding:

This factor is not a substantial factor within Proposed Redevelopment Area 18.

SUBSTANDARD CONCLUSION

Substandard Factors Present

Four out of six substandard factors are substantial within *Proposed Redevelopment Area 18*.

Substandard Criteria	Area 18
Dilapidation	X
Deterioration	X
Age or Obsolescence	X
Conditions that endanger life or property by fire and other causes	X
Inadequate provision for ventilation, light, air, sanitation, or open spaces	
High density of population or overcrowding	

Substandard Determination

Proposed Redevelopment Area 18 meets the definition of a substandard area in need of redevelopment projects that should be completed and encouraged by the Hastings Planning Commission, Hastings City Council, and Community Redevelopment Authority.

BLIGHT CRITERIA

In accordance with Community Redevelopment Law, a blighted area must have a strong presence of the following factors:

Subjective Factors are defined as any combination of:

1. Substantial number of deteriorated or deteriorating structures;
2. Deterioration of site or other improvements;
3. Existence of defective or inadequate street layout;
4. Faulty lot layout in relation to size, adequacy, accessibility, or usefulness;
5. Improper subdivision or obsolete platting;
6. Insanitary or unsafe conditions;
7. Diversity of ownership;
8. Tax or special assessment delinquency exceeding the fair value of the land;
9. Defective or unusual conditions of title; and
10. Existence of conditions that endanger life or property by fire and other causes.

Objective Factors are identified as at least one of the following factors:

1. Unemployment in the redevelopment area is at least one hundred twenty percent of the state or national average;
2. The average age of the residential or commercial units in the area is at least forty years;
3. More than half of the plotted and subdivided property in an area is unimproved land that has been within the city for forty years and has remained unimproved during that time;
4. The per capita income of the area is lower than the average per capita income of the city in which the redevelopment area is located; and the
5. Area has had either stable or decreasing population based on the last two decennial censuses.

Subjective Factors:

Substantial number of deteriorated or deteriorating structures:

As described in the substandard portion of this study, the Adams County Assessor website (gis.adamscounty.org) classified the structures in Adams County on a scale ranging from “Below Normal” to “Excellent”. 15% of the structures within Proposed Redevelopment Area 18 were classified as “Below Normal” and were considered to be deteriorated. To be considered a substantial factor, the number of deteriorated structures must be at least 10% of the total number of structures. Thus, with 15% of structures considered deteriorated, Proposed Redevelopment Area 18 meets the criteria to be considered substantial.

Deterioration of site or other improvements:

Streets & Sidewalks

As mentioned previously in the substandard portion of this study, the sidewalks and the streets within Proposed Redevelopment Area 18 display deterioration. In multiple locations, the sidewalks and the streets have fractured as moisture has expanded as the temperatures have fluctuated over the years. There are also locations where the sidewalk concrete panels have been displaced as the nearby trees have grown.

Existence of defective or inadequate street layout:

Properties located within Proposed Redevelopment Area 18 were not properly platted to preserve right of way that would enable these properties to be developed with adequate street access. Lack of proper connectivity and public access will negatively impact these potential neighborhoods. Without intervention, these will continue to be underdeveloped.

Per NRS 19-916:

The local legislative body shall have power by ordinance to provide the manner, plan, or method by which land within the corporate limits of any such municipality, or land within the area designated by... a city of the second class or village pursuant to subsection (1) of section 17-1002, may be subdivided, platted, or laid out, including a plan or system for the avenues, streets, or alleys to be laid out within or across such land, and to compel the owners of any such land that are subdividing, platting, or laying out such land to conform to the requirements of the ordinance and to lay out and dedicate the avenues, streets, and alleys in accordance with the ordinance as provided in sections 16-901 to 16-905 and sections 17-1001 to 17-1004.

The maps below document instances of inadequate platting and obsolete platting in Proposed Redevelopment Area 18.



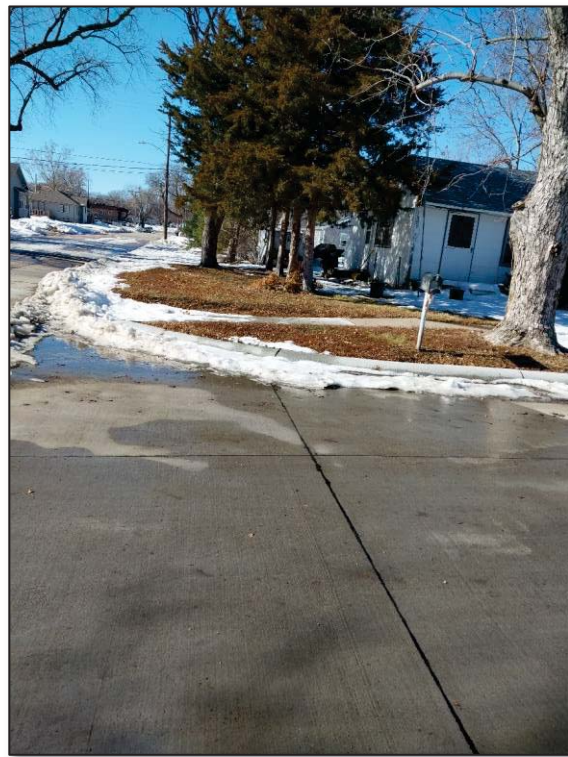
Faulty lot layout in relation to size, adequacy, accessibility, or usefulness:

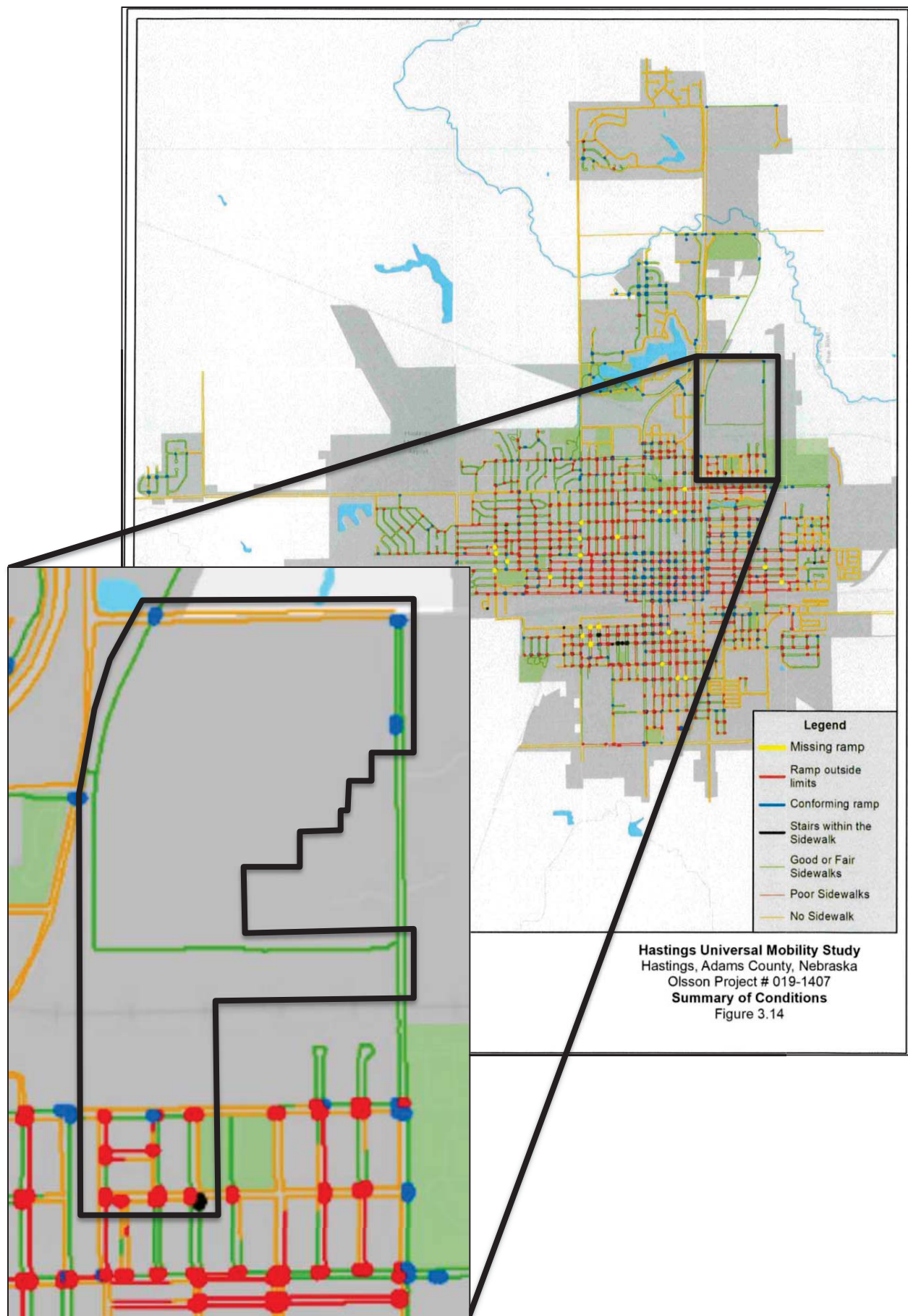
ADA Accessible Sidewalks

The sidewalk network is inconsistent throughout the redevelopment area. In addition to missing sidewalk links, many intersections in the Proposed Redevelopment Area 18 lack ADA (Americans with Disabilities Act) accessible curb ramps. Per the Code of Federal Regulations (C.F.R. §§ 35.150(d)(2), 35.151(2 (e))), Title II of the ADA requires “state and local governments to make pedestrian crossings accessible to people with disabilities by providing curb ramps.”

The map on the following page, taken from the *Hastings Barriers to Universal Mobility* document prepared in 2019, displays intersections with missing or non-conforming ADA curb ramps.

The photos below and on the following page document examples of intersections within Proposed Redevelopment Area 18 that lack adequate ADA accessible curb ramps.





Preservation of Through-Streets

The Union Pacific Railroad that runs through Proposed Redevelopment Area 18 creates a barrier that prevents the extension of through streets to facilitate access to developments north of the railroad. Because of the presence of such a barrier, any development that takes place in the parcels north of the railroad will be required to develop from the north without providing the through-street via railroad crossing.

As displayed by the aerial map below, the cul-de-sacs immediately south of the railroad are evidence of the fact that the railroad presents an accessibility challenge to the streets. The railroad presented too costly a barrier to extend the through-streets across, so the development ended at a cul-de-sac.



Parcel Accessibility

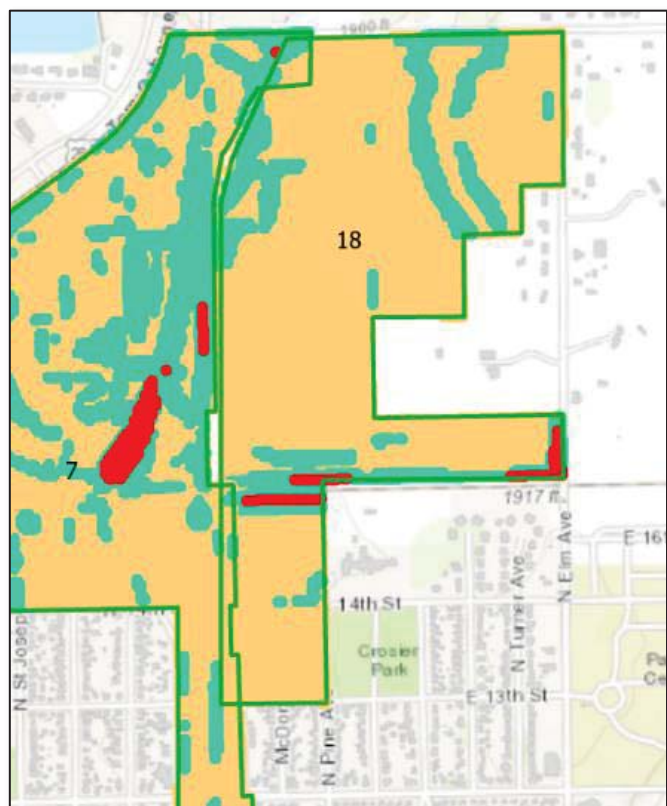
As described in the *Age or Obsolescence* section of the Substandard portion of this study, there are parcels within the Proposed Redevelopment Area 18 that lack adequate accessibility to street rights-of-way. PID #010016834, 010016833, and 010016832 were not platted to preserve street rights-of-way, and therefore lack adequate accessibility.

Area Elevation

Due to level grade throughout the Proposed Redevelopment Area 18, the property cannot be developed or served with sanitary sewer without significant dirt work to provide the proper conditions for development.

The map on the right represents the grade within the Proposed Redevelopment Area. The area highlighted by the green represents area that has an ideal slope for efficient development (2-8% grade). The area in orange represents area that is too level for cost-effective development (0-2% grade). The area in red represents area that is too steep for cost-effective development (>8% grade).

As the graphic on the right displays, 88.2% of the area within the Proposed Redevelopment Area is too level to provide cost-effective development (0-2%). Significant dirt work is required to create ideal conditions necessary for the sanitary sewer services and further development.



Improper subdivision or obsolete platting:

Portions of the land within Proposed Redevelopment Area 18 were annexed and platted by the City of Hastings decades ago, yet the proposed plans in those preliminary plats were never implemented. The preliminary plat maps, displayed on the following pages, show plans for subdivision development as well as the development of multiple through-streets facilitating this development. One such preliminary plat map was created more than three decades ago, while the

other was created more than thirteen decades ago, yet the developments that these maps portray have not materialized since it was platted.

Shown on the following pages is a current aerial view of Proposed Redevelopment Area 18 with the portion that is represented by the preliminary plat maps outlined in white. Because the plans depicted in the preliminary plat map have not been developed since its creation many years ago, the platting is considered obsolete.

FINAL PLAT – BLOCK ONE HOHLEN SUBDIVISION



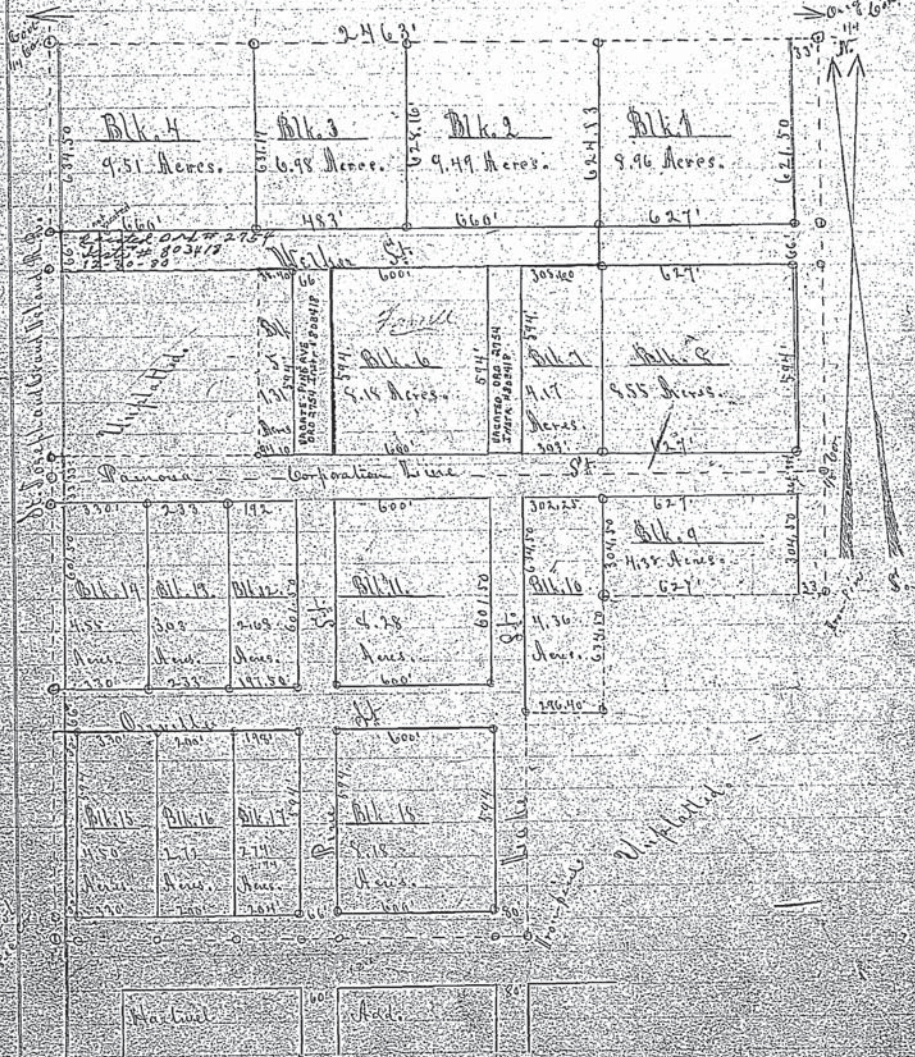


MUMAW'S ADDITION TO THE CITY OF HASTINGS, NEB



Mumaw's Addition To The City of Hastings, Neb.

Filed for record May 21st 1956
 at 1 o'clock, P.M.
 C.W. Spacknall, Clerk.
 P.H. Ganson, Deputy.



Insanitary or unsafe conditions:**Sidewalks**

As mentioned in the substandard portion of this study, the sidewalk system within Proposed Redevelopment Area 18 is inconsistent and provides little refuge for pedestrians seeking to travel along the road by foot. In multiple locations, the proposed redevelopment area contains deteriorated sidewalks, lacks sidewalks, or lacks ADA compliant access curb ramps. This creates unsafe conditions by not providing safe conditions for pedestrian travel within the redevelopment area.

Diversity of ownership:

This factor is not a substantial factor within Proposed Redevelopment Area 18.

Tax or special assessment delinquency exceeding the fair value of the land:

This factor is not a substantial factor within Proposed Redevelopment Area 18.

Defective or unusual conditions of title:

This factor is not a substantial factor within Proposed Redevelopment Area 18.

Existence of conditions that endanger life or property by fire and other causes:

Recommended Standards for Water Works recommends that to provide adequate fire protection, the minimum size of a water main must be no less than 6" in diameter. As noted in the substandard section of this study, water mains are located throughout Proposed Redevelopment Area 18 that do not meet the minimum six-inch recommendation for adequate protection.

Additionally, As mentioned before, the sidewalk system is inconsistent and provides little refuge for pedestrians seeking to travel along the road by foot. In multiple locations, the proposed redevelopment area contains deteriorated sidewalks, lacks sidewalks, or lacks ADA compliant access curb ramps. This creates unsafe conditions by not providing safe conditions for pedestrian travel within the redevelopment area.

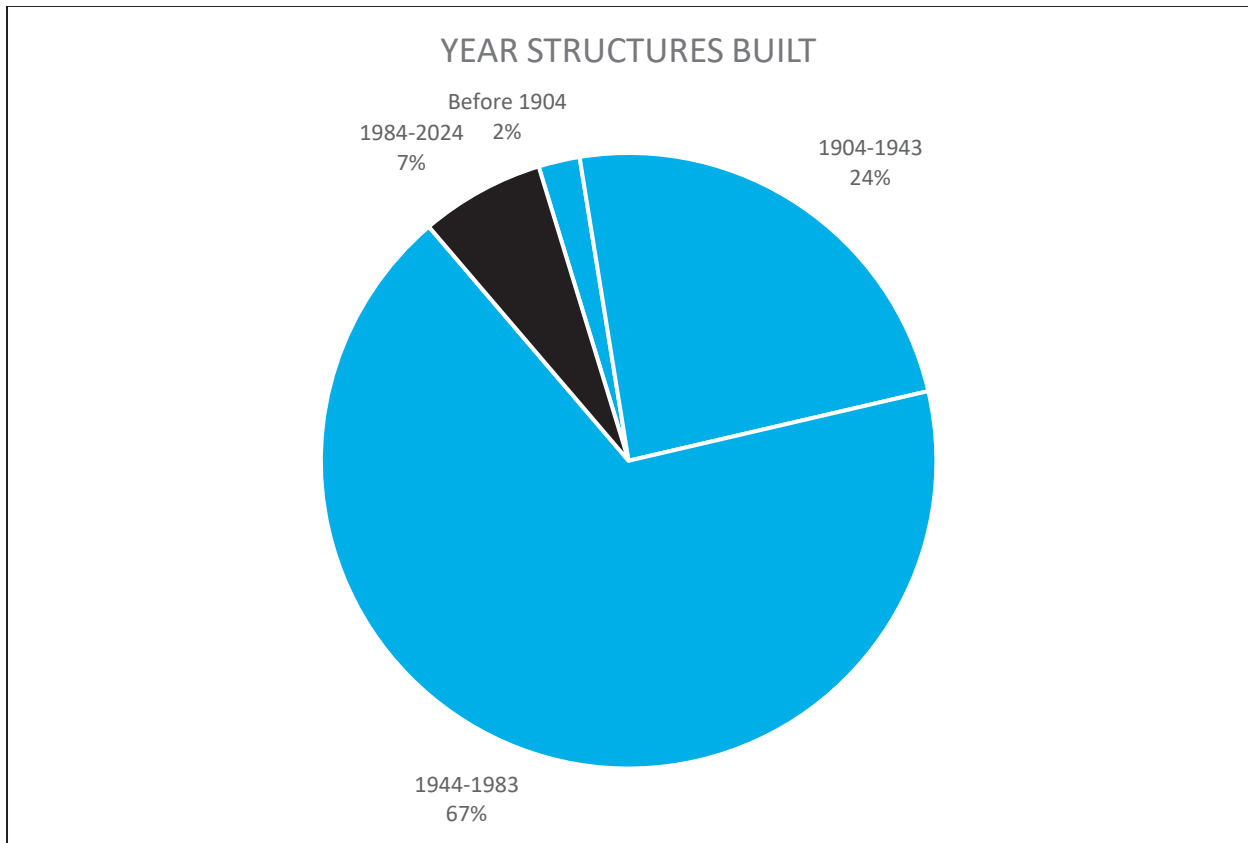
Objective Factors:

Unemployment in the redevelopment area is at least one hundred twenty percent of the state or national average:

This factor is not substantial within Proposed Redevelopment Area 18.

The average age of the residential or commercial units in the area is at least forty years:

As demonstrated in the substandard section of this study, the average age of structures in Proposed Redevelopment Area 18 is 80 years old (Built prior to 1944). This meets the 40-year threshold required to meet this objective factor criteria (Built prior to 1984).



More than half of the plotted and subdivided property in an area is unimproved land that has been within the city for forty years and has remained unimproved during that time:

This factor is not substantial within Proposed Redevelopment Area 18.

The per capita income of the area is lower than the average per capita income of the city in which the redevelopment area is located:

This factor is not substantial within Proposed Redevelopment Area 18.

The Proposed Redevelopment Area has had either stable or decreasing population based on the last two decennial censuses:

This factor is not substantial within Proposed Redevelopment Area 18.

BLIGHT CONCLUSION

Presence of Subjective Factors

The presence of **seven** subjective factors was identified in Proposed Redevelopment Area 18.

Blight Subjective Criteria	Area 18
Substantial number of deteriorated or deteriorating structures	X
Deterioration of site or other improvements	X
Existence of defective or inadequate street layout	X
Faulty lot layout in relation to size, adequacy, accessibility, or usefulness	X
Improper subdivision or obsolete platting	X
Insanitary or unsafe conditions	X
Diversity of ownership	
Tax or special assessment delinquency exceeding the fair value of the land	
Defective or unusual conditions of title	
Existence of conditions that endanger life or property by fire and other causes	X

Presence of Objective Factors

The presence of **one** objective factor was identified in Proposed Redevelopment Area 18.

Blight Objective Criteria	Area 18
Unemployment in the redevelopment area is at least one hundred twenty percent of the state or national average	
The average age of the residential or commercial units in the area is at least forty years	X
More than half of the plotted and subdivided property in an area is unimproved land that has been within the city for forty years and has remained unimproved during that time	
The per capita income of the area is lower than the average per capita income of the city in which the redevelopment area is located	
Area has had either stable or decreasing population based on the last two decennial censuses	

Blight Determination

Proposed Redevelopment Area 18 meets the definition of a blighted area in need of redevelopment projects that should be completed and encouraged by the Hastings Planning Commission, Hastings City Council, and Community Redevelopment Authority.

SECTION AND REQUIREMENT OF HASTINGS CODE OF ORDINANCE CONSIDERATION OF A PRELIMINARY PLAT:

- **Sec. 38-201. – Approval of subdivision plats**
- **Sec. 38-202. – Preliminary Plat:** describes intent, submittal requirements and approval limitations.
- **Chapter 28, Article III. – Planning and Community Design Standards:** describes various plat, lot, and site design requirements.
- **Chapter 28, Article IV. – Engineering and Technical Standards:** describes technical standards of public infrastructure and other improvements.

DESCRIPTION OF PRELIMINARY PLAT REQUESTED:

The applicant has requested to subdivide the 78.25-acre tract of land into two separate lots. Lot 1 will be 1.34 acres and is the location of a recently completed home. The area associated with Lot 1 was rezoned on March 11, 2024, to R-1A, Single-Family Large Lot Residential District. Lot 2 would consist of the remaining land 76.91 acres that is dedicated to farmland. Lot 2 is zoned A, Agricultural District.

Property Description: The parent tract is 79.5 acres and the majority of it is row-crop farmland. In roughly the center of the tract is a home site where the applicants recently completed the home's construction. Both the agricultural land and the home site gain access from E. 42nd Street.

The site is outside of the Hastings City Limits but within the Hastings Extra-territorial jurisdiction.

There is a prominent hill roughly in the center of the tract of land, where the house is located. The property slopes to the southwest and northeast of this hill. The grades have been established with the farmland and the house. A FEMA-mapped 1% Annual Chance Floodplain is located on the southwest corner of proposed Lot 2. No changes in the grades are proposed.

CONSIDERATIONS OF THE PRELIMINARY PLAT:

Subsection 38-201(1). – Approval of subdivision plats states No plat of or instruments effecting the subdivision of real property shall be recorded or have any force and effect unless the same be approved by the City Council, subject however, to the exceptions set forth in [Section 34-106](#) of this code. The City Council shall hold no public meeting, nor take any action upon any plat or instrument effecting a subdivision until it has received the recommendation of the Hastings Planning Commission.

City staff reviews the following topics to ensure that the proposed preliminary plat conforms to the minimum standards of Chapter 28, Article III. – Planning and Community Design Standards

and Chapter 38, Article IV. – Engineering and Technical Standards and to provide a recommendation to the City of Hastings Planning Commission and Hastings City Council.

Pursuant to Sec. [34-402](#) of the City Code of Ordinance, the City Council, by recommendation from the City Planning Commission, will base its decision on the following:

1. *Conformance to the Comprehensive Plan*

The Future Land Use Map of the 2009 Imagine Hastings Comprehensive Plan shows the land with a mix of land use categories. Along E. 42nd Street, the land use category is Commercial/Retail designation to take advantage of the proximity to U.S. Highway 81, the major highway, and the Bill Smith Softball Complex, a major tourist attraction to the City. The proposed rezoning is not within the commercial designated area.

The remaining portion of the parent tract, and the rezoning site, is designated as Suburban Residential. The comprehensive plan describes this land use category as:

This residential category represents the most common development standards in housing and neighborhood design in Hastings. Development in this category is typically in the 2 to 5 units per acre range with lots ranging in size from 8,750 to 20,000 square feet. Suburban residential development is primarily reserved for single family uses, but may include a mixture of housing types subject to the residential location guidelines listed below. In areas of suburban residential development where sensitive land forms or environmental constraints exist, cluster developments are encouraged. (Clustering is defined in the Development Section of this Chapter.) Like urban neighborhoods, suburban neighborhoods are strengthened by the presence of community services (churches, schools and parks) that are permitted in this category.

The proposed Preliminary Plat generally conforms to the comprehensive plan. A large portion of the property is to remain farmland and is not intended for development at this time. Because of this, the designation of commercial land along E. 42nd Street is not applicable.

The proposed density of the residential zoned area is .74 dwelling units per acre. This is less than envisioned by the 2009 plan (2 to 5 units per acre). However, it is still a residential use. This area was rezoned to R-1A District on March 11, 2024.

The proposed Preliminary Plat does preclude future developments on or near the site from developing to a denser residential use or the envisioned commercial use. If the current or future property owners choose to develop a residential subdivision on Lot 2, another Preliminary Plat would be required to ensure appropriate subdivision design and conformance with the Comprehensive Plan.

2. *Conformance with the Applicable Zoning Regulations*

The two lots conform to the minimum requirements of their respective zoning district. The minimum lot size in the A District is five acres. The minimum lot size in the R-1A District is 20,000 square feet (.46).

3. *Adequate and Appropriate Access*

Both properties gain access from a single gravel driveway off E. 42nd Street, a county-maintained paved arterial roadway. The existing driveway is rural design leading into the farm ground and to the house site. A public access easement has been proposed in the location of the driveway to provide Lot 1 with legal access.

This driveway is approximately 1,350 feet long, which does not meet the City of Hastings's minimum Fire Code requirements. However, the site is outside of the Fire Department's jurisdiction for response. City staff has proposed a condition of approval that if any portion of proposed Lots 1 and 2 is annexed into the City or further subdivided into residential or commercial lots, the property must comply with the minimum requirements of the City's Fire Code. These requirements include proper travelway width, all-weather surfacing, turnaround for large vehicles, such as fire trucks, and appropriate water sources for fighting a fire on the property.

4. *Design of Public Infrastructure*

- a. *Access to public right-of-way.* The site gains access from E. 42nd Street via a gravel driveway. The location of the private driveway meets minimum standards for spacing onto the County-maintained arterial roadway.
- b. *Public utilities.* Currently, the property is served by private water wells and onsite sanitary sewer (septic system). A public utility easement will be provided in conjunction with the public access easement to give proper access to existing and future utility infrastructure.
- c. *Floodplain and stormwater management.* The southwest corner of Lot 2 is shown on the FEMA Flood Insurance Rate Map (Panel No. 31001C0100C) as being in the 1% Annual Chance Floodplain. The base flood elevation in this area is approximately 1902 feet. No development is proposed in the mapped floodplain at this time.

Considering the design of the Preliminary Plat is rural, The City's Lead Engineer has waived any specific stormwater management requirements at this time. When the land is developed in the future, stormwater management requirements will be applied.

STAFF COMMENTS: Staff recommends the Planning Commission **APPROVE** the **PRELIMINARY PLAT of the Adam Subdivision**, A tract of land located in the west half of Section 29, Township 8 North, Range 9 West of the 6th p.m., Adams County, Nebraska with the following conditions:

1. If any portion of proposed Lots 1 and 2 is annexed into the City or further subdivided into residential or commercial lots, the property must comply with the minimum requirements of the City's Fire Code.

PREPARED BY: Chad Bunger, AICP, CFM, Director of Development Services

DATE: March 12, 2024

ATTACHMENTS:

1. Adam Subdivision Preliminary Plat

ADAM SUBDIVISION

PRELIMINARY PLAT

LOCATED IN THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 29,
TOWNSHIP 8 NORTH, RANGE 9 WEST OF THE 6TH P.M.,
WITHIN THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF HASTINGS
ADAMS COUNTY, NEBRASKA

NW COR SW¼ SEC 29-T8N-R9W
FOUND A ¼" PIPE

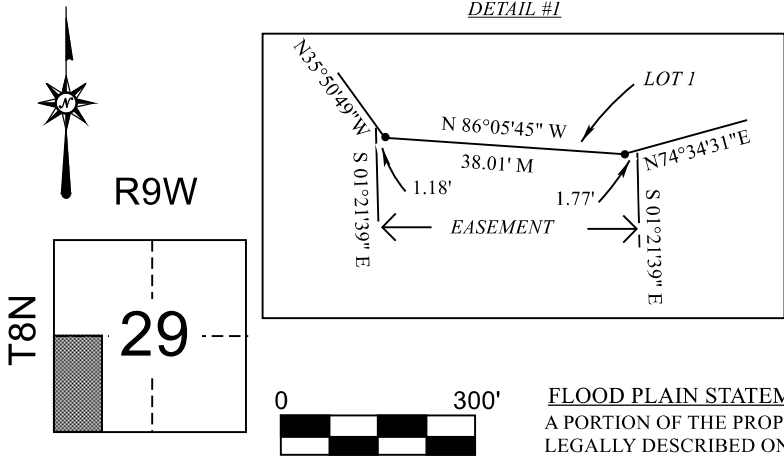
W 84.77' TO A ½" PIPE
SW 90.20' TO A MAG-NAIL IN AN ALUMINUM DISK STAMPED
"T. KRUEGER LS-448" FOUND IN THE TOP
OF A FENCE POST
E 1' TO A FENCE LINE NORTH

SW COR SEC 29-T8N-R9W
FOUND "X" IN CONCRETE

NW 82.78' TO CHISELED "X" FOUND IN THE EAST END OF
A CONCRETE BRIDGE ABUTMENT
NE 23.09' TO THE CENTER OF A MANHOLE
SW 56.77' TO A CHISELED "X" IN THE WEST END OF
A CONCRETE BRIDGE ABUTMENT
IN CENTERLINE OF 42ND STREET EAST
IN LINE WITH FENCE NORTH

SE COR W½ SW¼ SEC 29-T8N-R9W
FOUND "X" IN CONCRETE

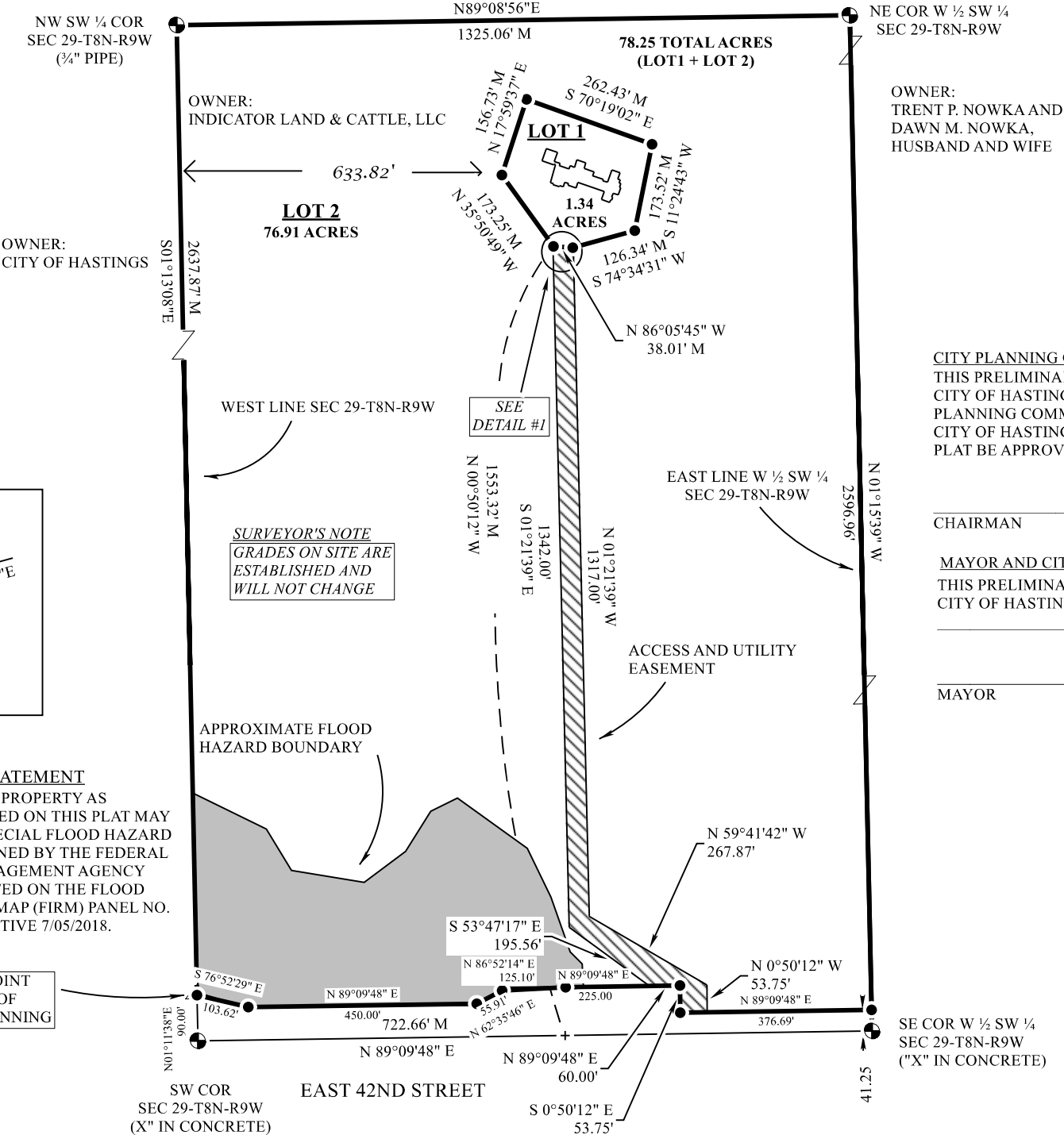
S 40.92' TO A MAG-NAIL IN A BOTTLE CAP IN THE TOP
OF A FENCE POST
SE 50.60' TO THE CENTER OF THE TOP NUT ON A FIRE HYDRANT
NE 65.67' TO A NAIL IN A BOTTLE CAP SET 1-FOOT ABOVE GROUND
IN THE NORTHWEST FACE OF A POWER POLE



NOTE: ALL BEARINGS ARE ASSUMED

LEGEND	
●	SET PLASTIC CAP (LS-448) ON ½" REBAR
⊙	CORNER FOUND
M	MEASURED DISTANCE
R	RECORD DISTANCE

KRUEGER LAND SURVEYING
2837 WEST U.S. HIGHWAY 6 #204
HASTINGS, NE 68901
402-984-2176



LEGAL DESCRIPTION
A TRACT OF LAND LOCATED IN THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 29, TOWNSHIP 8 NORTH, RANGE 9 WEST OF THE 6TH P.M., ADAMS COUNTY, NEBRASKA, BEING DESCRIBED AS FOLLOWS:
COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 29; THENCE N01° 11'38"E, (ASSUMED BEARING) ON THE WEST LINE OF SAID SECTION 29, A DISTANCE TO 90.00 FEET TO THE NORTH RIGHT-OF-WAY LINE OF EAST 42ND STREET AS CONVEYED TO ADAMS COUNTY IN INSTRUMENT NUMBER 20130780, THIS BEING THE POINT OF BEGINNING; THENCE S76°52'29" E, ON SAID RIGHT-OF-WAY, A DISTANCE OF 103.62 FEET; THENCE N89°09'48"E ON SAID RIGHT-OF-WAY, PARALLEL WITH THE SOUTH LINE OF SAID SECTION 29, A DISTANCE OF 450.00 FEET; THENCE N62°35'46"E, ON SAID RIGHT-OF-WAY, A DISTANCE OF 55.91 FEET; THENCE N86°52'14"E, ON SAID RIGHT-OF-WAY, A DISTANCE OF 125.10 FEET; THENCE N89°09'48"E, ON SAID RIGHT-OF-WAY, PARALLEL WITH THE SOUTH LINE OF SAID SECTION 29, A DISTANCE OF 225.00; THENCE S00°50'12"E, ON SAID RIGHT-OF-WAY, PERPENDICULAR TO SAID SOUTH LINE, A DISTANCE OF 53.75 FEET; THENCE N89° 09'48"E, ON SAID RIGHT-OF-WAY, PARALLEL WITH SAID SOUTH LINE, A DISTANCE OF 376.69 FEET TO THE EAST LINE OF THE WEST HALF OF THE SOUTHWEST QUARTER; THENCE N 01°15'59" E, ON SAID EAST LINE, A DISTANCE OF 2596.96 FEET TO THE NORTHEAST CORNER OF SAID EAST HALF; THENCE S 89°08'56"W, ON THE NORTH LINE OF SAID EAST HALF, A DISTANCE OF 1325.06 FEET TO THE NORTHWEST CORNER OF SAID EAST HALF; THENCE S01°13'08"E, ON THE WEST LINE OF SAID EAST HALF, A DISTANCE OF 2547.87 FEET TO THE POINT OF BEGINNING CONTAINING 78.25 ACRES, MORE OR LESS.

FILE NAME ADAMS COUNTY SEC 29-T8N-R9W (ADAM SURVEY)		
SCALE 300 Ft/in	DATE 03-08-2024	DRAWN BY T. KRUEGER
JOB KLS-23146	FIELD WORK TK	SHEET 1 OF 1

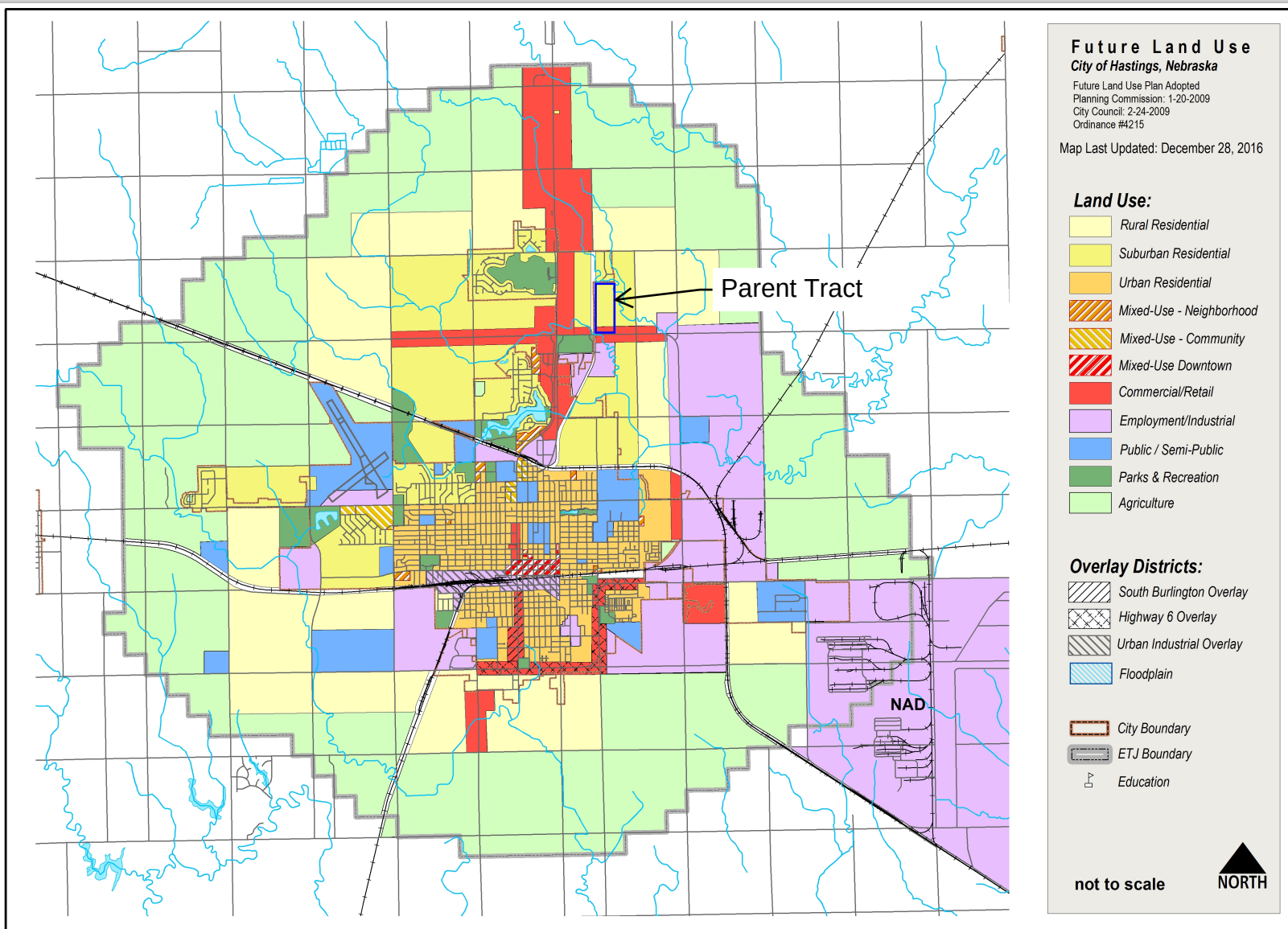
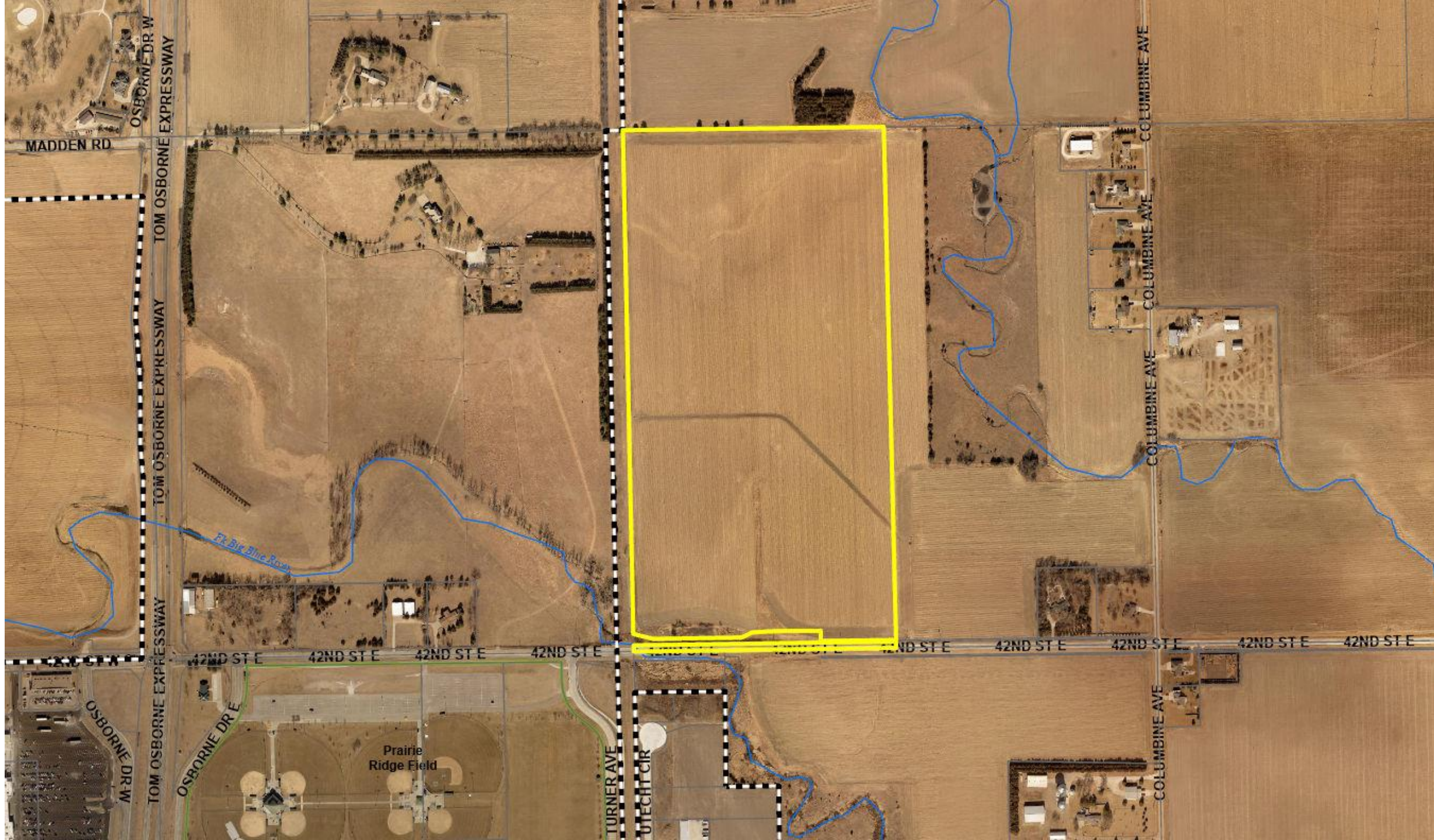


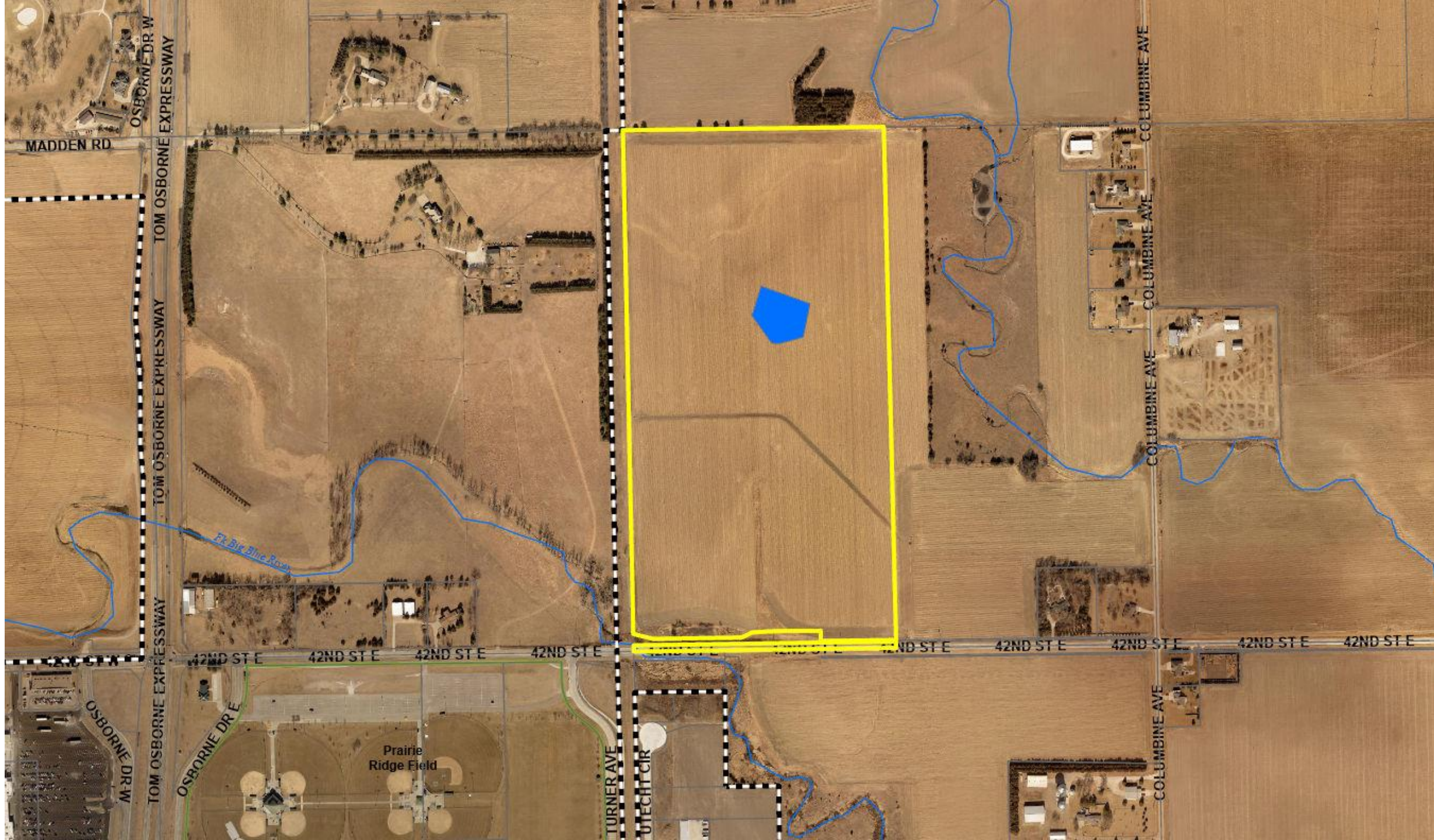
Figure 2.2: Future Land Use Plan





File No.	2024-744
Project	Preliminary Plat of Adam Subdivision
Applicant	Indicator Land & Cattle, LLC





ADAM SUBDIVISION

PRELIMINARY PLAT

LOCATED IN THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 29,
TOWNSHIP 8 NORTH, RANGE 9 WEST OF THE 6TH P.M.,
WITHIN THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF HASTINGS
ADAMS COUNTY, NEBRASKA

NW COR SW 1/4 SEC 29-T8N-R9W
FOUND A 1/2" PIPE

W 84.77' TO A 1/2" PIPE
SW 90.20' TO A MAG-NAIL IN AN ALUMINUM DISK STAMPED
"T. KRUEGER LS-448" FOUND IN THE TOP
OF A FENCE POST
E 1' TO A FENCE LINE NORTH

SW COR SEC 29-T8N-R9W
FOUND "X" IN CONCRETE

NW 82.78' TO CHISELED "X" FOUND IN THE EAST END OF
A CONCRETE BRIDGE ABUTMENT
NE 23.09' TO THE CENTER OF A MANHOLE
SW 56.77' TO A CHISELED "X" IN THE WEST END OF
A CONCRETE BRIDGE ABUTMENT
IN CENTERLINE OF 42ND STREET EAST
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IN THE NORTHWEST FACE OF A POWER POLE

NW SW 1/4 COR
SEC 29-T8N-R9W
(1/4" PIPE)

OWNER:
INDICATOR LAND & CATTLE, LLC

LOT 2
76.91 ACRES

OWNER:
CITY OF HASTINGS

S01°13'08"E
2637.87' M

N89°08'55"E

1325.06' M

78.25 TOTAL ACRES
(LOT 1 + LOT 2)

NE COR W 1/2 SW 1/4
SEC 29-T8N-R9W

OWNER:
TRENT P. NOWKA AND
DAWN M. NOWKA,
HUSBAND AND WIFE

PROPERTY OWNER:
INDICATOR LAND & CATTLE, LLC
CONTACT: TYLER ADAM

PROPERTY ADDRESS:
925 E 42ND STREET

CITY PLANNING COMMISSION RECOMMENDATION

THIS PRELIMINARY PLAT OF ADAM SUBDIVISION, WITHIN THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF HASTINGS, ADAMS COUNTY, NEBRASKA, HAS BEEN SUBMITTED TO AND REVIEWED BY THE CITY PLANNING COMMISSION FOR APPROVAL AND IS HEREBY TRANSMITTED TO THE GOVERNING BODY OF THE CITY OF HASTINGS, ADAMS COUNTY, NEBRASKA WITH THE RECOMMENDATION THAT SAID PRELIMINARY PLAT BE APPROVED THIS _____ DAY OF _____, 20____.

CHAIRMAN _____

DIRECTOR _____

MAYOR AND CITY COUNCIL ACTION

THIS PRELIMINARY PLAT OF ADAM SUBDIVISION, WITHIN THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF HASTINGS, ADAMS COUNTY, NEBRASKA IS HEREBY APPROVED THIS _____ DAY OF _____, 20____.

MAYOR _____

CLERK _____

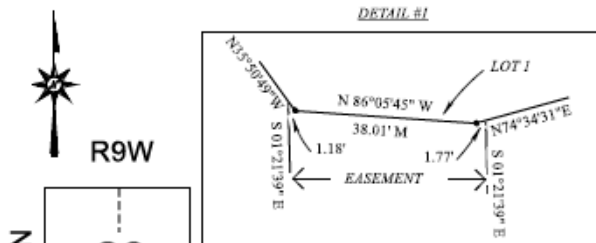
SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THIS PLAT OF A SURVEY WAS MADE BY ME OR UNDER MY SUPERVISION AND IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND THAT I AM A DULY REGISTERED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF NEBRASKA.

THOMAS L. KRUEGER | LS-448

FILE NAME
ADAMS COUNTY SEC 29-T8N-R9W (ADAM SURVEY)

SCALE 300 F/IN	DATE 03-08-2024	DRAWN BY T. KRUEGER
JOB KLS-23146	FIELD WORK TK	SHEET 1 OF 1



NOTE: ALL BEARINGS ARE ASSUMED

LEGEND	
●	SET PLASTIC CAP (LS-448) ON 1/2" REBAR
○	CORNER FOUND
M	MEASURED DISTANCE
R	RECORD DISTANCE

FLOOD PLAIN STATEMENT

A PORTION OF THE PROPERTY AS LEGALLY DESCRIBED ON THIS PLAT MAY BE WITHIN THE SPECIAL FLOOD HAZARD AREA AS DETERMINED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) AS INDICATED ON THE FLOOD INSURANCE RATE MAP (FIRM) PANEL NO. 31001C0100C EFFECTIVE 7/05/2018.

POINT
OF
BEGINNING

SW COR
SEC 29-T8N-R9W
(X" IN CONCRETE)

EAST 42ND STREET

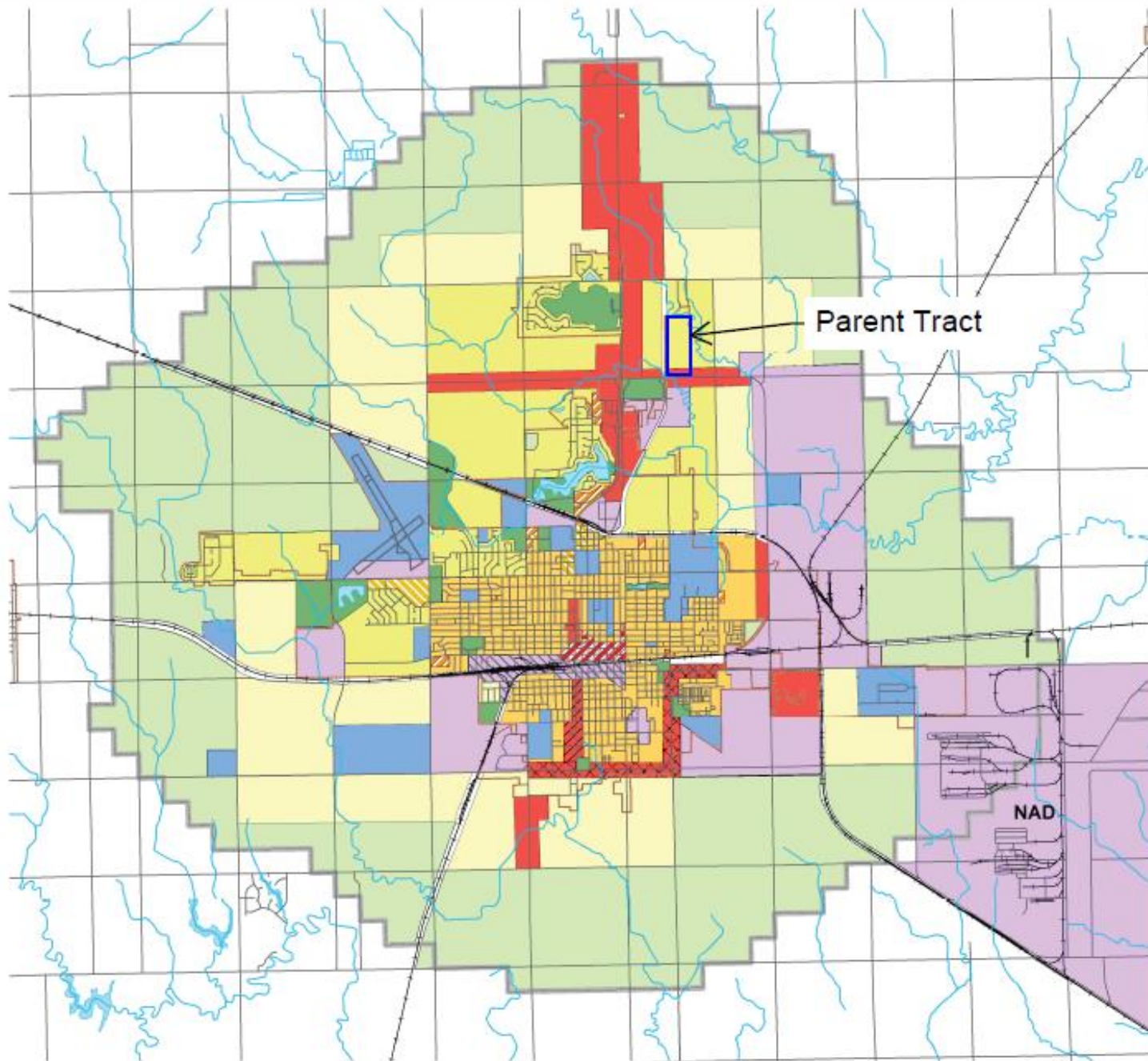
T8N

R9W

29



KRUEGER LAND SURVEYING
2837 WEST U.S. HIGHWAY 6 #204
HASTINGS, NE 68901
402-984-2176



Future Land Use

City of Hastings, Nebraska

Future Land Use Plan Adopted
Planning Commission: 1-20-2009
City Council: 2-24-2009
Ordinance #4215

Map Last Updated: December 28, 2016

Land Use:

-  Rural Residential
-  Suburban Residential
-  Urban Residential
-  Mixed-Use - Neighborhood
-  Mixed-Use - Community
-  Mixed-Use Downtown
-  Commercial/Retail
-  Employment/Industrial
-  Public / Semi-Public
-  Parks & Recreation
-  Agriculture

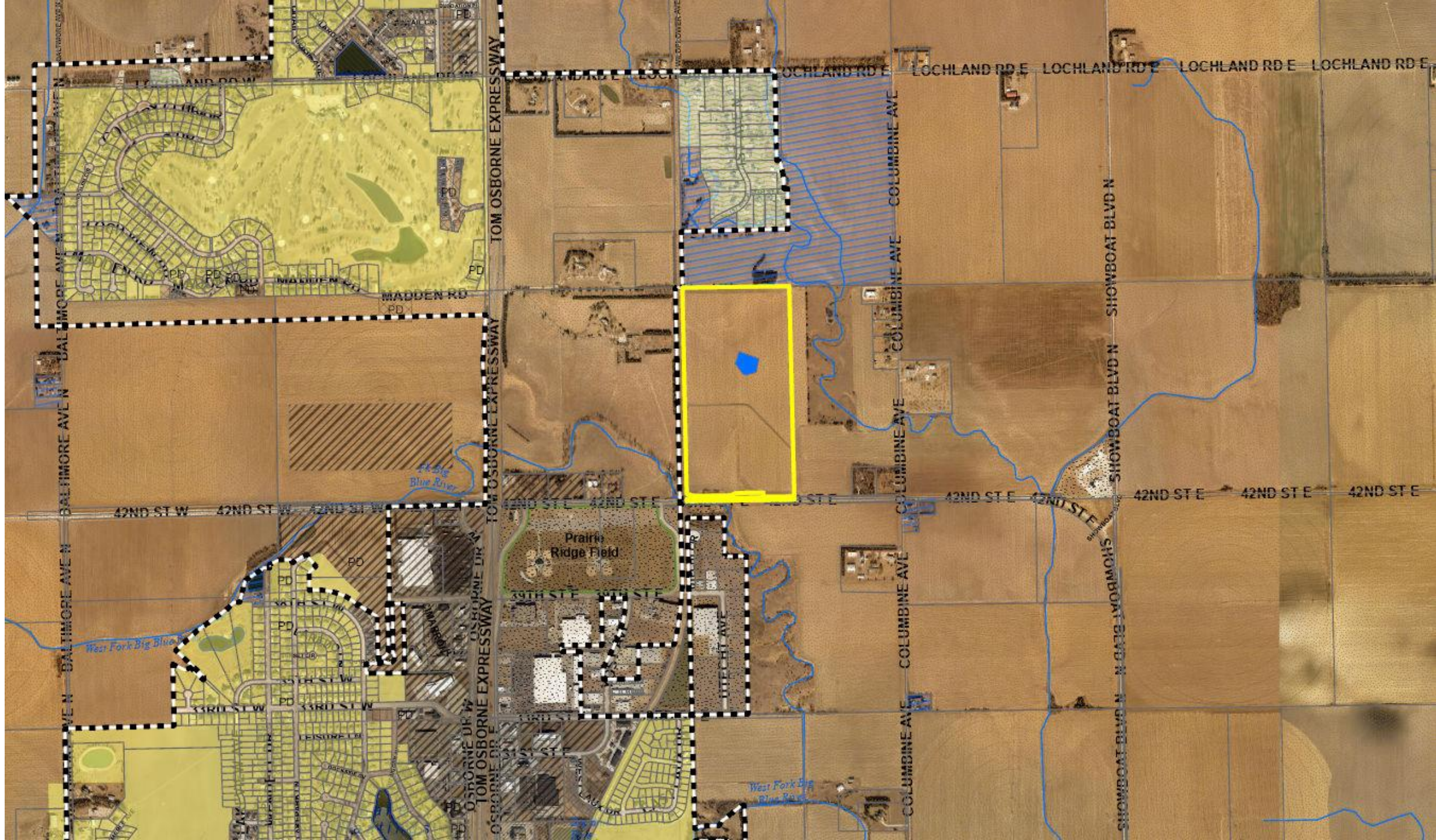
Overlay Districts:

-  South Burlington Overlay
-  Highway 6 Overlay
-  Urban Industrial Overlay
-  Floodplain

-  City Boundary
-  ETJ Boundary
-  Education

not to scale





Staff Findings Summary

- The request generally conforms with the 2009 Comprehensive Plan
- The subdivision conforms with the City of Hastings Zoning Regulations
- The proposed lots have adequate and appropriate access.
 - A condition of approval has been proposed
- The design of the public infrastructure is appropriate for current and future developments.

Staff Recommendation

Staff recommends the Planning Commission **APPROVE** the **PRELIMINARY PLAT of the Adam Subdivision**, A tract of land located in the west half of Section 29, Township 8 North, Range 9 West of the 6th p.m., Adams County, Nebraska with the following conditions:

1. If any portion of proposed Lots 1 and 2 is annexed into the City or further subdivided into residential or commercial lots, the property must comply with the minimum requirements of the City's Fire Code.

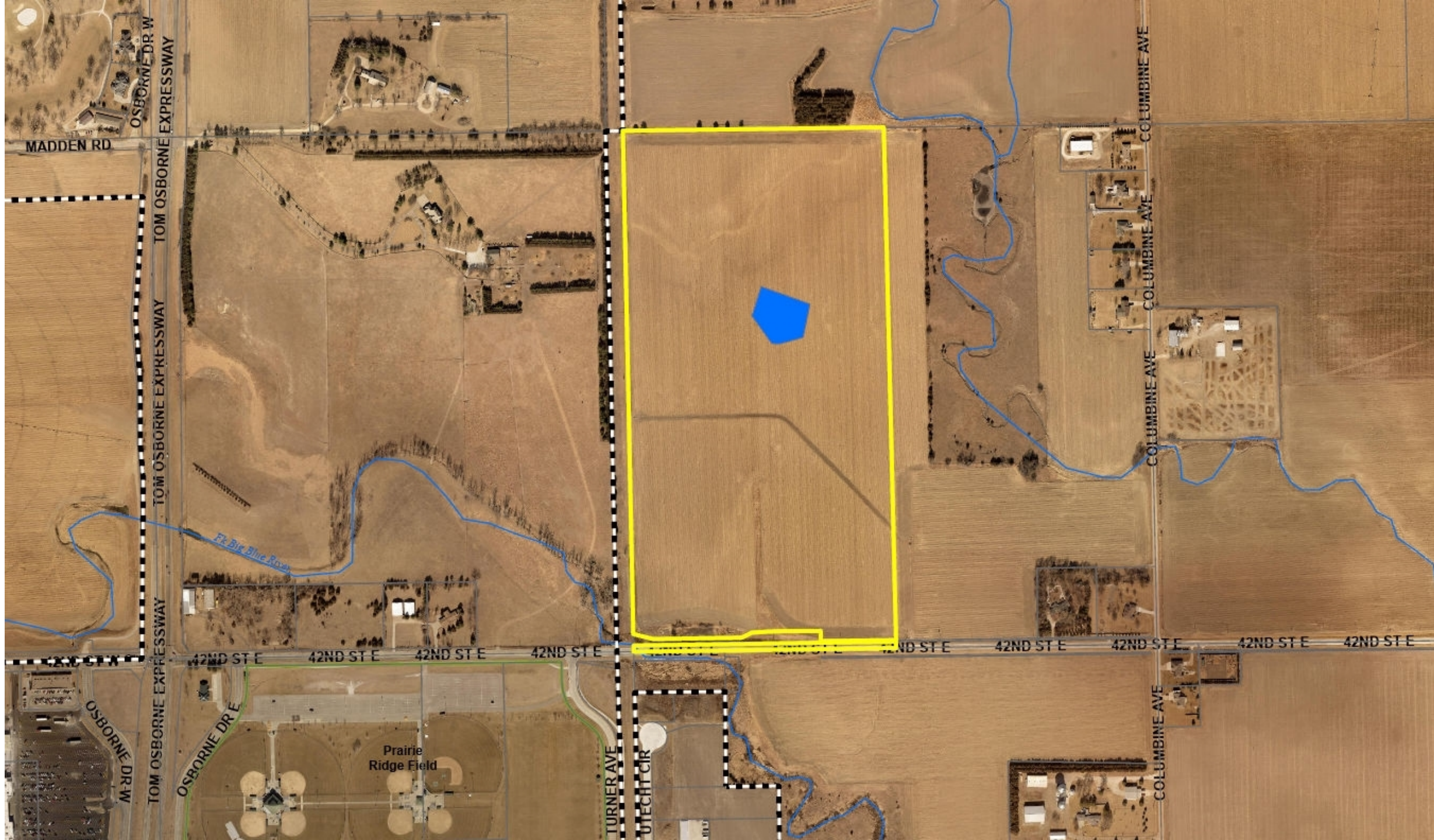






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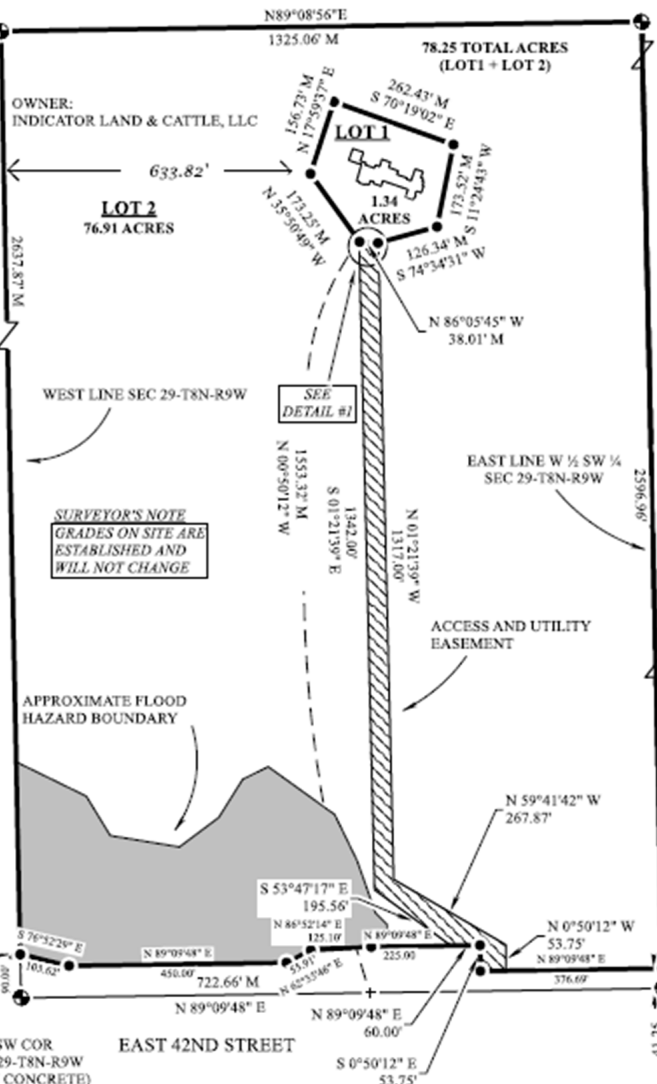
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CITY OF HASTINGS



OWNER:
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HUSBAND AND WIFE

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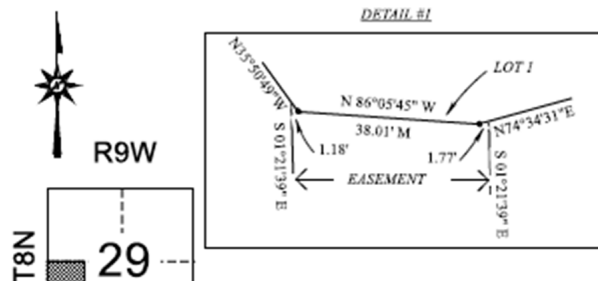
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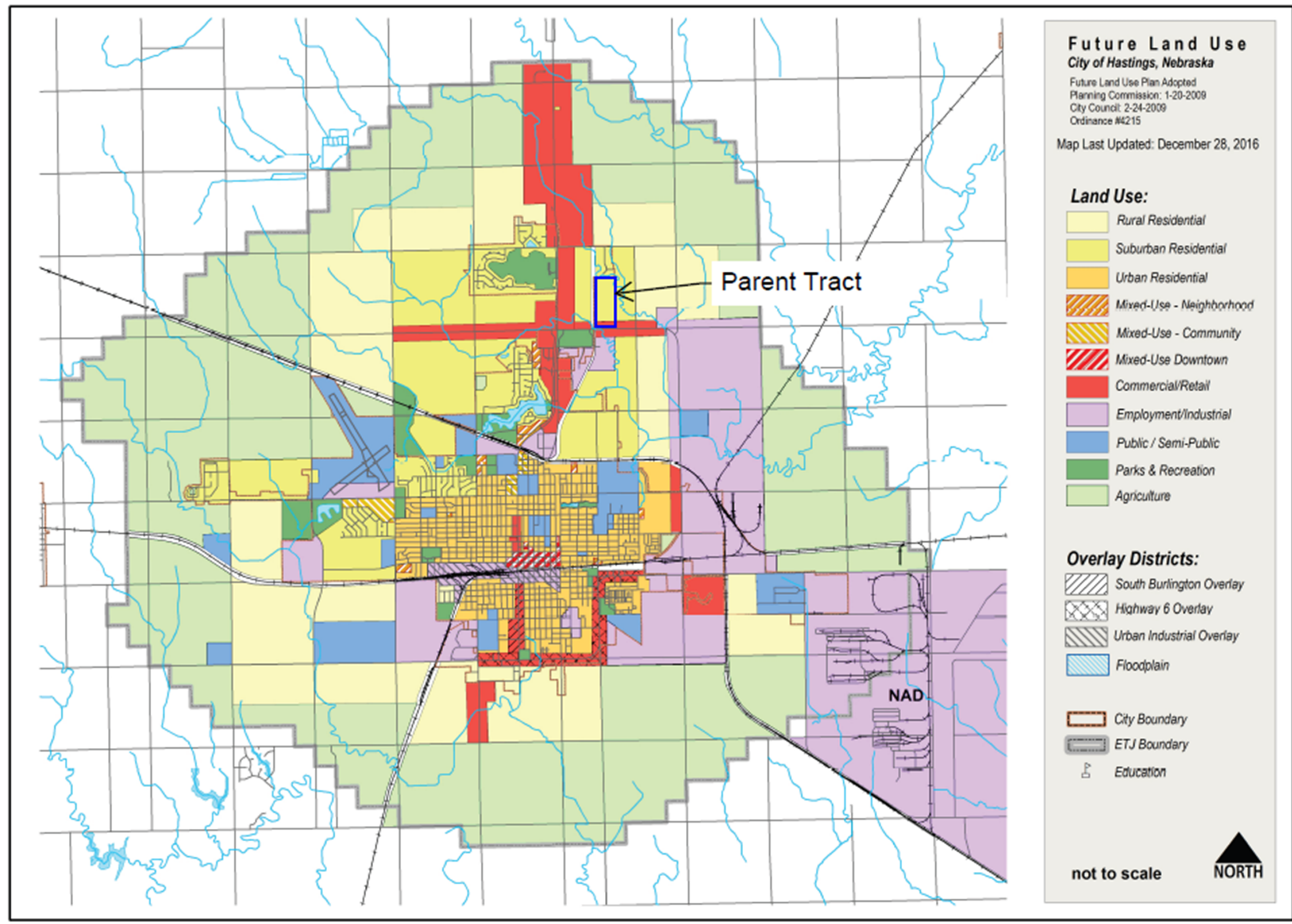
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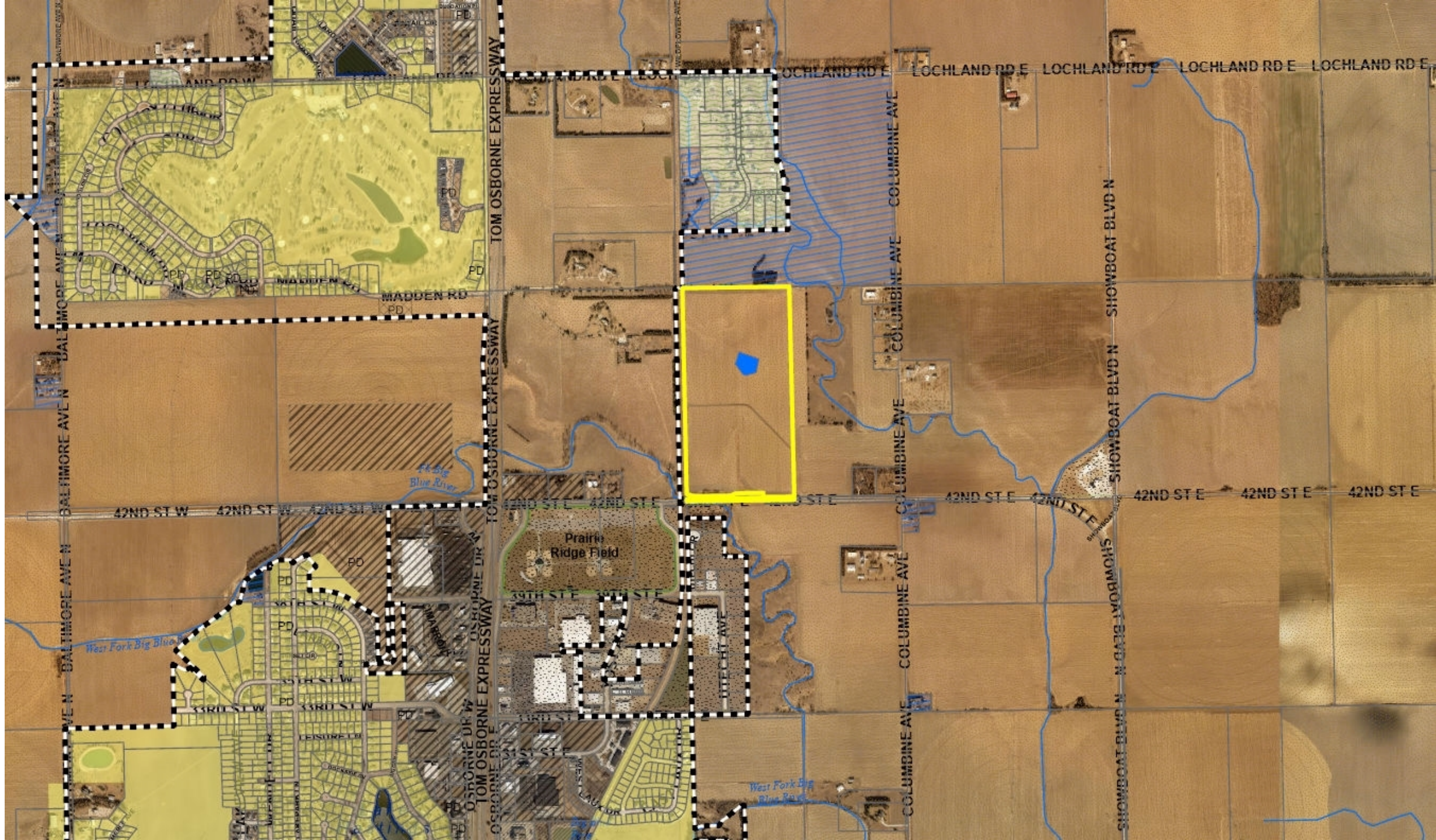


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Department: Development Services
Staff Contact: Chad Bunger
Planning Commission Meeting Date: 3/19/2024
File No: 2024-732
Prepared By: Chad Bunger, Director of Development Services

AGENDA ITEM SUMMARY SHEET

Description of Item:

Development Service Staff would appreciate the Planning Commission's feedback on the draft policy to annex land into the City. This policy is intended to be included in the Comprehensive Plan Update.

Names of People/Business affected by this action:

The policy could potentially impact properties adjacent to or near the City limits that may be annexed in the future.

Why Planning Commission action is required:

Not applicable

Type of action requested:

No Action Required

Suggested motion:

Deadlines associated with action:

Not applicable

Department head comments:

Staff appreciates your thoughts and input on this draft annexation policy.

Recommendation:

Staff Memorandum



To: City of Hastings Planning Commission

From: Chad Bunger, AICP, CFM Director of Development Services

Date: March 11, 2024

Re: Discussion of Draft Annexation Policy

At the February 20, 2024, Planning Commission meeting, the Commission asked staff to draft an annexation policy to be considered as part of the 2024 Comprehensive Plan update. The annexation policy would provide direction to City staff, the Planning Commission, the City Council, property owners, and developers on when to anticipate the City will accept voluntary annexation requests or initiate annexation of land adjacent to corporate limits of Hastings.

This draft is intended to create input and conversation. **It is not a final draft.** City staff welcomes comments and suggestions to the draft annexation policy.

City of Hastings Annexation Policy

Annexation of land adjacent to the City limits is important and necessary to the future growth and health of Hastings. Developers and landowners routinely ask to be voluntarily annexed into the City as part of the regular development process. This allows these properties to be supplied with City services as they are needed, and the City benefits from property taxes, utilities, and other fees that City residents and businesses pay, as well as the overall comprehensive growth of the community.

Policy: The City will encourage annexation of land adjacent to the City limits, as it prepares to be developed.

Some property owners at the edge of the City may not want to develop in the foreseeable future, nor want to be within Hastings City limits. However, in certain circumstances, it makes sense for the City to initiate annexation of adjacent land that is already developed and requires minimal public investment to provide public infrastructure and services.

Policy: The City may initiate annexation of adjacent land for the following reasons:

- Equity for taxpayers. Properties at the edge of the City limits benefit from many of the City's services, including streets, parks, trails, the library, snow removal on nearby streets, some or all public utilities, and in some cases emergency services, without paying City

taxes and fees. Annexation balances providing appropriate and reliable services with the “fair share” payment for those services.

- Clarity of service areas for maintenance of roads and providing emergency services.
- Allowing Hastings to continually grow in an efficient and orderly manner.
- The City of Hastings will require that properties receiving public infrastructure be located within the City limits, as allowed for by State Statute. Annexation should occur before any property is provided with water or sanitary sewer.
- Annexation must occur before a property receives an urban zoning designation or is prepared for development.

The character of existing residential areas should be respected as much as possible during the annexation process. When low-density residential areas are proposed for annexation due to the City’s annexation policy, additional steps should be taken to ease the transition as much as possible. In general, many aspects of the low-density residential areas may remain unchanged, such as zoning or covenants. However, any annexation of existing land will result in some costs to the property owners.

Additionally, the City-initiated annexation process should take additional steps to inform those proposed to be annexed, including City-hosted public meetings, advanced notice, and written explanations of potential changes as a result of the annexation.

Department: Development Services

Staff Contact:

Planning Commission Meeting Date: 3/19/2024

File No: 2024-733

Prepared By: Chad Bunger, Director of Development Services

AGENDA ITEM SUMMARY SHEET

Description of Item:

Names of People/Business affected by this action:

Why Planning Commission action is required:

Type of action requested:

Suggested motion:

Deadlines associated with action:

Department head comments:

Recommendation: