

# CONSTITUTION AND BY-LAWS

Gap Creek Baptist Church

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## **ARTICLE I: NAME, PURPOSE AND INCORPORATION**

**SECTION I:** The name of this body shall be the Gap Creek Baptist Church of Greenville County, Marietta, South Carolina.

**SECTION II:** The purpose of this Church shall be to foster and maintain public worship, to carry out the Great Commission of Jesus Christ, and to promote Christian fellowship and growth among its members and the community.

**SECTION III:** This Church shall be incorporated in accordance with the laws of the State of South Carolina governing religious bodies.

## **ARTICLE II: MEMBERSHIP**

**SECTION I:** The membership of this Church shall be composed of persons who have given evidence of regeneration, who have been baptized by immersion, who have subscribed to the covenant and constitution of this Church, and who have been received by vote of the Church.

**SECTION II:** (CHURCH COVENANT)

**SECTION III:** Members may be received upon public profession of faith in the Lord Jesus Christ as Savior, by transfer of membership from another Church of like faith and order, by statement satisfactory to the Church to the effect that they have previously been members of a Church of like faith and order, or restoration. Members may be received into the fellowship at any worship service.

**SECTION IV:** This Church shall dismiss from its membership those who are removed by death, those who unite with other churches, those who request a church of like faith and order to ask for a letter of transfer, those who may request membership to cease, and those who are found guilty of unchristian conduct and this only after due process of dealing with such members as hereinafter provided.

**SECTION V:** Members shall be expected to be faithful in all the duties of the Christian life, to be regular in attendance at the services of the Church, to give regularly and systematically in its support and to Kingdom causes, and to share in its organized work.

## **ARTICLE III: OFFICERS AND DUTIES**

**SECTION I:** The primary officers of this church shall be Deacons, Clerk, Treasurer, Sunday School Director, and Trustees. The duties of these officers shall be those common to the office and in accordance with the Scriptures.

**SECTION II:** The Church shall have such other officers as wisdom and the Holy Spirit may direct to carry out the purpose of this Church. The duties of such officers shall be those connected with the offices they fill and according to the instruction of the Church, as determined by the Nominating Committee.

**SECTION III:** Election of all officers shall be in accordance with the plan of the Church hereinafter provided.

## **ARTICLE IV: COMMITTEES AND DUTIES**

**SECTION I:** This church shall have the following Standing Committees: Nominating, Finance, Building and Grounds, and Baptism. The duties of these committees shall be those inherent with the name of the committee.

**SECTION II:** This Church shall have such other committees as wisdom and the Holy Spirit may direct as necessary for carrying on the work of the Church.

**SECTION III:** Election of committees shall be in accordance with the plan of the Church as hereinafter provided.

## **ARTICLE V: MEETINGS**

**SECTION I:** This Church shall conduct regular worship services on every Lord's Day and on Wednesday evenings unless otherwise agreed upon by the Church. The Lord's Supper shall be observed at least once a quarter at a time approved by the Church. The Church shall provide all necessary services for the educational, stewardship, missionary, evangelistic, and promotional functions of the Church.

**SECTION II:** The Church shall conduct regular business meetings on the evening of the first Sunday of each month, unless otherwise agreed to by the Church at the previous business meeting. The Pastor shall serve as the Moderator of the business sessions. In his absence, or upon his request, the Chairman of the Deacons, or some other person chosen by the Church, may serve as Moderator.

Special business meeting shall be called by the Pastor; but in event the pastorate is vacant, the Chairman of Deacons shall call such meeting. Such called meetings must be announced publicly at a service of the Church at least two weeks prior to the called meeting. No matter shall be considered at the called meeting except that for which it was called and previously announced.

**AMENDMENT TO SECTION II:** On 1 April 2012, the Church passed by unanimous vote that the regular Church business meetings shall be moved from the first Sunday of each month to the fourth Sunday of each month. This will go into effect May 2012.

**AMENDMENT TO SECTION II:** On 7 January 2018, the Church passed by unanimous vote that the regular Church business meetings shall be moved from the fourth Sunday of each month to quarterly meetings on the fourth Sunday of that month after the morning service. This will go into effect 25 March 2018. (There were 30 present at this meeting.)

**AMENDMENT TO SECTION II:** On 11 November 2018, the Church passed by unanimous vote that regular Church business meetings shall fall quarterly so that the first meeting in January will summarize the prior year's finances.

## **ARTICLE VI: AFFILIATION WITH OTHER BODIES**

**SECTION I:** This Church shall voluntarily cooperate with the North Greenville Baptist Association, the South Carolina Baptist Convention, and the Southern Baptist Convention for mutual help and benefit in the propagation of the Gospel. It is understood that this relationship may be discontinued by the method hereinafter provided for the amending of this Constitution.

## **ARTICLE VII: DECLARATION OF TRUST**

**SECTION I:** The Trustees may receive and accept property, whether real, personal, or mixed, by way of bequest, or devise, from any person, firm, trust or corporation, to be held, administered, and disposed of in accordance with and pursuant to the provisions of this Declaration of Trust; but no gift, bequest, or devise of any such property shall be received and accepted if it is conditioned or limited in such manner as to require the disposition of the income or its principal to any person or organization other than a “charitable organization” or for other than “charitable purposes” within the meaning of such terms as defined in article Three of this Declaration of Trust, or as shall in the opinion of the Deacons, jeopardize the Federal Income tax exemption of this pursuant of section 501 © (3) of the Internal Revenue Code of 1954 as now in force or afterwards amended.

**SECTION II:** Upon dissolution of the corporation, the Board of Trustees shall, after paying or making provision for the payment of all of the liabilities of the corporation, dispose of all of the assets of the corporation exclusively for the purposes of the corporation in such manner, or to such organization or organizations organized and operated exclusively for charitable, educational, religious, or scientific purposes as shall at the time qualify as an exempt organization or organizations under section 501 © (3) of the Internal revenue Code of 1954 (or the corresponding provision of any future United States Internal Revenue law) as the Board of Trustees shall determine. Any such assets not so disposed of shall be disposed of by the court of Common Pleas 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 will determine, which are organized and operated exclusively for such purposes.

#### **ARTICLE VIII: ADOPTION AND AMENDMENTS**

**SECTION I:** This constitution shall be considered adopted and in immediate effect if and when 2/3 of the members present at the business meeting at which the vote is taken shall be in favor of the same.

**SECTION II:** This Constitution may be amended, altered, or repealed by a 2/3 vote of the members present at any regular business meeting of the Church, provided that such amendment, alteration, or repeal be given to the Clerk in writing and that such proposed change shall be presented to the Church at least 30 days prior to the time in the vote is taken.

# BY-LAWS

## Gap Creek Baptist Church

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### **ARTICLE I: GOVERNMENT OF THE CHURCH**

**SECTION I:** The government of the Church shall be in the hands of the members, 51% of those present shall constitute a quorum for the transaction of business.

**SECTION II:** The Church year shall be September 1 through August 31, one year later. The financial year shall run concurrently with the calendar year.

**SECTION III:** The Church Business Meeting shall observe the following order of business:

1. Reading of the Minutes
2. Report of Officers
3. Report of Committees
4. Unfinished Business
5. New Business
6. Adjournment

**SECTION IV:** The Church Conference shall be guided by Roberts Rules of Order except in cases especially provided for in this Constitution.

### **ARTICLE II: ELECTIONS**

**SECTION I:** All officers and members of committees, except Deacons, members of the Nominating Committee and salaried employees, shall be elected for a one year term or until their successors shall be elected. Deacons, officers, and teachers, shall be members of this Church.

**SECTION II:** Salaried employees shall consist of, but not be limited to: Pastor, Music Director, Youth Minister, and Sexton.

**SECTION III:** The Nominating committee shall consist of six (6) members, each serving a three (3) year term on a rotating basis. The two members rotating off will be ineligible for re-election for one (1) year. These vacancies will be filled by two members, nominated by the present committee and elected by the Church at the ninth (9<sup>th</sup>) business meeting of each Church year (*May*).

**SECTION IV:** Excepting salaried employees, the nominating committee shall nominate all officers and members of standing committees.

**SECTION V:** The Nominating Committee shall nominate for election in August of each year the Sunday School Director, who upon election shall become a member of the Nominating Committee for the upcoming Church year.

**SECTION VI:** The nomination of Pastor and other salaried employees shall be made by search committees. Nominating for search committees shall be taken by secret ballot at a special called business meeting. Those nominated shall be presented for election by the Church at a later business meeting.

The Church shall consider only one such nomination for each office at a time. The vote shall be taken after one week's notice and the question put by the Moderator shall be: "Shall the report of the committee be received and its recommendation adopted": If  $\frac{3}{4}$  of the members present vote to approve the Committee's recommendation, the Moderator shall declare nominee elected. If less than a  $\frac{3}{4}$  vote to approve, the matter shall be referred back, without debate, to the Committee for further choice.

**SECTION VII:** The election of Deacons shall be held at the October Business Meeting. The term of office shall begin on November 1<sup>st</sup> and shall be three (3) years on a rotating basis. Approximately  $\frac{1}{3}$  of the Deacons will be elected each year. A retiring Deacon shall be ineligible for re-nomination until one year has expired.

The present Board of Deacons shall nominate scripturally qualified candidates equal to the number of vacancies. Additional nominations may be received from the floor. The election shall be by secret ballot counted by the Deacons then in office.

**SECTION VIII:** There shall be three (3) trustees to hold in trust the title to all property of the Church and to represent the Church in all matters of legal responsibility subject to the actions of the Church.

The trustees shall serve a three (3) year rotating term. A retiring trustee shall be ineligible for re-nomination until one year has expired.

### **ARTICLE III: DISCIPLINE**

**SECTION I:** The Church may subject to its discipline members who persistently refuse to live up to the standards of the Church Covenant. The Church shall at all times abide by the Scriptural methods and spirit for handling such matters. (Matthew 5:23-24 and Matthew 18:15-16).

**SECTION II:** No member shall be dealt with except after efforts of the Deacons to bring about reconciliation and except that member has been informed of the specific charge against him and he has been cited to appear before the Church and given an opportunity to answer. Exception to the above rule shall be when the member cannot be conveniently reached, in which case the summons may be made through a sealed communication by the Clerk of the Deacons.

**SECTION III:** Should any member fail to give satisfaction to the church concerning any charge, or refuse or neglect to answer a summons to appear before the Church, he shall be excluded.

### **ARTICLE IV: DECLARATION OF TRUST**

**SECTION I:** The Trustees may receive and accept property, whether real, personal, or mixed, by way of bequest, or devise, from any person, firm, trust, or corporation, to be held, administered, and disposed of in accordance with the provisions of this Declaration of Trust; but no gift bequest or devise of any such property shall be received and accepted if it is conditioned or limited in such manner as to require the disposition or the income or its principal to any person or organization other than a "charitable organization" or for other than "charitable purposes" within the meaning of such terms as defined in Article Three of this Declaration of Trust, or as shall in the opinion of the Trustees, jeopardize the Federal Income Tax exemption of this trust pursuant to section 501 © (3) of the Internal revenue Code of 1954 as now in force or afterwards amended.

**SECTION II:** Upon dissolution of the Corporation, the Board of Trustees shall, after paying or making provision for the payment of all of the liabilities of the Corporation, dispose of all of the assets of the Corporation exclusively for the purposes of the Corporation in such manner, or to such organization or organizations organized and operated exclusively for charitable education, religious, or scientific purposes as shall at the time qualify as an exempt organization or organizations under section 501 © (3) of the Internal Revenue Code of 1954 (or the corresponding provision of any future United States Internal Revenue law) as the Board of Trustees shall determine. Any such assets not so disposed of shall be disposed of by the Court of Common Pleas 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 will determine which are organized and operated exclusively for such purposes.

**ARTICLE V: ADOPTION AND AMENDMENTS**

**SECTION I:** These By-Laws shall be considered adopted and in effect when a majority of the members present at any regular business meeting shall vote in favor of the same. Also, these By-Laws supersede any other By-Laws of this Church.

**SECITON II:** any of these By-Laws may be amended, altered, or repealed by a majority vote at any regular business meeting, provided that such an amendment, alteration, or repeal be given to the Clerk in writing and that such proposed change shall be presented to the Church at least thirty (30) days prior to the time the vote is taken.

These By-Laws shall be reviewed and amended at five (5) year intervals, or as deemed necessary by this Church.

ADOPTED June 8, 1994

David James, Chair

Lois Rodgers

Jean Osteen

Brett Tankersley