

Church of the Holy Comforter

– Constitution –

PREAMBLE

We, the congregation of the Protestant Episcopal Church of the Holy Comforter, Sumter, South Carolina, County of Sumter, Diocese of South Carolina, as such do hereby acknowledge, accede to and adopt the doctrine, discipline and worship, the Constitution and Canons of the Protestant Episcopal Church in the United States of America and the Constitution and Canons of the same Church in the Diocese of South Carolina.

These are our principles for promoting the welfare and the work of the Parish:

That we be missionary minded;

That we shall endeavor to use tithing of time, talent and treasure to support the Church;

That all of our differences be settled by compromise; and,

That we be Catholic for the truth of God, Protestant against the errors of man.

MEMBERSHIP

Membership in the Parish shall consist of every baptized person who is a member of the Protestant Episcopal Church in the United States of America, who shall be associated with the Church of the Holy Comforter, Sumter, as one of the parishioners thereof and shall elect to be a member thereof and shall so signify in writing or by confirmation in the Parish or by transfer from another congregation; PROVIDED, that a person from another denomination who has been baptized, may become a member by reception into this Parish by a Priest of the same. The minor children of members, if they be baptized, are also declared to be members, (See Article I for voting requirements.)

DUTIES OF MEMBERS

The members of this Church will strive as Christians to conform to the Church's teachings, and to the Creed upon which it is founded, and will strive to live in the exercise of those Christian principles and duties prescribed in the Holy Scriptures and illustrated in the Book of Common Prayer, and will strive to instruct their families and those dependent on them in like duties and principles, by both example and precept.

They will strive to use all sober and godly conversation, to exercise daily family worship, be charitable in all acts and works, and will strive to celebrate and keep holy the Lord's Day, giving all due attention to the Services of the Church and to Public Worship.

ARTICLE I: CONGREGATION

SEC. 1. ANNUAL CONGREGATIONAL MEETING. An Annual Congregational Meeting shall be held on the Monday after the second Sunday in January or such other date in January as the Rector and Vestry may appoint, in conformity with Canon VI of the Diocese of South Carolina, or other appropriate Canon. At this meeting, vacancies in the following offices shall be filled by ballot:

- a.) Vestry Members as provided in Article III of this Constitution;*
- b.) Lay Deputies to Diocesan Convention as provided in the Constitution of the Diocese of South Carolina, Article III, and in the Canons of the Diocese of South Carolina, Canon VI, or other appropriate Canon;*
- c.) Representatives to the Convention of the Deanery as provided by Canon XIX, Sec. 3, of the Diocese of South Carolina, or other appropriate canon.*
- d.) Other Offices as may be required by Canon or as may be recommended by the Bishop, the Rector, or the Vestry.*

SECTION 2. REPORTS AND BUSINESS. At the Annual Congregational Meeting, a report shall be made by the Rector and Vestry. Other reports may be made by appropriate departments, persons, or Parish organizations. After these reports, the meeting may be opened for discussion of matters of interest to the Congregation, and for general business.

SECTION 3. SPECIAL MEETINGS. Special meetings of the congregation may be called by the Vestry, with the knowledge of the Rector, at any time, and shall be called whenever requested in writing by at least twenty-five (25) members of the congregation with the knowledge of the Rector and Vestry.

SECTION 4. NOTICE OF MEETINGS. Notice of all meetings of the congregation shall be given at church services by the Rector on the two consecutive Sundays immediately prior to the meetings, and also by letter to all members of the congregation at least one week prior to the date of the meeting, and no meetings shall be held without such notice.

SECTION 5. QUORUM. Twenty percent of those members of the Parish eligible to vote shall constitute a quorum at all meetings of the congregation.

SECTION 6. VOTING. Every person, age 17 or more (provided, however, that this age limitation shall automatically be lowered to 16 when and if such lesser age may be permitted by canon law) who has been a communicant and/or a subscriber to the program and work of the Parish for the previous six (6) months, shall be entitled to a seat and a vote at all Congregational meetings. There shall be no voting by proxy. Prior to the meeting for election, the Rector shall furnish the Church Wardens a list of those entitled to vote, and to hold office.

ARTICLE II: WARDENS

SEC. 1. NUMBER AND QUALIFICATIONS. There shall be two (2) Wardens, a Senior Warden and a Junior Warden, both of whom shall be members of the Congregation at least twenty-one (21) years of age; have communicated at least three (3) times in the year preceding his election; and be subscribers to the expenses of the Parish.

SECTION 2. ELECTION. Both Wardens shall be elected by the Vestry from its own number by majority vote at the first Vestry meeting immediately following the Annual Congregational Meeting.

SECTION 3. TERM OF OFFICE. The term of office of both Wardens shall be one (1) year.

SECTION 4. ELIGIBILITY. Any Vestry member duly elected by the Congregation shall be eligible for election as either Senior or Junior Warden. Both Wardens shall be eligible for re-election to a second one (1) year term, but shall not be eligible for re-election to the same office for more than two (2) consecutive terms unless originally elected to serve the remainder of an unexpired term. However, the Junior Warden may always be elected to serve as Senior Warden.

SECTION 5. DUTIES AND POWERS. Both Wardens shall have those duties and powers outlined in the Canons of the Diocese and in this Constitution.

- a.) Senior Warden. The Senior Warden, if the Parish be without a Rector, shall preside at Congregational Meetings and Vestry Meetings; and, shall, with the advice of the Vestry, act as spokesman and executive for the Parish.*
- b.) Junior Warden. The Junior Warden shall assume the powers and duties of the Senior Warden if the Senior Warden be absent or incapacitated.*

SECTION 6. VACANCIES. In case of vacancy in the office of either Senior or Junior Warden, the Vestry shall elect a successor for the remainder of the unexpired term.

ARTICLE III: VESTRY

SEC. 1. COMPOSITION AND QUALIFICATIONS. The Rector, who shall be chairman of the Vestry and have full powers of membership thereon, and twelve (12) Vestry Members elected from the Congregation who shall have communicated at least three (3) times during the preceding year; be age twenty one (21) or older; and be subscribers to the expenses of the Parish.

SEC. 2. ELECTION. All Vestry members shall be elected by a majority vote of those present and entitled to vote at a properly held Congregational Meeting.

SEC. 3. TERM OF OFFICE. The term of office shall be for a period of three (3) years, with four (4) Vestry members rotating on and off every year. Vestry members shall not be eligible for re-election until after a waiting period of one (1) year, unless serving a portion of an unexpired term, in which case he or they shall be eligible for re-election.

SEC. 4. VACANCIES. In case of vacancy in the office of Vestry member, the Vestry shall elect a qualified successor to serve until the next Annual Congregational Meeting, at which time the congregation shall elect a successor for the remainder of the unexpired term.

SEC. 5. DUTIES AND POWERS. The Wardens and Vestry members shall be Trustees of the Parish, and shall take charge of the property of the Church; regulate its temporal concerns; call and elect a Rector, and provide for his maintenance; determine and adopt an annual Parish Budget; and decide Parish policies and dispense Parish funds as they shall deem fit and proper to fulfill these ends.

To assist them in their duties, the Vestry shall elect or confirm appropriate Committees to investigate, recommend, or act under the direction of the Vestry. The Rector, or if there be none, the Senior Warden, shall be Chairman of the Vestry. The Vestry shall also execute all duties which are now, or may hereafter be, imposed upon them by any General Convention or Conventions of the Diocese, and shall in general share in the ministry in such ways as are appropriate to Laymen for the furtherance of the Gospel.

SEC. 6. VESTRY COMMITTEES. All Committees of the Vestry shall be nominated by the Rector with the advice and concurrence of the Wardens, and shall be confirmed or elected by the Vestry. The Rector shall be an ex-officio member of all such committees. These Committees shall be empowered to spend such monies as the Vestry has set up in their name in the Budget, and otherwise perform such duties as the Vestry may direct; but shall not be delegated powers which might infringe upon the responsibility and authority of the Vestry as specified in this Constitution and in the Canons of the Church and the Diocese. Included may be a Junior Vestry, and these Committees shall include a continuing Committee of Buildings and Properties.

SEC. 7. MEETINGS. Regular meetings of the Vestry shall be held as the Vestry members shall determine, but there shall be not less than four (4) such meetings in each year. Special meetings of the Vestry shall be held after proper notification of all Vestry members whenever requested by the Rector, either Warden, or any two (2) Vestry members.

SEC. 8. QUORUM. A majority of Vestry members shall constitute a Quorum for the transaction of ordinary business. Any less number shall only be competent to receive reports and adjourn.

SEC. 9. OFFICERS AND EMPLOYEES. The Vestry shall elect or appoint all officers and employees at such compensation and for such terms as the Vestry may deem proper; provided that this restriction as to term shall not apply to the Rector, who shall be elected in the manner set forth

below in ART. V. The term of office of Curate shall correspond to the term of office of the Rector as set forth in ART. V, Sec. 3.

ARTICLE IV: OATH

Every person chosen as Warden or Vestry member shall qualify by subscribing to the following declaration and promise:

"I do believe the Holy Scriptures of the Old and New Testament to be the Word of God, and to contain all things necessary to salvation;

I do yield to the doctrine, worship and discipline of the Protestant Episcopal Church in these United States; and,

I promise that I will faithfully execute the office of Warden or Vestry member of the Church of the Holy Comforter, Sumter, South Carolina, according to my best knowledge and skill."

No person shall act or vote as Warden or Vestry member until he has subscribed to this declaration and promise.

ARTICLE V: RECTOR AND ASSISTANT TO THE RECTOR

SEC. 1. PRIESTS AND COMPENSATION. There shall be a Priest or Priests for the congregation of the Church of the Holy Comforter styled the Rector, and Assistant to the Rector, if there be one, who shall be entitled to receive from the Church such salary and other compensation as may from time to time be fixed by the Vestry.

SEC. 2. ELECTION OF RECTOR. When the Parish is without a Rector, it shall be the duty of the Vestry to elect and invite a Rector, with due regard to the wishes of the Congregation and the opinion and advice of the Bishop; and in conformity with Title 3, Canon 22, of the Canons of the Episcopal Church, and of Section 7 of Canon VII of the Canons of the Diocese of South Carolina, other appropriate canons. Election of a Rector shall be by a two-thirds (2/3) affirmative vote of the entire Vestry.

SEC. 3 . ASSISTANT TO THE RECTOR (CURATE) - APPOINTMENT AND TERM OF OFFICE. When deemed advisable, there may be an Assistant to the Rector (Curate). The Curate, if there be one, shall be selected and nominated by the Rector, with the advice and concurrence of the

Bishop; and his appointment to Office shall be confirmed by a two-thirds (2/3) affirmative vote of the Vestry to provide for his maintenance and support. The Curate shall be under the authority of the Rector, and shall function as provided by the General Canons of the Church, and the Canons of the Diocese of South Carolina.

The Curate may, upon invitation by the Vestry, have seat and voice at meetings of the Vestry. Upon vacancy of the Office of the Rector, the Curate shall be deemed to have resigned; however, upon mutual agreement with the Vestry, the Curate may remain in office until a new Rector shall be chosen.

SEC. 4. PRESIDING. The Rector, or in his absence, one of the Wardens, shall preside at all meetings of the Vestry and the Congregation, and shall be entitled to a casting vote in all questions except those in which he may be personally concerned. The Rector shall have full powers of membership on the Vestry.

SEC. 5. SPECIAL VESTRY MEETINGS. The Rector shall have power to call Vestry meetings, other than regular, at any time, giving reasonable notice, specifying the business for which the meeting is called, and it shall be his duty to do so whenever it may be requested by two members of the Vestry.

Should the Rector refuse to call a meeting of the Vestry, it shall be competent for the Wardens, or any two of the Vestry, as above provided, to call one; provided that the Rector shall have due notice of the same. In the Rector's absence, or if the Parish is without, the Senior Warden, or any two members of the Vestry, shall have power to call special Vestry meetings, subject to the above provisions.

SEC. 6. DUTIES. The Rector or, at his direction, the Curate; shall register in books, to be provided at the expense of the Parish, all births, baptisms, marriages, and funerals of persons who may be baptized, married, or buried by them respectively, or by the Minister officiating in their absence. He shall be responsible for both special and regular visitations of members of the Parish, be the Spisitual Head of the Parish and be in charge of all worship service and the Church School; make all necessary reports required by the Diocese and National Church; and be an ex-officio member of all Parish Committees. Also, the Rector shall have all such duties and powers as may be specified in the Canons of the Episcopal Church, and the Diocese of South Carolina.

SEC. 7. RELIGIOUS SERVICES. Whenever the Rector shall judge it advisable that religious services should be performed in the Church by others than the Rector or Assistant to the Rector, he may so allow free use of the Church, except wherein this is precluded by National or Diocesan Canon.

ARTICLE VI: CLERK

ELECTION AND DUTIES. The Vestry shall elect a Clerk whose duty it shall be to take and record the minutes of their proceedings, and those of the congregation, attest the public acts of the Vestry, preserve all records and papers belonging to the Parish, perform all such other duties as shall be legally assigned to him, and faithfully to deliver into the hands of his successor all books and documents that may be in his possession belonging to the Parish. The Vestry may appoint an Assistant Clerk, who need not be a member of the Vestry, to aid the Clerk in taking minutes, transcribing notes, and other such tasks.

ARTICLE VII: TREASURER

ELECTION AND DUTIES. The Vestry shall elect a Treasurer for a period of one (1) year who shall be eligible to succeed himself in office. He, or someone designated as Financial Secretary, shall, under the direction of the Vestry, conduct his Office and the financial affairs of the Parish, in conformity with the Canons of the Episcopal Church, Title I, Canon VI, and the Canons of the Diocese; he shall:

receive all sums due the Church, and deposit same in the name of the Church of the Holy Comforter in a bank approved by the Vestry;

draw checks on the accounts as approved by the Vestry, taking receipts;

render reports to the Vestry as shall be requested by them;

submit an annual report, which, when approved by the Vestry, shall be submitted to the Congregation at the Annual Meeting, and

keep an accurate set of books on the finances of the Church which shall at all times be available to inspection by members of the Vestry.

If the Vestry determines that the Treasurer shall be bonded for a larger amount than is covered by the blanket Fidelity Bond carried on all Treasurers by the Diocese, then the premium on such bond shall be paid by the Parish.

All accounts shall be audited by a certified or independent public accountant, or such accounting agency as shall be permitted by the Finance Committee or the Department of Finance of the Diocese. A Certificate of Audit shall be forwarded to the Bishop or Ecclesiastical Authority not later than July first of each year, covering the Financial Reports of the previous calendar year.

The Treasurer shall see that all buildings and other contents are kept adequately insured.

The Treasurer need not be a member of the Vestry.

ARTICLE VIII: MEMORIAL AND CHURCH FURNISHINGS

There shall be a Memorials and Church Furnishings Committee appointed by the Rector and Vestry who shall be responsible for presenting to the Vestry for its consent all memorials. Memorial name plates shall be uniform as decided upon by the Vestry.

ARTICLE IX: CONSTITUTION

SEC. 1. ADOPTION. The Constitution shall be effective from and after adoption by the Vestry and ratification by a subsequent Congregational meeting.

SEC. 2. AMENDMENTS. This Constitution shall not be altered or amended, nor shall any new Constitution be enacted unless the same be read, debated and carried at one meeting of the congregation, and debated, passed and confirmed at another by the majority of the communicants present at each of such meetings respectively, provided a quorum is present; or unless all members of the congregation are provided a copy of the proposed amendment at least two (2) weeks prior to the date of a regular or special congregational meeting, and adopt the proposed amendment by a two-thirds ($\frac{2}{3}$) vote of a duly constituted quorum at such meeting.

SEC. 3. CONFLICTS WITH CANNONS. CONSTITUTION OR BY-LAWS CONFLICTING WITH CANNONS OF THE DIOCESE OF SOUTH CAROLINA OR OF THE PROTESTANT EPISCOPAL CHURCH IN THE UNITED STATES OF AMERICA. Any provisions in this Constitution repugnant to or in conflict with any of the Canons of the Diocese of South Carolina or of the Protestant Episcopal Church in the United States of America shall be null and void.