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**Re: Oakland United Methodist Church**

Dear Members of Oakland United Methodist Church's Administrative Board:

My name is Tom Starnes, and I am an attorney at law and serve as Chancellor of the Baltimore-Washington Conference of The United Methodist Church ("Conference"). Within the United Methodist denomination, chancellors are elected to serve "as legal adviser to the bishop and the annual conference." *The Book of Discipline of The United Methodist Church* ("Discipline") ¶ 603.8. If you are receiving a copy of this letter, it is because

Established 1849

you have been identified as a member of the Administrative Board of Oakland United Methodist Church (“Oakland UMC”). My understanding is that Oakland UMC’s Administrative Board functions as an alternative to a “church council” pursuant to ¶ 244.2 of the *Discipline*.<sup>1</sup>

I am informed by a flier distributed to persons in attendance at one of Oakland UMC’s recent worship services that, on December 5, 2017, your “board voted to proceed to a membership vote as to whether Oakland UMC should separate from the United Methodist denomination and become an independent church.”<sup>2</sup> In situations like this—which thankfully are rare—Conference leadership typically takes a number of steps aimed at identifying and addressing whatever concerns may be causing some to consider withdrawing from The United Methodist Church. I understand such efforts are underway, and it is my sincere hope that the members of Oakland UMC will ultimately chose to remain within the fold of our larger church family.

That said, it is important in these situations that persons such as yourselves are reminded of their responsibilities and duties under the *Discipline* and of the Conference’s expectation that you will perform them with integrity and fully. That is the purpose of this letter. Accordingly, please be advised of the following:

1. As members of the Administrative Board (functioning as the equivalent of a church council), it is among your duties to “provide for the administration of [the local church’s] organization and temporal life.” *Discipline*.” *Discipline* ¶ 252.1. In exercising that function, however, the members of the Administrative Board are not free agents. On the contrary, you are bound by the *Discipline* in all respects, and “shall be amenable to . . . the charge conference,” presided over by the Bishop’s duly appointed District Superintendent. *Id.*

2. Regarding the Administrative Board’s supposed vote “to proceed to a membership vote as to whether Oakland UMC should separate from the United Methodist denomination and become an independent church,” you are specifically advised of the following provisions of the *Discipline*:

a. All local church members are free at any time to withdraw their *individual* membership in The United Methodist Church.

b. Whatever you as individuals may decide, however, the *local church itself*—as distinct from its individual members—“cannot sever its connectional relationship to The United Methodist Church without the consent of the annual conference.” *Discipline* ¶ 2529.1(b)(3).

3. All of Oakland UMC’s property and assets—whether tangible or intangible, “real” or “personal,” and indeed all assets of any nature or description, including (without limitation) buildings, land, vehicles, audio visual equipment, *etc.*—are held “in trust for The

<sup>1</sup> Excerpts of sections of the *Discipline* referenced herein are attached as *Exhibit 1*.

<sup>2</sup> See *Exhibit 2* (Vote Announcement Handed Out on Sunday, March 18, 2018).

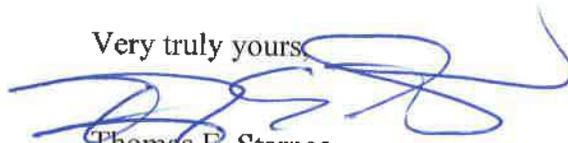
United Methodist Church and subject to its *Discipline*.” ¶ 2501.1. The express terms of the *Discipline* so provide, and the same conclusion is demanded by West Virginia statutory law and judicial precedent. See W. Va. Code §§ 35-1-13 – 35-1-13; *Brady v. Reiner*, 157 W.Va. 10, 198 S.E.2d 812 (1973), *overruled on other grounds*, *Board of Church Extension v. Eads*, 159 W.Va. 943, 230 S.E.2d 911 (1986).

4. It is only the Charge Conference (convened and presided over by the District Superintendent)—not the Administrative Board, nor any polling of individual members, nor the pastor or any other church officer—that has authority to “direct the board of trustees with respect to the purchase, sale, mortgage, encumbrance, construction, repairing, remodeling, and maintenance of any and all property of the local church.” *Discipline* ¶ 2529.2. See also *id.* ¶ 2533.1 (“Subject to the direction of the charge conference, the board of trustees shall have care of all real property owned by the local church and of all property and equipment acquired directly by the local church or by any society, board, class, commission, or similar organization connected therewith . . .”); *id.* ¶ 2540 (local church’s real property cannot be transferred without the approval of the charge conference and the written consent of both the pastor and the district superintendent).

5. The legal effect of all this is that Oakland UMC’s property is held for the benefit of The United Methodist Church *as a whole*, not simply for the members of Oakland UMC, and further that Administrative Board on which you serve is not authorized to make, or to approve the making, of any transfers of Oakland UMC’s property, let alone for the purpose of facilitating a withdrawal from The United Methodist Church and thereby diverting the property from purposes to which it has been dedicated in trust.

Please know that it is my sincerest wish that an honest and open dialogue between the congregation and the Conference’s pastoral leadership will allow all members of Oakland UMC to maintain their connection with The United Methodist Church. It is only fair for you to know, however, that the principles mentioned above are longstanding (dating back to John Wesley himself in the case of the “trust clause”); that they are integral to the proper functioning of Wesley’s connectional polity; that they have the respect of civil courts; and that the Conference stands ready to take all appropriate steps, including the prosecution of civil judicial proceedings, to ensure that those principles are honored by all local church officers.

Very truly yours,



Thomas E. Starnes

TES/ddm

cc: Bishop LaTrelle Miller Easterling  
The Rev. Edgardo Rivera

# THE BOOK OF DISCIPLINE OF THE UNITED METHODIST CHURCH

2016

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## *Part VI*

### ORGANIZATION AND ADMINISTRATION

#### *Chapter One*

#### THE LOCAL CHURCH

\* \* \*

#### *Section VI. Organization and Administration*

\* \* \*

¶ 244. *Organization*—The basic organizational plan for the local church shall include provision for the following units: a charge conference, a church council, a committee on pastor- parish relations, a board of trustees, a committee on finance, a committee on nominations and leadership development, and such other elected leaders, commissions, councils, committees, and task forces as the charge conference may determine. Every local church shall develop a plan for organizing its administrative and programmatic responsibilities. Each local congregation shall provide a comprehensive program of nurture, outreach, and witness, along with leadership training, and the planning and administration of the congregation’s organizational and temporal life, in accordance with the mission of The United Methodist Church (see ¶¶ 120-124).

1. The church council and all other administrative and programmatic structures of the local church shall be amenable to the charge conference (see ¶ 246). The church council shall function as the executive agency of the charge conference.

2. Alternative plans may be developed in accordance with the provisions of ¶ 247.2. Such alternatives include: nurture, outreach, and witness ministries; administrative council; or administrative board/council on ministries.

\* \* \*

#### THE CHARGE CONFERENCE

\* \* \*

¶ 246. *General Provisions*—1. Within the pastoral charge the basic unit in the connectional system of The United Methodist Church is the charge conference. The charge conference shall therefore be organized from the church or churches in every pastoral charge as set forth in the Constitution (¶ 43). It shall meet annually for the purposes set forth in ¶ 247. It may meet at other times as indicated in § 7 below.

2. The membership of the charge conference shall be all members of the church council or other appropriate body, together with retired ordained ministers and retired diaconal ministers who elect to hold their membership in said charge conference and any others as may be designated in the *Discipline*. If more than one church is on the pastoral charge, all members of each church council shall be members of the charge conference.

\* \* \*

4. The district superintendent shall fix the time of meetings of the charge conference. The charge conference shall determine the place of meeting.

5. The district superintendent shall preside at the meetings of the charge conference or may designate an elder to preside.

\* \* \*

7. Special sessions may be called by the district superintendent after consultation with the pastor of the charge, or by the pastor with the written consent of the district superintendent. The purpose of such special session shall be stated in the call, and only such business shall be transacted as is in harmony with the purposes stated in the call. Any such special session may be convened as a church conference in accordance with ¶ 248.

8. Notice of time and place of a regular or special session of the charge conference shall be given at least ten days in advance by two or more of the following (except as local laws may otherwise provide): from the pulpit of the church, in its weekly bulletin, in a local church publication, or by mail.

\* \* \*

¶ 247. *Powers and Duties*—1. The charge conference shall be the connecting link between the local church and the general Church and shall have general oversight of the church council(s).

2. The charge conference, the district superintendent, and the pastor, when a pastor has been appointed (see ¶ 205.4), shall organize and administer the pastoral charge and churches according to the policies and plans herein set forth. When the membership size, program scope, mission resources, or other circumstances so require, the charge conference may, in consultation with and upon the approval of the district superintendent, modify the organizational plans, provided that the provisions of ¶ 243 are observed. Such other circumstances may include, but not be limited to, alternative models for the conception of a local church, such as coffee house ministries, mall ministries, outdoor ministries, retirement home ministries, restaurant ministries, and other emergent ways in which people can gather in God's name to be the church.

3. The primary responsibilities of the charge conference in the annual meeting shall be to review and evaluate the total mission and ministry of the church (¶¶ 120-124), receive reports, and adopt objectives and goals recommended by the church council that are in keeping with the objectives of The United Methodist Church.

\* \* \*

¶ 248. *The Church Conference*—To encourage broader participation by members of the church, the charge conference may be convened as the church conference, extending the vote to all professing members of the local church present at such meetings. The church conference shall be authorized by the district superintendent. It may be called at the discretion of the district superintendent or following a written request to the district superintendent by one of the following: the pastor, the church council, or 10 percent of the professing membership of the local church. In any case a copy of the request shall be given to the pastor. Additional regulations governing the call and conduct of the charge conference as set forth in ¶¶ 246-247 shall apply also to the church conference. A joint church conference for two or more churches may be held at the same time and place as the district superintendent may determine. A church conference shall be conducted in the language of the majority with adequate provision being made for translation. (For church local conference see ¶ 2527.)

¶ 249. *Election of Leaders*—The charge conference, or church conference authorized by the district superintendent, shall elect upon recommendation by the committee on nominations and leadership development of each local church on the pastoral charge, or by nomination from the floor and by vote of each such local church, at least the following leaders for the four basic responsibilities (¶ 244):

1. Chairperson of the church council.
2. The committee on nominations and leadership development.
3. The committee on pastor-parish relations and its chairperson.
4. A chairperson and additional members of the committee on finance; the financial secretary and the church treasurer(s) if not paid employees of the local church; and the trustees as provided in ¶¶ 2526-2528, unless otherwise required by state law.
5. The lay member(s) of the annual conference and lay leader(s).
6. A recording secretary (see ¶ 247.4).
7. Special attention shall be given to the inclusion of women, men, youth, young adults, persons over sixty-five years of age, persons with disabilities, and racial and ethnic persons.
8. All local church offices and all chairs of organizations within the local church may be shared between two persons, with the following exceptions: trustee, officers of the board of trustees, treasurer, lay member of annual conference, member and chairperson of the committee on staff- or pastor-parish relations. When two persons jointly hold a position that entails membership on the church council, both may be members of it.

¶ 250. *Removal of Officers and Filling of Vacancies*—If a leader or officer who has been elected by the charge conference is unable or unwilling to perform the duties reasonably expected of such a leader or officer, the district superintendent may call a special session of the charge conference in accordance with ¶ 246.7. The purpose of such special session shall be stated as “Consideration for the removal of person(s) from office and the election of person(s) to fill vacancy(ies).” The committee on nominations and leadership development (¶¶ 258.1, 247.18) shall meet as soon as possible after the special session of the charge conference has been announced and shall propose person(s) who may be elected if vacancy(ies) occur at the charge conference. If the charge conference votes to remove a person or persons from office, the vacancy(ies) shall be filled in the manner prescribed for elections in accordance with ¶ 249. When a local church trustee is under consideration for removal and the pastoral charge consists of two or more churches, a church local conference shall be called instead of a charge conference, in accordance with ¶ 2526.

¶ 251. *Duties of Leaders and Members*—

\* \* \*

3. The church council chairperson shall be elected by the charge conference annually and shall have the following responsibilities:

- a) leading the council in fulfilling its responsibilities (see ¶ 249);
- b) preparing and communicating the agenda of the council meetings in consultation with the pastor(s), lay leader, and other appropriate persons;
- c) reviewing and assigning responsibility for the implementation of actions taken by the council;

- d) communicating with members of the council and others as appropriate to permit informed action at council meetings;
- e) coordinating the various activities of the council;
- f) providing the initiative and leadership for the council as it does the planning, establishing of objectives and goals, and evaluating;
- g) participating in leadership training programs as offered by the annual conference and/or district.

The church council chairperson shall be entitled to attend meetings of all boards and committees of the church unless specifically limited by the *Book of Discipline*. The chairperson is encouraged to attend annual conference.

### THE CHURCH COUNCIL

¶ 252. 1. *Purpose*—The church council shall provide for planning and implementing a program of nurture, outreach, witness, and resources in the local church. It shall also provide for the administration of its organization and temporal life. It shall envision, plan, implement, and annually evaluate the mission and ministry of the church. The church council shall be amenable to and function as the administrative agency of the charge conference (¶ 244).

\* \* \*

5. *Membership*—The charge conference will determine the size of the church council. Members of the church council shall be involved in the mission and ministry of the congregation as defined in ¶ 252.2. The membership of the council may consist of as few as eleven persons or as many as the charge conference deems appropriate. The council shall include persons who represent the program ministries of the church as outlined in ¶ 243. The membership shall include but not be limited to the following:

- a) the chairperson of the church council;
- b) the lay leader;
- c) the chairperson and/or a representative of the pastor-parish relations committee;
- d) the chairperson and/or a representative of the committee on finance;
- e) the chairperson and/or a representative of the board of trustees;
- f) the church treasurer;
- g) a lay member to annual conference;
- h) the president and/or a representative of the United Methodist Men;
- i) the president and/or a representative of the United Methodist Women;
- j) a young adult representative
- k) a representative of the United Methodist Youth;
- l) the pastor(s).

6. *Quorum*—The members present and voting at any duly announced meeting shall constitute a quorum.

## *Chapter Four*

### THE CONFERENCES

The United Methodist Church is a connectional structure maintained through its chain of conferences.

\* \* \*

#### Section IX. The Annual Conference

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¶ 603. *Organization*—1. Annual conferences may become severally bodies corporate, whenever practicable, under the law of the countries, states, and territories within whose bounds they are located.

\* \* \*

8. The annual conference shall designate a chancellor, and may designate one or more associate chancellors. The chancellor and any associate chancellors must be members in good standing of a local church or an annual conference in the episcopal area, and be licensed to practice law in the episcopal area. The chancellor and any associate chancellors shall be nominated by the bishop and elected quadrennially by the annual conference. If a vacancy should occur during the quadrennium, the bishop shall fill the vacancy until the next session of the annual conference. The chancellor, assisted by the associate chancellors, if any, shall serve as legal adviser(s) to the bishop and the annual conference. Each annual conference shall report its election of the chancellor and any associate chancellors to the General Council on Finance and Administration.

\* \* \*

## *Chapter Six*

### CHURCH PROPERTY

#### Section I. All Titles—In Trust

¶ 2501. *Requirement of the Trust Clause for All Property*—1. All properties of United Methodist local churches and other United Methodist agencies and institutions are held, *in trust*, for the benefit of the entire denomination, and ownership and usage of church property is subject to the *Discipline*. This trust requirement is an essential element of the historic polity of The United Methodist Church or its predecessor denominations or communions and has been a part of the *Discipline* since 1797. It reflects the connectional structure of the Church by ensuring that the property will be used solely for purposes consonant with the mission of the entire denomination as set forth in the *Discipline*. The trust requirement is thus a fundamental expression of United Methodism whereby local churches and other agencies and institutions within the denomination are both held accountable to and benefit from their connection with the entire worldwide Church.

In consonance with the legal definition and self-understanding of The United Methodist Church (see ¶ 141), and with particular reference to its lack of capacity to hold title to property, The United Methodist Church is organized as a connectional structure, and titles to all real and personal, tangible and intangible property held at jurisdictional, annual, or district conference levels, or by a local church or charge, or by an agency or institution of the Church, shall be held in trust for The United Methodist Church and subject to the provisions of its *Discipline*. Titles are not held by The

United Methodist Church (see ¶ 807.1) or by the General Conference of The United Methodist Church, but instead by the incorporated conferences, agencies, or organizations of the denomination, or in the case of unincorporated bodies of the denomination, by boards of trustees established for the purpose of holding and administering real and personal, tangible and intangible property.

2. The trust is and always has been irrevocable, except as provided in the *Discipline*. Property can be released from the trust, transferred free of trust or subordinated to the interests of creditors and other third parties only to the extent authority is given by the *Discipline*.

3. Local churches and other United Methodist agencies and institutions may acquire, hold, maintain, improve, and sell property for purposes consistent with the mission of the Church, unless restricted or prevented by the *Discipline*.

\* \* \*

¶ 2503. *Trust Clauses in Deeds*—1. Except in conveyances that require that the real property so conveyed shall revert to the grantor if and when its use as a place of divine worship has been terminated, all written instruments of conveyance by which premises are held or hereafter acquired for use as a place of divine worship or other activities for members of The United Methodist Church shall contain the following trust clause:<sup>1</sup>

*In trust, that said premises shall be used, kept, and maintained as a place of divine worship of the United Methodist ministry and members of The United Methodist Church; subject to the Discipline, usage, and ministerial appointments of said Church as from time to time authorized and declared by the General Conference and by the annual conference within whose bounds the said premises are situated. This provision is solely for the benefit of the grantee, and the grantor reserves no right or interest in said premises.*

\* \* \*

4. In case the property so acquired is not to be used exclusively for a place of worship, or a parsonage, or both, all written instruments by which such premises are held or hereafter acquired shall contain the following trust clause:

*In trust, that said premises shall be kept, maintained, and disposed of for the benefit of The United Methodist Church and subject to the usages and the Discipline of The United Methodist Church. This provision is solely for the benefit of the grantee, and the grantor reserves no right or interest in said premises.*

\* \* \*

6. However, the absence of a trust clause stipulated in §§ 1, 2, 3, 4, or 5 above in deeds and conveyances executed previously or in the future shall in no way exclude a local church or church agency, or the board of trustees of either, from or relieve it of its connectional responsibilities to The United Methodist Church. Nor shall it absolve a local church or church agency or the board of trustees of either, of its responsibility and accountability to The United Methodist Church, including the responsibility to hold all of its property in trust for The United Methodist Church; provided that the intent of the founders and/or a later local church or church agency, or the board of trustees of either, is shown by any or all of the following:

a) the conveyance of the property to a local church or church agency (or the board of trustees of either) of The United Methodist Church or any predecessor to The United Methodist Church;

b) the use of the name, customs, and polity of The United Methodist Church or any predecessor to The United Methodist Church in such a way as to be thus known to the community as a part of such denomination; or

c) the acceptance of the pastorate of ordained ministers appointed by a bishop or employed by the superintendent of the district or annual conference of The United Methodist Church or any predecessor to The United Methodist Church.

\* \* \*

## Section VI. Local Church Property

\* \* \*

¶ 2526. *Local Church Board of Trustees' Election*—The members of the board of trustees shall be divided into three classes, and each class shall as nearly as possible consist of an equal number of members. At the charge conference, on recommendation by the committee on nominations and leadership development or from the floor, it shall elect, to take office at the beginning of the ensuing calendar year or at such other times as the charge or church conference may set, to serve for a term of three years or until their successors have been duly elected and qualified, the required number of trustees to succeed those of the class whose terms then expire; provided, however, that nothing herein shall be construed to prevent the election of a trustee to self-succession. The charge conference may assign the responsibility for electing trustees to a church conference.

\* \* \*

¶ 2529. *Charge Conference Authority*—In a pastoral charge consisting of one local church, the charge conference, constituted as set forth in ¶¶ 246-247, shall be vested with power and authority as hereinafter set forth in connection with the property, both real and personal, of the said local church. In fulfilling that duty, the charge conference may delegate certain duties and responsibilities to the board of trustees as described below. However, the board of trustees shall always be subject to the direction of the charge conference. The charge conference may:

1. a) If it so elects, direct the board of trustees to incorporate the local church, expressly subject, however, to the *Discipline* of The United Methodist Church (see ¶ 2506) and in accordance with the pertinent local laws and in such manner as will fully protect and exempt from any and all legal liability the individual officials and members, jointly and severally, of the local church and the charge, annual, jurisdictional, and general conferences of The United Methodist Church, and each of them, for and on account of the debts and other obligations of every kind and description of the local church.

b) Regardless of whether the charge conference elects to incorporate the local church, the local church:

(1) must be organized and operated in compliance with the *Discipline*;

(2) cannot act in a manner contrary to the purpose of The United Methodist Church, the annual conference, or the *Discipline*; and

(3) cannot sever its connectional relationship to The United Methodist Church without the consent of the annual conference.

c) The organizing documents (articles of incorporation, charter, bylaws, or equivalents) of a local church shall reflect its connectional relationship to The United Methodist Church. The adoption or

modification of a local church's organizing documents must be approved, in writing, by its pastor and district superintendent. Specifically, local church organizing documents shall, at a minimum:

- (1) require the local church to be organized and operated in compliance with the *Discipline*;
- (2) prohibit the local church from acting in a manner contrary to the purpose of The United Methodist Church, the annual conference, or the *Discipline*;
- (3) prohibit the local church from severing its connectional relationship to The United Methodist Church without the annual conference's consent;
- (4) require the pastor and the district superintendent to approve, in writing, the adoption of, and changes to, the local church's organizing documents; and
- (5) include language consistent with the Internal Revenue Code to protect the local church's tax-exempt status.

d) The failure of a local church's organizing documents to meet the requirements of ¶ 2529.1c(1)-(4) does not relieve the local church of its connectional responsibilities to The United Methodist Church, nor does it absolve its pastor and membership of the responsibility to operate the local church as a United Methodist church, in accordance with the *Discipline*. The organizing documents are deemed modified to the extent necessary to comply with ¶ 2529.1c(1)-(4) if any of the circumstances described in ¶ 2503.6a-c apply.

2. Direct the board of trustees with respect to the purchase, sale, mortgage, encumbrance, construction, repairing, remodeling, and maintenance of any and all property of the local church.
3. Direct the board of trustees with respect to the acceptance or rejection of any and all conveyances, grants, gifts, donations, legacies, bequests, or devises, absolute or in trust, for the use and benefit of the local church, and to require the administration of any such trust in accordance with the terms and provisions thereof and with the local laws appertaining thereto. (See ¶ 2533.5.)
4. Direct the board of trustees to do any and all things necessary to exercise such other powers and duties relating to the property, real and personal, of the local church concerned as may be committed to it by the *Discipline*.
5. To recommend that consideration be given to placing such investable property with a United Methodist foundation serving such charge conference, to benefit the local church, charge conference or their successors, or in the absence of such a foundation, with the United Methodist Foundation.

\* \* \*

¶ 2533. *Board of Trustees' Powers and Limitations*—1. Subject to the direction of the charge conference, the board of trustees shall have the supervision, oversight, and care of all real property owned by the local church and of all property and equipment acquired directly by the local church or by any society, board, class, commission, or similar organization connected therewith, provided that the board of trustees shall not violate the rights of any local church organization elsewhere granted in the *Discipline*; provided further, that the board of trustees shall not prevent or interfere with the pastor in the use of any of the said property for religious services or other proper meetings or purposes recognized by the law, usages, and customs of The United Methodist Church, or permit the use of said property for religious or other meetings without the consent of the pastor or, in the pastor's absence, the consent of the district superintendent; and provided further, that pews in

The United Methodist Church shall always be free; and provided further, that the church local conference may assign certain of these duties to a building committee as set forth in ¶ 2544 or the chairperson of the parsonage committee, if one exists.

\* \* \*

¶ 2540. *Unincorporated Local Church Property—Sale, Transfer, Lease, or Mortgage*—Any real property owned by or in which an unincorporated local church has any interest may be sold, transferred, leased for a term of thirty days or more (which shall include leases for less than thirty days if such a lease is consecutive with the same lessee), or mortgaged subject to the following procedure and conditions:

1. Notice of the proposed action and the date and time of the regular or special meeting of the charge conference at which it is to be considered shall be given at least ten days prior thereto from the pulpit of the church and in its weekly bulletin, newsletter, or electronic notice, or other means if required or permitted by local law.
2. A resolution authorizing the proposed action shall be passed by a majority vote of the charge conference members (in a pastoral charge consisting of two or more local churches, the church local conference; see ¶ 2527) present and voting at a special meeting called to consider such action.
3. The written consent of the pastor of the local church and the district superintendent to the proposed action shall be necessary and shall be affixed to or included in the instrument of sale, conveyance, transfer, lease, or mortgage. Prior to consenting to any proposed action required under this paragraph involving any United Methodist church property, the pastor, district superintendent, and the district board of church location and building shall ensure that: (a) a full investigation shall be made and an appropriate plan of action shall be developed for the future missional needs of the community; (b) the transfer or encumbrance shall conform to the *Discipline*; (c) the congregation, if no longer to continue as an organized local United Methodist Church, does not sell but may transfer title of its facilities to another United Methodist church or agency; and (d) the congregation, in case of relocation, first offers its property to a United Methodist congregation or agency at a price not to exceed fair market value. The district strategies or other missional strategies should include the ministries of both United Methodist congregations and the community where the existing facility is located. Certification by the district superintendent shall be conclusive evidence that the transfer or encumbrance conforms to the *Discipline*. The requirements of investigation and the development of a plan of action, however, shall not affect the merchantability of the title to the real estate or the legal effect of the instruments of sale or transfer.
4. Unless the charge conference directs otherwise, any contract, deed, bill of sale, mortgage, or other necessary written instrument needed to implement any resolution authorizing action regarding local church property may be executed by and on behalf of the local church by any two officers of the board of trustees, who thereupon shall be duly authorized to carry out the direction of the charge conference; and any written instrument so executed shall be binding and effective as the action of the local church.



To: Oakland Members

From: Oakland Administrative Board

At its December 5<sup>th</sup> meeting, the board voted to proceed to a membership vote as to whether Oakland UMC should separate from the United Methodist denomination and become an independent church.

- ✓ The voting will be by signed, sealed ballots between MAR 26 and APR 8, 2018.
- ✓ The deadline for casting your ballot is 12pm APR 8, 2018.
- ✓ Only Oakland members will be able to vote. Oakland constituents may not vote.
- ✓ If you are not sure whether you are a member, please contact our church secretary, Jill Schweitzer, 304-725-3737.
- ✓ Q&A sessions will be held on MAR 18 at 10 am and on MAR 25 at 12:30 pm to answer member questions regarding the vote and the events leading to the board's decision to conduct it.