

Thirteenth Stated Meeting of the Lowcountry Presbytery

January 26, 2019

The Thirteenth Stated Meeting of the Lowcountry was held at 9:00 a.m., January 26, 2019 at Metro North PCA in Goose Creek, SC.

- Worship Service 9am TE Howard Cole welcomed presbyters and then read a Call to Worship. After singing and reading of Scripture, Mr. Nate Arnold preached a sermon from Genesis 50:15-21. After properly fencing the table, TE John Schley and the elders of Metro North PCA served the Lord's Table.
- Call to Order The Thirteenth Stated Meeting of the Lowcountry Presbytery was called to order by the moderator, TE Michel Walters at 10:20AM in the sanctuary Metro North PCA in Goose Creek, SC.
- The Moderator, TE Michel Walters, opened the meeting with prayer.
- Quorum TE Michel Walters asked the Stated Clerk if there was a quorum. The Stated Clerk declared that a quorum was present.
- Docket Approval **M/S/C:** that the modified docket for the 13th Stated meeting of Lowcountry presbytery submitted by the Administration Committee and posted on the website and electronically distributed to presbyters be approved as presented.
- Introduction of Guests Guests & first-time commissioners were introduced.
- Presentation of Memorials The Moderator asked if there were any memorials. There were none. **M/S/C:** The Moderator appointed TE JP Sibley and TE John Mark Patrick to the Committee of Thanks.
- Prayer Time 10:25am The presbyters broke into groups and spent time in a season of prayer for the churches and ministries within the Lowcountry Presbytery.
- 10:45pm BUSINESS TE Michael Walters called the presbyters back to order after the season of prayer to conduct the business of the presbytery.
- Judicial Committee: TE David Donovan opened the Judicial Committee report in prayer. TE Donovan gave a brief background of the case that has come before the Judicial committee. See Judicial Report in the Appendix for details (Note: Mr. Robert Dale Bates has asked that these records be public for the glory of God).
- M/C:** *The committee moves that the Lowcountry Presbytery assume jurisdiction of this case of a former teaching elder previously censured by the old Palmetto Presbytery in order to make a ruling on his repentance and reaffirmation of faith.*
- The committee would ask that all guests and visitors be dismissed for this portion of our report.
- M/C:** the committee moves that the Lowcountry Presbytery enter into executive session for this portion of our report.

Mr. Robert Dale Bates came forward and gave his confession and a profession of his faith and hope in the gospel.

He then left the floor to allow presbytery to deliberate.

M/C: Mr. Moderator, the committee moves that the Lowcountry Presbytery accepts Mr. Bates' confession of sin and reaffirmation of faith, removes the censure of excommunication, and communicates his good standing to his congregation, Edisto Baptist Church.

TE David Donovan stated that given the action of this presbytery, the committee no longer believes it is necessary for our guests and visitors to remain outside and believe it would be appropriate to invite them back in for the remainder of our report.

M/C: the committee moves that we come out of executive session for the remainder of our report, and that we record the action of the Executive session in the regular minutes of presbytery.

Mr. Bates was then asked these questions from BCO 37-4:

1. Do you, from a deep sense of your great wickedness, freely confess your sins in thus rebelling against God, and in refusing to hear His Church; and do you acknowledge that you have been in justice and mercy cut off from the communion of the Church? Mr. Bates answered Yes.

2. Do you now voluntarily profess your sincere repentance and contrition for your sin and obstinacy; and do you humbly ask the forgiveness of God and His Church? Mr. Bates answered Yes.

3. Do you sincerely promise, through divine grace, to live in all humbleness of mind and circumspection; and to endeavor to adorn by a holy life the doctrine of God our Saviour? Mr. Bates answered Yes.

TE Donovan exhorted Mr. Bates and reminded him of the truth of the Gospel as he walks forward in new obedience in Christ.

The moderator, TE Michael Walters, made the following declaration of restoration:

Whereas, you Robert Dale Bates, have been shut out from the communion of the church, but now have manifested such repentance as satisfies the Church; in the name of the Lord Jesus Christ, and by His authority, we, the Lowcountry Presbytery ~~Session of this church~~, do declare you absolved from the sentence of excommunication formerly pronounced against you, and we do restore you to the communion of the Church, that you may be a partaker of all the benefits of the Lord Jesus to your eternal salvation.

The presbyters gathered around and offered the right hand of fellowship to Mr. Bates and spent a season of prayer together in praise to our Restoring God. Prayer was offered to conclude this report.

M/S/C: to receive the report of the Judicial Committee as presented.

Review of
Session
Minutes

M/S/C to form a Committee as a whole to review the Session minutes of the churches.
Minutes of the various Churches were handed out for review along with a Minutes Review form.

Candidates
and
Credentials
Committee:
**Examination
for Licensure:
Mr. Nate
Arnold**

TE Alex Mark, Chairman, First Scots PCA, [amark@firstscotsbeaufort.org] opened the report in prayer.

Examination for Licensure (Christian Experience, Bible Content, Theology, Church Government, written and preached sermon evaluation). **Mr. Nate Arnold –** (Moderator: See BCO 19-3 & 19-4). Mr. Nate Arnold was sustained in his Licensure exams (Christian Experience, Bible Content, Theology and Church Government) at the 12th Stated Meeting of the Lowcountry Presbytery. He preached before presbytery today.

M/S/C to accept Mr. Nate Arnold's written and preached sermon given today during our worship service as meeting the final requirement for Mr. Nate Arnold in his examination for licensure per BCO 19-2.

TE Michael Walters posed the questions of BCO 19-3 to Mr. Nate Arnold.

- 1. Do you believe the Scriptures of the Old and New Testaments, as originally given, to be the inerrant Word of God, the only infallible rule of faith and practice?*
- 2. Do you sincerely receive and adopt the Confession of Faith and the Catechisms of this Church as containing the system of doctrine taught in the Holy Scripture?*
- 3. Do you promise to strive for the purity, peace, unity and edification of the Church?*
- 4. Do you promise to submit yourself, in the Lord, to the government of this Presbytery, or of any other into the bounds of which you may be called?*

Mr. Nate Arnold answered the questions in the affirmative.

The moderator offered prayer and give Mr. Nate Arnold the charge of BCO 19-4.
In the name of the Lord Jesus Christ, and by that authority which He has given to the Church for its edification, we do license you to preach the Gospel in this Presbytery wherever God in His providence may call you; and for this purpose may the blessing of God rest upon you, and the Spirit of Christ fill your heart. Amen.

M/S/C: At Metro North Church, Goose Creek, SC, the 26th day of January, 2019 the Lowcountry Presbytery, having received testimonials commending Mr. Nate Arnold, proceeded to submit him to the prescribed examination for licensure, which was met to the approval of the Lowcountry Presbytery. Having satisfactorily answered the questions for licensure, **Mr. Nate Arnold was licensed by the Lowcountry Presbytery to preach the Gospel within the bounds of this Presbytery.**

**Under Care
Examinations:
Mr. Nate
Arnold and
Mr. Tyler
McSwain**

Under Care Examinations for Mr. Nate Arnold and Mr. Tyler McSwain (Christian Experience and Sense of Call, See BCO18-2&3).

TE Alex Mark reminded presbyters about the importance of the Under Care process.

TE Alex Mark led the Examination of **Mr. Nate Arnold** in Christian Experience and Sense of Call.

TE Alex Mark led the Examination of **Mr. Tyler McSwain** in Christian Experience and Sense of Call.

TE Alex Mark noted that the Candidates and Credentials committee affirms that they have received written endorsements from the Session of Metro North PCA per BCO 18-2 and they have met the 6 month membership requirement.

M/S/C: to arrest the examinations of **Nate Arnold and Tyler McSwain** in Christian Experience and Call to Ministry. Motion Adopted.

M/S/C: to extend the time for the Order of the day until the end of this report.

The Moderator posed the questions of BCO18-3 to the candidates:

1. Do you promise in reliance upon the grace of God to maintain a becoming Christian character, and to be diligent and faithful in making full preparation for the sacred ministry?

2. Do you promise to submit yourself to the proper supervision of the Presbytery in matters that concern your preparation for the ministry?

Mr. Nate Arnold and Mr Tyler McSwain answered in the affirmative:

M/S/C: that in accordance with BCO 18-3 the examinations of **Nate Arnold and Tyler McSwain** who have completed the requirements of BCO 18-2 be sustained and that **Nate Arnold and Tyler McSwain** be added to the Lowcountry Presbytery's roll of Candidates for the Ministry.

TE Howard Cole gave a charge to the candidates and then led in prayer for their future ministry and closed the report of the C&C Committee.

M/S/P: to receive the report of the Candidates & Credentials Committee as presented.

Order of the Day: Lunch

TE John Schley gave lunch instructions & led in prayer for lunch at 12:09pm.

The Presbyters enjoyed a hearty lunch provided by Metro North PCA. The Following Resolution of thanks from the Committee of Thanks was passed by acclamation:

Resolution of Thanks

Resolution of Thanks

*Whereas, the 2019 Winter meeting of Lowcountry Presbytery was held at **Metro North Presbyterian Church** in Goose Creek, SC, and;*

Whereas, our Lord Jesus stood in a fishing boat in the midst of a raging storm, his disciples trembling in fear, and declared, "Peace be still," and;

Whereas, God saw fit to send Pastor Tom Wood to this community just three weeks before Hurricane Hugo in 1989 to speak words of gospel peace into the stormy lives of the un-churched, de-churched, and skeptical, and;

Whereas, the Lord nurtured and grew the church through the faithful shepherding ministry of Pastor Bill Thompson, and;

Whereas, in recent years, led by pastors Howard Cole and John Schley, the Lord has deepened his bride's commitment to be a people who go to those outside the faith, gather the saints, grow in the transforming grace of God, and give their lives in service and love, and;

Whereas, our brother Nate Arnold proclaimed the gospel message that God "allowed bad things to happen to the only good person that ever lived, our Lord Jesus Christ" to accomplish our salvation;

Therefore, be it resolved that Lowcountry Presbytery offers its sincere gratitude to the Lord for the many hands and feet that have welcomed us today, led us in joyful praise, and prepared this bountiful meal set before us.

*Respectfully Submitted,
The Worship Committee
Lowcountry Presbytery*

Shepherding &
Church Vitality
Committee:

The Moderator TE Michael Walters called the presbyters back to order at 1:00pm by leading in prayer.

Due to the fact TE Ron Steel had to leave to minister to his sick wife, TE Ross Hodges handled this report. **TE Ross Hodges** opened the report of the Shepherding & Church Vitality Committee in prayer.

M/S/C to direct the offering from today's worship service to Rob Hamby and church planting efforts within the Lowcountry.

M/S/C to release TE Chris Bennett, honorably retired, and transfer his credentials to the Susquehanna Valley Presbytery pending their reception of TE Chris Bennett in February 2019.

Brief report from **Mrs. Shea Patrick** of the Lowcountry PresWIC regarding women's ministry within the presbytery. She is also the new Regional Advisor for the Mid-Atlantic Region for the PCA Women's Ministry.

New Lowcountry Women's Ministry Report

- Spent initial months trying to figure out who we were and how to function as part of the Lowcountry Presbytery
- Vision Statement: To think biblically, love covenantally, and serve faithfully to the glory of God.
- Mission Statement: To equip, connect, and encourage women for ministry in the Lowcountry Presbytery.
- Druid Joyner from Grace Coastal hosted a retreat for senior pastor's wives from our presbytery in March of 2017. It was an incredible time of relaxing and getting to know each other that we hope to repeat.
- We hosted an event in January 2018 for pastor/elder/deacon wives or "leadership marriages," that included a panel of experienced women in those positions. We did a survey following the event and got great feedback from the women who attended about the helpfulness of the panel and the small group time that followed.
- We have an event planned for all women of the Presbytery on March 30th. Wendy Alsup, a published author and speaker from New City Fellowship, will be doing a teaching time, and we will break into small groups to further discuss the teaching.

My Service as Regional Advisor for the Mid-Atlantic Region for the Women's Ministry of the PCA I am now serving as the Regional Advisor for the following presbyteries located in the Mid-Atlantic Region: Blue Ridge, Calvary, Catawba Valley, Central Carolina, Eastern Carolina, Fellowship, James River, Lowcountry, New River, Palmetto, Pee Dee, Piedmont Triad, Tidewater, Western Carolina, and Westminster.

My job is to connect women in the Mid-Atlantic Region with the resources and trainers of the PCA women's ministry and to connect the women with each other. I went to my first meeting time with the rest of the regional advisors and women's ministry trainers in September. I will be attending Leadership Training at the end of February and will be figuring out more at that time about my role. I would love your prayers in that process.

TE Ross Hodges closed the report of the Shepherding & Church Vitality Committee in prayer.

M/S/C: to receive the report of the Shepherding & Church Vitality Committee as presented.

**MNA/MTW
Committee**
10 minutes

TE Craig Bailey opened the MNA/MTW report in prayer.

TE Craig Bailey gave a brief report and then invited TE Alex Mark & JP Sibley to close the MNA/MTW report in prayer.

M/S/C: to receive the report of the MNA/MTW Committee as presented.

**Campus
Ministries
Committee**
10 minutes

TE Joyner opened the report in prayer.

There was a brief report from Savannah Shelby, RUF staff member at the CoC.
TE Sam Joyner closed the Campus Ministries report in prayer.

M/S/C: to receive the report of the Campus Ministries Committee as presented.

**Administrative
Committee**
10 minutes

Important Information:

- The mailing address for Lowcountry Presbytery is P.O. Box 31775, Charleston, SC 29417-1775. The website address is www.lowcountrypresbytery.org
- Stated Clerk: TE Ross Hodges statedclerk@lowcountrypresbytery.org 843-606-0572
- Treasurer: RE David Walters, Sr. treasurer@lowcountrypresbytery.org 843-297-2517
- Recording Clerk: TE Mark Turner recordingclerk@lowcountrypresbytery.org 843-224-9337
- Moderator: TE Michael Walters mwalters@jonesford.com 843-209-3659
- Health Insurance is cooperatively provided among the 3 multiplied Presbyteries through the *Stewart and Monroe Health Insurance Agency*.
- REMINDER: churches are asked to submit their annual statistical reports either via signed original or through the web to be received by the PCA Administrative Committee by February 15, 2018.

TE Ross Hodges opened the report in prayer.

M/S/C: to approve the minutes from the Twelfth Stated Meeting of Lowcountry Presbytery held on November 1, 2018 as presented and electronically distributed to presbyters.

M/S/C: the AC committee proposes to use up to \$1000 of Administrative Committee fund balance to pay for the Lowcountry Presbytery Worship service which was held on Sunday, January 20, 2019.

IMPORTANT Note: other committees are tasked with coming up with a funding plan for future joint worship services.

M/S/C: that the Stated Clerk and Moderator be authorized to fill the Lowcountry Presbytery 2019 General Assembly Committee of Commissioners and Permanent Committees and Agencies positions from those Presbyters who will be attending the 47th meeting of the General Assembly being held in Dallas, TX, June 25-28, 2019. RE David Walters, Jr. – Overtures Committee; TE Alex Mark – Overtures Committee; TE JP Sibley – Ridge Haven Committee of Commissioners; RE Ron Woernle – to begin a 3yr term (until GA 2021) as the Lowcountry presbytery representative for the PCA Nominating Committee.

The Stated Clerk clerk summarized his report.
The Treasurer, RE David Walters, Sr. gave a brief report.

M/S/C: that Rich Wylly be added as an authorized check signer for the Lowcountry Presbytery accounts and that we remove TE Chris Bennett as an authorized check signer since he has moved from the area.

M/S/C: that form a committee TE John Olson and RE David Walters to form a committee of thanks to express appreciation for Chris Bennett’s faithful work in the founding of the Lowcountry Presbytery.

M/S/C: that TE Chris Brown, TE Phil Stogner and TE Danny Clark be granted excused absences for today’s presbytery meeting.

M/S/C: that the 2018 minutes of the following churches be approved: Grace Coastal Church w/o exception; Christ Church ; Church Creek; First Scots; Metro North; Oakbrook Community; & Trinity Presbyterian with Notations; and that the following churches be exhorted to submit their minutes at the next stated meeting of Lowcountry Presbytery: Eastbridge PCA; Hilton Head PCA; Redeemer PCA and Two Rivers.

The Stated clerk reminded presbyters of Upcoming Stated Meetings:

- 14th – Tue, Apr 23, 2019 – Trinity PCA, Orangeburg
- 15th – Sat, Jul 27, 2019 – Eastbridge PCA, Mt. Pleasant
- 16th – Thu, Nov 7, 2019 – Church Creek, Charleston

TE Ross Hodges closed the report of AC in prayer.

M/S/C: to receive the report of the AC as presented.

**Other
Business:**

TE Bill McCutcheon took a moment for a point of personal privilege to share with presbyters that Hilton Head PCA will be hosting Sandra McCracken in concert in Feb 24th. Tickets are available and other churches are invited.

Adjournment

M/S/C: to adjourn the 13th Stated Meeting of Lowcountry Presbytery with prayer.

The Moderator, TE Michael Walters closed in prayer at 1:42pm.

Appendixes:

- A. Attendance Roster – Teaching Elders
- B. Attendance Roster – Ruling Elders
- C. Guest List for 9th Stated Meeting of Lowcountry Presbytery
- D. Stated Clerk’s Report
- E. Judicial Committee Report

Appendix A

Teaching Elder Attendance for Jan 26, 2019 Thirteenth Stated Meeting of Lowcountry Presbytery:

P=present; X=Excused; U=Unexcused; HR=Honorably Retired

Bailey, Crag	Redeemer Church, Charleston	P
Bowen, Christ	Hilton Head Church, Hilton Head	P
Brown, Christopher	LOB, Chaplain, MUSC, Charleston	X
Clark, Danny	RUF, College of Charleston	X
Cole, Howard	Metro North Church, Goose Creek	P
Donovan, David	Church Creek, Charleston	P
Bill Harritt	Eastbridge Church, Mt. Pleasant	P
Hodges, W. Ross	Christ Church, Charleston	P
Joyner, Sam	Grace Coastal Church, Okatie	P
Konopa, Ben	HR, Eastbridge, Mt. Pleasant	HR
Mark, Alex	First Scots, Beaufort	P
McCutchen, William	Hilton Head Church, Hilton Head	P
Olson, John	Church Creek, Charleston	P
Patrick, John Mark	Trinity Church, Orangeburg	P
Payne, Jon	Christ Church, Charleston	P
Pitzer, Tim	Hilton Head Church, Hilton Head	P
Schley, John	Metro North Church, Goose Creek	P
Schweitzer, Bill	MTW, England	ME
Sibley, J.P.	Orangeburg Church Plant	P
Steel, Ron	Eastbridge Church, Mt. Pleasant	P
Stogner, Phil	Two Rivers Church, North Charleston	X
Turner, Mark	Oakbrook Church, Summerville	P
Walters, Michael	Church Creek, Charleston	P

Appendix B

Ruling Elder Attendance for Jan 26, 2019 Thirteenth Stated Meeting of Lowcountry Presbytery:

Nate	Arnold	Metro North Church
Kurt	Brewer	Redeemer Presbyterian
Charles	DeAntonio	Church Creek Presbyterian
Keith	Hester	Christ Church Charleston
John	Hildreth	Two Rivers Presbyterian
Derek	Iannelli-Smith	Oakbrook Community Church
Brian	Kath	Metro North Church
Ken	Schiffbauer	Oakbrook Community Church
Mark	Senn	First Scots Presbyterian
David	Walters, Jr.	Church Creek Presbyterian
David	Walters, Sr.	Church Creek Presbyterian
Ron	Woemle	First Scots Presbyterian
Richy	Wylly	Eastbridge Presbyterian

Church Delegate Summary Report:

Christ Church	TE& RE
Church Creek Presbyterian	TE & RE
Eastbridge Presbyterian	TE & RE
First Scots	TE & RE
Grace Coastal Church	TE
Hilton Head Presbyterian	TE
Metro North PCA	TE & RE
Oakbrook Community Church	TE & RE
Redeemer Presbyterian Church	TE & RE
Trinity Presbyterian	TE
Two Rivers Presbyterian	RE

Guests & Visitors:

Judy Schiffbauer, other, Oakbrook
Carter Wright, other, Metro North
Aiden Innocente, other, Metro North
Alleyn Cole, other, Metro North
Tyler McSwain, other, Metro North
Amanda Dolinsk, other, Redeemer
Shea Patrick, other, Trinity
Druid Joyner, other, Grace Coastal
Lisa Christian, other, Redeemer
Bobbi Foster, other, Oakbrook
Barbara Walsh, other, Metro North
Freda Morrissey, other, Metro North
Samuel Cole, other, Metro North
Noah Petty, other, Metro North

Appendix C

Beth Uellele, other, Church Creek
Jamie Ward, other, Metro North
Cindy Ivey, other, Redeemer
John Henry Brown, other, Metro North
Tracey McSwain, other, Metro North
Jason Dolinsk, other Redeemer
Laurie Sibley, other, New City
Lisa McCutchen, other, Hilton Head
Connie Iannelli-Smith, other, Oakbrook
Melanie Congdon, other, Grace Coastal
Debra Braun, other, Metro North
Ashleigh Allen, other, Metro North
Amy Kath, other, Metro North

Appendix D: Stated Clerk's Report

Stated Clerk's Report for the January 26, 2019 meeting of Lowcountry Presbytery

1. **Correspondence / Communication:**
 - a. Received communication from David Walters Jr. requesting to serve on Overtures Committee for General Assembly 2019.
 - b. Received communication from Alex Mark requesting to serve on Overtures committee for General Assembly 2019.
 - c. Received communication from individual about proposed overture 5 of Calvary Presbytery and the Nashville Statement.
 - d. Received and answered request for presbytery financial information from Henry Thompson, deacon at Church Creek Presbyterian.
 - e. Answered email and provided contact information for TE Allan Edwards of the Pittsburg Presbytery.
 - f. Forwarded communication from David Walters Jr. to the presbytery list.
 - g. Sent communication to the presbytery regarding the presbytery wide worship service at Redeemer on January 20th.
2. **Administration:**
 - a. Provided contact information to TE Sam Joyner for the four other presbyteries in South Carolina.
 - b. Processed and Sent Official Change of Presbytery Rolls for TE Chris Bowen's transfer
 - c. Received request of transfer information from TE Chris Bennett.
3. **Activity:**
 - a. Attended presbytery clerk's training at the PCA headquarters in Atlanta, GA on December 7-8, 2018.
4. **Excused absence requests.** I have received excused absence requests from:
 - a. TE Christopher Brown - work conflict
5. **Nominations to Committees and Agencies:** I have received the following nomination requests for the 2019 General Assembly Committees of Commissioners:
 - a. TE Alex Mark and RE David Walters Jr.: Overtures Committee
 - b. RE Ron Woernle: To begin a 3 year term (through General Assembly 2021) as the Lowcountry Presbytery representative for the PCA Nominating Committee.
 - c. TE J.P. Sibley: Ridge Haven Committee of Commissioners
6. **Recommendation:** That the excused absence requests of ... be approved.
 - a. That the excused absence(s) be approved.
 - b. That nominations of TE Alex Mark, RE David Walters, Jr., RE Ron Woernle, and TE J.P. Sibley be approved.

Respectfully submitted,

TE W. Ross Hodges, Stated Clerk

JUDICIAL COMMITTEE REPORT



TE David Donovan, Church Creek Presbyterian RE

Barry Brinson, Two Rivers PCA

1.26.2019

PROCEDURE

- I. Open with prayer
- II. Provide background of how case came to Lowcountry Presbytery
- III. Establish jurisdiction to adjudicate case
- IV. Motion to hear the case
 - A. If approved
 1. Motion to go into executive session
 2. Give background of the case
 3. Invite Bob in to give his confession and profession of faith
 4. Deliberate/Answer questions
 5. Motion to accept and remove censure
 - B. If not approved
 1. Argue that it is the right thing to do and remind it is the recommendation of the committee
 2. Make a substitute motion that it be referred to Grace Coastal
- V. Motion to accept and remove censure
 - A. If approved
 1. Move to come out of executive session
 2. Invite Bob back in
 - B. If not approved
 1. Establish specific guidance for Mr. Bates
 2. Attempt to establish a time table for his return VI. Remove censure through *BCO* 37-4
- VII. Exhortation and Prayer VIII.
Conclude Report

INTRODUCTION

Mr. Moderator, back on September 24, 2018, I received an email from Chris Bennett alerting me to a matter for our Judicial Committee. The matter concerned a discipline case originally handled by the old Palmetto Presbytery. Given that this case involved a minister at Grace Coastal Church in Okatie, which is now a member of the Lowcountry Presbytery, it has fallen to our committee to determine if there is action for our presbytery to take in this matter. Having researched the case, interviewed the parties involved, and reviewed the Book of Church Order, our committee believes that there is action for our presbytery to take, although it is out of the ordinary. The Judicial Committee believes that the Lowcountry Presbytery must first assume jurisdiction of this case in order to adjudicate it.

Jurisdiction of the Case

This case would be an unusual case for us to adjudicate in that the penitent is not seeking to be restored to office (*BCO* 34-8, 37-5), but only desires the removal of the censure of

excommunication. *BCO* 37-9.b instructs us that penitents, “may only be restored to the communion of the church through a session.” It also goes on to say that, “Once the penitent is restored, and therefore a member of a local church, the authority to remove any other censure(s) in respect to office, concurrently imposed with that of excommunication shall belong to the court originally imposing such censure(s).” According to the *BCO*, then, the presbytery would not normally do the work of removing the censure of excommunication. That process would normally be handled by a local session.

The problem for the penitent is that he does not currently live in proximity to a PCA congregation, and hence, is unable to pursue membership in one of our local congregations. The case is further complicated by the fact that he has already pursued membership in a Southern Baptist congregation where he lives.

Given that this man’s local congregation is outside the courts of our denomination and one with whom we do not have fraternal relations, and given that he cannot pursue membership in a local PCA congregation due to distance, it is the recommendation of the Judicial Committee that the Lowcountry Presbytery is the appropriate court to adjudicate this case as per *BCO* 13-9, which allows a presbytery to assume original jurisdiction of a case when a session cannot exercise its authority.

So, Mr. Moderator,

The committee moves that the Lowcountry Presbytery assume jurisdiction of this case of a former teaching elder previously censured by the old Palmetto Presbytery in order to make a ruling on his repentance and reaffirmation of faith.

[If motion passes, ask for guests to leave or move to enter into executive session, if needed.]

Mr. Moderator, the committee would ask that all guests and visitors be dismissed for this portion of our report and that Mr. John Ring of Grace Coastal Church be allowed to participate.

Mr. Moderator, the committee moves that we enter into executive session for this portion of our report and that Mr. John Ring of Grace Coastal church be allowed to participate.

Facts and Timeline of the Case

The case before us involves former TE Robert Dale Bates, Jr. While serving as the Pastor of Grace Coastal Church in Okatie, former Mr. Bates entered into an inappropriate relationship with a woman who was not his wife early in the spring of 2011, which then progressed into adultery. Mr. Bates covered up the adultery from his wife and from the session of Grace Coastal Church.

Mr. Bates resigned his position as Pastor at the beginning of October 2011, under the guise of marriage and family trouble, without ever revealing the adulterous relationship. However, shortly after resigning, the former Mrs. Bates discovered emails revealing the adulterous relationship and

went to the session of Grace Coastal Church for help. Mr. Bates was unresponsive to the session, so the session alerted the former Palmetto Presbytery.

The former Palmetto Presbytery reached out to Mr. Bates through both the Shepherding Committee and the Judicial Committee concerning the allegations of adultery. Through correspondence Mr. Bates provided a signed statement of confession and a signed request that his case be dealt with without process. He acknowledged his adulterous relationship, but he refused to repent or to meet with anyone from Presbytery to discuss discipline.

On January 26, 2012 at the One Hundred Thirteenth Stated Meeting of the former Palmetto Presbytery, it was determined that Mr. Bates be deposed from office in accordance with *BCO* 34-7 and that if he continue to be uncooperative that he be excommunicated per *BCO* 36-7. It was also determined that the deposition would not become effective until the question of Mr. Bates' church membership was resolved or his excommunication took place.

Mr. Bates continued in his contumacy, which led the presbytery to impose the censure of suspension from the sacraments on April 26, 2012 at its One Hundred Fourteenth Stated Meeting and determined to revisit the case at its next meeting to consider the censure of excommunication.

Presbytery continued to reach out to Mr. Bates, including asking his permission to assign him to a local church. Mr. Bates persisted in his contumacy indicating that he was unwilling to do anything further with or hear from the Presbytery. So, the Presbytery officially deposed Mr. Bates, from the office of elder and excommunicated him from the Church on July 26, 2012 at its One Hundred Fifteenth Stated Meeting.

It is the privilege and joy of this committee to report that it is our opinion that the discipline of the old Palmetto Presbytery has had its desired intention of reclaiming a disobedient sinner. Mr. Bates now recognizes in addition to his previous confession of adultery, that his stubborn refusal to repent of it, his dishonesty with his wife and session about it, and his stubborn refusal to obey and comply with the former Palmetto Presbytery was sinful, and that the presbytery was correct in its concerns and actions.

His desire today is to do what he did not do originally, be accountable for his sins and seek forgiveness, to reaffirm his faith in Jesus Christ alone for his salvation, and to be restored to communion in Christ's Church. In addition to accepting responsibility for the sin surrounding his adulterous relationship and his contumacy, he would also like to come as his own accuser concerning additional sins he committed during his period of contumacy.

Mr. Bates is here today due in large part to the diligent efforts of Mr. John Ring of Grace Coastal Church. He is here as one who is married to the woman with whom he committed adultery. He is here as one who has taken steps to be reconciled to his children and former wife. With the support of his current wife, former wife, and children, Mr. Bates has already gone to the session of Grace Coastal Church to confess his sins. In response to what they heard, the session then invited Mr. Bates to confess his sins to the congregation of Grace Coastal Church, which went well.

Mr. Bates has met with the committee multiple times and has done the things we have asked of him. It is our opinion that he out of a true sense of his sin, and apprehension of the mercy of God in

Christ, is with grief and hatred, turning from it unto God, with full purpose of, and endeavoring after, new obedience. And that is why we have asked you to hear him.

Are there any questions before we invite Mr. Bates forward?

Hearing and Adjudicating the Case

Invite Mr. Bates forward to give his confession and profession of faith. Then have him leave for deliberation.

Deliberate/Answer Questions

Motion:

Mr. Moderator, the committee moves that the Lowcountry Presbytery accepts Mr. Bates' confession of sin and reaffirmation of faith, removes the censure of excommunication, and communicates his good standing to his congregation, Edisto Baptist Church.

[If motion passes, ask that visitors and guests be allowed to return, or move that we come out of executive session if we are in one]

Mr. Moderator, given the action of this presbytery, the committee no longer believes it is necessary for our guests and visitors to remain outside and believe it would be appropriate to invite them back in for the remainder of our report.

Mr. Moderator, the committee moves that we come out of executive session for the remainder of our report, and that we record the action of the Executive session in the regular minutes of presbytery.

RESTORATION TO COMMUNION WITH THE CHURCH

1. Do you, from a deep sense of your great wickedness, freely confess your sins in thus rebelling against God, and in refusing to hear His Church; and do you acknowledge that you have been in justice and mercy cut off from the communion of the Church?

Answer, I do.

2. Do you now voluntarily profess your sincere repentance and contrition for your sin and obstinacy; and do you humbly ask the forgiveness of God and His Church?

Answer, I do.

3. Do you sincerely promise, through divine grace, to live in all humbleness of mind and circumspection; and to endeavor to adorn by a holy life the doctrine of God our Saviour?

Answer, I do.

Exhortation of Encouragement and Comfort

Sentence of Restoration in the following words:

Whereas, you Robert Dale Bates, Jr., have been shut out from the communion of the church, but now have manifested such repentance as satisfies the Church; in the name of the Lord Jesus Christ, and by His authority, we, the Lowcountry Presbytery, do declare you absolved from the sentence of excommunication formerly pronounced against you, and we do restore you to the communion of the Church, that you may be a partaker of all the benefits of the Lord Jesus to your eternal salvation.

Right hand of fellowship for Mr. Bates

Mr. Moderator, this concludes the report of the Judicial Committee.

Prayer for Mr. Bates

APPLICABLE PORTIONS OF THE BOOK OF CHURCH ORDER (BCO)

13-9. The Presbytery has power to receive and issue* appeals, complaints, and references brought before it in an orderly manner. In cases in which the Session cannot exercise its authority, it shall have power to assume original jurisdiction.

30-4. Excommunication is the excision of an offender from the communion of the Church. This censure is to be inflicted only on account of gross crime or heresy and when the offender shows himself incorrigible and contumacious. The design of this censure is to operate on the offender as a means of reclaiming him, to deliver the church from the scandal of his offense, and to inspire all with fear by the example of his discipline.

34-4. a. When a minister accused of an offense is found contumacious (cf. 32-6), he shall be immediately suspended from the sacraments and his office for his contumacy. Record shall be made of the fact and of the charges under which he was arraigned, and the censure shall be made public. The censure shall in no case be removed until the offender has not only repented of his contumacy, but has also given satisfaction in relation to the charges against him.

b. If after further endeavor by the court to bring the accused to a sense of his guilt, he persists in his contumacy, he shall be deposed and excommunicated from the Church.

32-6. a. When an accused person shall refuse to obey a citation, he shall be cited a second time. This second citation shall be accompanied with a notice that if he does not appear at the time appointed (unless providentially hindered, which fact he must make known to the court) he shall be dealt with for his contumacy (cf. BCO 33-2; 34-4).

b. When an accused person shall appear and refuse to plead, or otherwise refuse to cooperate with lawful proceedings, he shall be dealt with for his contumacy (cf. BCO 33-2; 34-4).

33-2. When an accused person is found contumacious (cf. 32-6), he shall be immediately suspended from the sacraments (and if an officer from his office) for his contumacy. Record shall be made of the fact and of the charges under which he was

arraigned, and the censure may be made public, should this be deemed expedient by the Session. The censure shall in no case be removed until the offender has not only repented of his contumacy, but has also given satisfaction in relation to the charges against him.

33-3. If after further endeavor by the court to bring the accused to a sense of his guilt, he persists in his contumacy, he shall be excommunicated from the Church.

34-8. A minister under indefinite suspension from his office or deposed for scandalous conduct shall not be restored, even on the deepest sorrow for his sin, until he shall exhibit for a considerable time such an eminently exemplary, humble and edifying life and testimony as shall heal the wound made by his scandal. A deposed minister shall in no case be restored until it shall appear that the general sentiment of the Church is strongly in his favor, and demands his restoration; and then only by the court inflicting the censure, or with that court's consent. The removal of deposition requires a three-fourths (3/4) vote of the court inflicting the censure, or a three-fourths (3/4) vote of the court to which the majority of the original court delegates that authority.

36-6. Excommunication is to be administered according to one or other of the two modes laid down for indefinite suspension, or to be inflicted in public as the court may decide. In administering this censure the moderator of the Session shall make a statement of the several steps which have been taken with respect to the offending brother, and of the decision to cut him off from the communion of the church. He shall then show from Matthew 18:15-18 and 1 Corinthians 5:1-5 the authority of the church to cast out unworthy members, and shall explain the nature, use and consequences of this censure.

He shall then administer the censure in the words following:

Whereas, _____, a member of this church has been by sufficient proof convicted of the sin of _____, and after much admonition and prayer, obstinately refuses to hear the Church, and has manifested no evidence of repentance: Therefore, in the name and by the authority of the Lord Jesus Christ, we, the Session of _____ church do pronounce him to be excluded from the Sacraments, and cut off from the fellowship of the Church.

36-7. The censure of deposition shall be administered by the moderator in the words following:

Whereas, _____, a teaching elder of this Presbytery (or ruling elder or deacon of this church), has been proved, by sufficient evidence to be guilty of the sin of _____, we, the _____ Presbytery (or Church Session), do adjudge him disqualified for the office of the Christian ministry (or ruling eldership, or deaconship), and therefore we do hereby, in the name and by the authority of the Lord Jesus Christ, depose from the office of a teaching elder (or ruling elder or deacon) the said _____, and do prohibit him from exercising any of the functions thereof.

If the censure includes suspension or excommunication, the moderator shall proceed to say:

We do moreover, by the same authority, exclude the said _____ from the Sacraments, and cut him off from the fellowship of the Church.

37-4. When an excommunicated person shall be so affected with his state as to be brought to repentance, and to desire to be readmitted to the communion of the church, the Session, having obtained sufficient evidence of his sincere penitence, shall proceed to restore him. This may be done in the presence of the court, or of the congregation as seems best to the Session. On the day appointed for his restoration, the minister shall call upon the

excommunicated person and propose to him in the presence of the court or the congregation the following questions:

1. Do you, from a deep sense of your great wickedness, freely confess your sins in thus rebelling against God, and in refusing to hear His Church; and do you acknowledge that you have been in justice and mercy cut off from the communion of the Church?

Answer, I do.

2. Do you now voluntarily profess your sincere repentance and contrition for your sin and obstinacy; and do you humbly ask the forgiveness of God and His Church? Answer, I do.

3. Do you sincerely promise, through divine grace, to live in all humbleness of mind and circumspection; and to endeavor to adorn by a holy life the doctrine of God our Saviour?

Answer, I do.

Here the minister shall give the penitent a suitable exhortation, encouraging and comforting him. Then he shall pronounce the sentence of restoration in the following words:

Whereas, you _____, have been shut out from the communion of the church, but now have manifested such repentance as satisfies the Church; in the name of the Lord Jesus Christ, and by His authority, we, the Session of this church, do declare you absolved from the sentence of excommunication formerly pronounced against you, and we do restore you to the communion of the Church, that you may be a partaker of all the benefits of the Lord Jesus to your eternal salvation.

The whole shall be concluded with prayer and thanksgiving.

37-9. In the case of the removal of censures from, or the restoration of, a minister, jurisdiction shall be as follows:

a. If the censure(s) does not include excommunication, the presbytery inflicting the censure(s) shall retain the authority to remove the censure(s) and, at its discretion, restore him to office. This authority is retained by the presbytery even when a divested or deposed minister is assigned, under the provisions of BCO

46-8, to a session.

b. If the censure includes excommunication, the penitent may only be restored to the communion of the church through a session (BCO 1- 3; 6-4; 57-4; 57-5; 57-6). Once the penitent is restored, and therefore a member of a local church, the authority to remove any other censure(s) in respect to office, concurrently imposed with that of excommunication shall belong to the court originally imposing such censure(s).