

**THE PAROCHIAL CONSTITUTION**  
**Of**  
**HOLY CROSS ORTHODOX CHRISTIAN CHURCH**  
**Midland and Odessa Texas**

This Constitution of Holy Cross Orthodox Christian Church of Midland and Odessa, Texas, and of the Antiochian Orthodox Churches and/or organizations in North America under the jurisdiction of the Antiochian Orthodox Christian Archdiocese of North America, a Religious Corporation under the Laws of the State of New York, with headquarters at Englewood, New Jersey.

**PREAMBLE**

In the name of the Father, and of the Son, and of the Holy Spirit. Amen.

We, members of the Holy Orthodox Catholic and Apostolic Church of Jesus Christ, in the cities of Midland and Odessa, State of Texas, desiring the propagation of our faith and its teachings for ourselves and our posterity, do unite together as a Parish and Church for the receiving of the Holy Sacraments, for the observance of the faith, morals and discipline of our Holy Church as administered under the authority and jurisdiction of the Antiochian Orthodox Christian Archdiocese of North America, and do hereby adopt this Constitution, solemnly pledging ourselves to be governed by its Provisions and the Sacred Canons of the Holy Church.

**ARTICLE I**

**The Name**

**Section 1.**

The name of this Parish shall be the Holy Cross Orthodox Christian Church, both ecclesiastically and in civil law.

**Address**

**Section 2.**

The address of its initial registered office in the State of Texas is 1616 W. Golf Course Rd., Midland, TX 79701 and the name of its initial registered agent at such address is Subdeacon Mark Telschow.

**Authority**

**Section 3.**

**A. Legal**

Holy Cross Orthodox Christian Church derives its legal authority to function as a Religious Organization by virtue of its registration as a Church pursuant to the provisions of the Laws of Midland County and the State of Texas.

**B. Ecclesiastical**

Holy Cross Orthodox Christian Church derives its ecclesiastical authority to function by virtue of a charter issued by the Antiochian Orthodox Christian Archdiocese of North America with headquarters at Englewood, New Jersey. Such a charter shall be issued when a constitution of the Holy Cross Orthodox Church has been approved by the Metropolitan Archbishop. Holy Cross Orthodox Church owes its ecclesiastical allegiance to the aforementioned archdiocese and such ecclesiastical authority and jurisdiction cannot be changed, altered, modified or revoked.

## **ARTICLE II**

### **Purposes**

#### **Section 1.**

The purpose of this Holy Cross Orthodox Christian Church is to maintain and preserve the spiritual and physical well-being and unity of its membership in this community, coordinate religious work or activity with the intent of propagating, practicing and forever perpetuating religious worship services, ministrations, Sacraments, and teachings in full accord and unity with the doctrines, rules, ritual, canon law, faith, practice, discipline, traditions and usages of the Holy Orthodox Catholic and Apostolic Church as set forth in the preamble of this Constitution.

#### **Section 2.**

In fulfilling the purpose set forth in Section 1, of this Article, it shall ordain and establish rules and regulations, consistent with the Constitution of the Archdiocese and Sacred Canons of the Holy Church, according to which the members thereof, its clergy, elected officers, Parish Council, Committees and organizations, shall act and officiate. It shall provide a place or places and facilitate the means for worship and religious education in accordance with this Constitution. It shall hold title to all properties, endowments, legacies and all other gifts and contributions.

## **ARTICLE III**

### **Membership**

#### **Section 1.**

The membership in the Holy Cross Orthodox Christian Church shall consist of two kinds: (A) Voting Membership and (B) General Membership.

A. Voting Membership:

The Voting membership shall consist of all Persons eighteen (18) years of age and over, regardless of sex, who have been baptized and accepted in the membership of the Holy Orthodox Church according to its teachings, who accept, profess, and practice its faith and discipline, who have the canonical approval of the Parish Pastor and who subscribe to the temporal maintenance of this Holy Cross Orthodox Christian Church, through payment of such dues, pledges, assessments as are prescribed by the Parish Council.

B. General (non-Voting) Membership:

The General Membership shall consist of all other persons who have been baptized and accepted in the membership of the Holy Orthodox Church according to its teachings and who accept and practice the faith and discipline of said

Church and profess membership in the Holy Cross Orthodox Christian Church and/or are under eighteen (18) years of age.

## **ARTICLE IV**

### **Government**

#### **Section 1.**

The Constitution and Sacred Canons shall be the governing code for Holy Cross Orthodox Christian Church

#### **Section 2.**

All Administrative Authority is vested in the Pastor and the Parish Council as hereinafter provided for.

#### **Section 3.**

All legislative authority is vested in the general meeting of the Voting Membership of Holy Cross Orthodox Christian Church.

## **ARTICLE V**

### **Clergy**

#### **Section 1.**

All clergy of this Holy Cross Orthodox Christian Church shall be appointed or removed by the Metropolitan Archbishop with the advice of the Parish Council.

#### **Section 2. Pastor**

The Metropolitan Archbishop shall appoint and designate the Pastor of this Holy Cross Orthodox Christian Church from the canonical clergy of the Archdiocese. He shall be the official representative of the Metropolitan Archbishop. In all matters involving canon law, spiritual function, priestly rights and duties, the Pastor and any other clergy shall be under the direct supervision of the Metropolitan Archbishop and not subject to any rules or regulations of the Parish.

#### **Section 3.**

In order to dismiss or remove said clergy, a formal petition shall be drawn by the Parish Council setting forth fully the reason for the desired dismissal. Said petition is to be sent to the Metropolitan Archbishop who is to act as sole judge of the merits of said petition for its acceptance or rejection.

#### **Section 4.**

A. No member of the clergy has or shall claim any individual rights or ownership to the properties of Holy Cross Orthodox Christian Church.



## **ARTICLE VI**

### **Parish Council**

**Section 1.** The Parish Council shall consist of the pastor and one (1) member of the Voting Membership to be appointed by him. An additional three (3) members of this council shall be elected by and from the Voting Membership of the Holy Cross Orthodox Christian Church: One (1) member shall be appointed for a term of one (1) year; one (1) member for a term of two (2) years; and one (1) member for a term of three (3) years. On expiration of the appointed or elected terms as set forth, their successors thereafter shall be appointed or elected for a full term of three (3) years.

In addition to the aforementioned members, the superintendent of the Church School, a representative of the Choir, and the presidents of the organizations, or their designated representatives, referred to in Article VIII, Section 1, of this constitution shall be ex-officio, voting members of the Parish Council. In the event that one of those referred to in this section is also an elected or appointed member of the Council, he shall be entitled to only one vote.

In the event of a vacancy in the Parish Council of an elected member, the Parish Council shall elect a person from the Voting Membership to complete the unexpired term within thirty (30) days. In the event of a vacancy in the appointed members of the Parish Council, the Pastor shall appoint a person from the Voting membership to fill the unexpired term within thirty (30) days.

No elected member of the Parish Council shall be eligible for re-election after he has served two (2) successive three (3) years terms by election until he has retired from elected membership for a period of one (1) year. Successive terms as referred to herein shall refer only to terms served after the effective date of adoption of this Constitution.

### **Section 2. Qualification for election to the Parish Council:**

A candidate must be 25 years of age or over, have been a Voting Member of the Parish for a period of 1 year and have fulfilled the Canonical requirements of the Faith.

### **Section 3. Nominations and Elections.**

A. At least one (1) month before the annual meeting of the Holy Cross Orthodox Christian Church, the Chairman of the Parish Council shall appoint a Nominating Committee composed of the Pastor and at least four (4) members from the Voting Membership.

B. The Nominating Committee shall nominate at least as many persons as there are vacancies to be filled. Those nominated must have indicated a willingness to serve if elected.

At least ten (10) days before the annual meeting of the Holy Cross Orthodox Christian Church this Nominating Committee shall place in the hands of the Chairman of the Parish

Council, in a sealed envelope, its report. This report shall be opened and read by the Chairman of the Parish Council at the Annual Meeting.

Additional nominations may be made from the floor by any Voting Member at the Annual General Meeting, provided that such additional nominees have indicated their willingness to serve, if elected.

C. The members of the Parish Council shall be elected by secret ballot either through the mail after the Annual General Meeting of the Voting Membership of the Parish, or at the Annual General Meeting or at such other time as may be designated by the Parish Council, but in no event more than sixty (60) days after the annual General Meeting by Plurality of ballots cast. The tally of the ballots shall be made by the Pastor and a committee appointed for that purpose.

D. The newly elected members and the newly appointed members of the Parish Council together with those of the Council whose terms have not expired will constitute the new Parish Council and will be installed by the Pastor.

#### **Section 4. Duties of the Parish Council.**

A. Within 30 days after their installation as the new Parish Council, the Council shall convene pursuant to a call by the Pastor and shall elect from their number the officers of said Council. The Pastor or his duly appointed representative shall preside at this election meeting. The officers so elected shall consist of the Chairman, a Vice Chairman, a Treasurer and a Secretary, and such other officers as may be provided for in the By-Laws. In the event of the failure of the Pastor to issue such a call, the same may be issued by the retiring Chairman if his term as a member has not expired or any two members of the newly elected Council. Immediately upon election of the officers, a list of the newly elected officers and members of the Council shall be mailed to the Metropolitan Archbishop for approval.

B. The Parish Council shall be representative of the Holy Cross Orthodox Christian Church in the administration of its properties and affairs. It shall be responsible for the receipt and disbursement of all general and special funds.

C. The Parish Council shall have the right to promulgate and adopt By-Laws for the conduct of its meetings and affairs, provided however, that such By-Laws must be consistent with this Constitution and the Constitution of the Archdiocese.

D. The Parish Council shall hold one regular meeting(s) on the first Wednesday of each month unless otherwise agreed to beforehand. Two-Thirds of the membership of the Council shall constitute a quorum for the transaction of business. The Chairman shall vote only in the event of a tie.

E. At the end of each six months of the fiscal year, the Parish Council shall prepare a report containing in detail all receipts and expenditures of Holy Cross Orthodox Christian Church including any and all special funds, endowments, etc., held for specific purposes. Such



report shall be made available to all Voting Members of the Parish, and copies thereof shall be filed with the Archdiocese.

**F. Committees**

(1) The Parish Council shall create such standing committees as they deem necessary to accomplish the purpose of the Holy Cross Orthodox Christian Church. The Chairman shall appoint all members of such committees from the Voting Membership of the Parish after consultation with the Pastor and other members of the Council and designate the Chairman of each.

(2) The Chairman shall create and appoint all other special committees he deems necessary for the accomplishment of any special purpose of the Holy Cross Orthodox Christian Church.

**Section 5. Finance**

A. General Fund - The General contributions, pledges, dues and other general income of the Holy Cross Orthodox Christian Church, shall be deposited in a legally recognized banking institution and shall constitute the General Fund.

B. Special Funds - The Parish Council may create other funds titled under specific or separate accounts for the purposes of receiving and accumulating pledges, gifts, inheritances which may be designated for the fulfillment of any specific purpose or purposes consistent with this Constitution.

C. Investing - The Parish Council may invest and reinvest funds which have been accumulated under paragraphs A and B of this Section 5, in a manner consistent with the rules relating to trustees for prudent investment.

**ARTICLE VII**  
**Meetings of Voting Membership**

**Section 1.** There shall be an Annual Meeting of the Voting Membership of this Holy Cross Orthodox Christian Church to be held on the First Sunday of January in the year unless otherwise agreed to by the Parish Council.

A. The Pastor shall be the presiding officer at the Annual Meeting of the Voting Membership of the Holy Cross Orthodox Christian Church as well as at all special meetings of the Voting Membership. In the event the Pastor chooses not to preside, the Chairman of the Parish Council shall preside.

B. It shall be the duty of the Secretary of the Parish Council to send out notices of the Annual meeting by regular mail to all Voting Members of the Holy Cross Orthodox Christian

Church at least thirty (30) days prior to the date of the meeting. He or she shall include a copy of the agenda with the notice mailed.

C. The Chairman of the Parish Council and the Presidents of every legal organization of the Parish shall prepare in writing and present a report of their organization, its finances, its work projects, etc. for the year past. The Treasurer of the Council shall present the Annual Financial Report of the Holy Cross Orthodox Christian Church to the Voting Membership.

D. The Voting Membership may initiate and enact any legislation, rules, special business, etc., not inconsistent with this Constitution. Such legislation, rules, etc., shall be binding on the Parish Council and all organizations of the Parish.

## **Section 2. Special Meetings.**

A. The Pastor and Parish Council shall have the power to call special meetings of the Voting Membership whenever it deems it necessary for any purpose, on a motion made and duly passed by a majority of the Parish Council at any regular meeting or special meeting duly called for that purpose. The Chairman of the Council shall set the time and place of such meeting. The secretary shall send by regular mail the notice of such meeting and the purpose for which it is called at least ten (10) days prior to the convening of such meeting.

B. No business may be transacted at any special meeting of the Voting Members other than that for which the meeting was called.

## **Section 3. Quorum.**

A two-thirds majority of Voting Members of the parish shall constitute a quorum for the transaction of business at all meetings.

# **ARTICLE VIII**

## **Subsidiary Organizations**

**Section 1.** No subsidiary body within this Holy Cross Orthodox Christian Church shall have either a legal or canonical existence unless such subsidiary body shall have filed a copy of its Constitution and By-Laws with the Pastor and the Parish Council and received their approval.

**Section 2.** Such activities as solicitations of monies, social affairs, contacts with outside organizations, contributions to outside organizations or persons, and acceptance of outside invitations that the aforesaid groups may wish to engage in, shall be done only with the prior knowledge and approval of the Pastor and Parish Council.

**Section 3.** The accumulated funds of any of the aforesaid groups are to be placed at the disposal of the Parish Council at any time when said Council shall deem it necessary to have such money for the welfare of the Holy Cross Orthodox Christian Church.



**Section 4.** If for any reason now or in the future any one of the aforesaid groups shall be dissolved, all assets shall forthwith be transferred to the Holy Cross Orthodox Christian Church.

## **ARTICLE IX**

### **The Property of Holy Cross Orthodox Christian Church**

**Section 1.** Title to all properties shall be held in the name of Holy Cross Orthodox Christian Church as specified in Article II of this Constitution. All titles, deeds and other documents relating to the property shall be kept in the custody of the Parish Council.

**Section 2.** The Parish Council shall have no right to mortgage, lease, transfer, sell or purchase any real property on behalf of the Holy Cross Orthodox Christian Church unless it has been authorized to do so by a General Meeting of the Parish called for that purpose. A general or special meeting convened for such purpose shall be had on call of the Parish Council issued to the members of the Holy Cross Orthodox Christian Church in writing and such call must contain a specific notice setting forth the purpose of the meeting. No Holy Cross Orthodox Christian Church property shall be mortgaged, sold, leased, transferred or purchased, except by a two-thirds majority vote of the members of the Holy Cross Orthodox Christian Church attending such meeting and approval of the Metropolitan Archbishop.

**Section 3.**

In the event of the dissolution of the Holy Cross Orthodox Christian Church all its funds, properties, equipment and endowment shall revert at once and forthwith to the Antiochian Orthodox Christian Archdiocese of North America. Anything to the contrary notwithstanding, the provisions of this Section cannot be amended, altered, changed or modified.

## **ARTICLE X**

### **Amendments**

This constitution, except as otherwise herein provided, may be amended, altered, changed or modified at a general or special meeting of the Holy Cross Orthodox Christian Church called for such specific purpose in writing. No amendments shall be binding or effective except by vote of two-thirds of the members of the Holy Cross Orthodox Christian Church attending such meeting and until such amendment has been approved by the Metropolitan Archbishop. No amendment shall be binding unless it is consistent with the Provisions of the Constitution of the Archdiocese.

## **ARTICLE XI**

Upon adoption and following the approval of the Metropolitan Archbishop, this Constitution shall be kept in the archives of the Parish Council and a copy thereof and any amendments thereto shall be filed in the office of the Antiochian Orthodox Christian Archdiocese of North America.



We, the Voting Membership of Holy Cross Orthodox Christian Church of Midland Texas, do hereby approve and adopt this Constitution as witnessed by our signatures, this 6 day of December in the year of our Lord 2009.

Subdemon Mark Satcha  
Parish Council President

Paula C. Dean  
Parish Council Secretary

Amelia Lyons  
Parish Council Vice-President

[Signature]  
Parish Council Treasurer

[Signature]

Kristi Langston

Randall Mark Lyman  
(Reader Mark)

[Signature]

[Signature]