

## **CHECK LIST FOR DISSOLVING A CHURCH**

### **WHEN THE PRESBYTERY OF HUNTINGDON MUST DISSOLVE A CHURCH:**

#### **RESPONSIBILITIES OF THE ADMINISTRATIVE COMMISSION**

Adopted by a vote of the Presbytery on \_\_\_\_\_

##### **HOW THE ADMINISTRATIVE COMMISSION IS ESTABLISHED:**

1. \_\_\_\_\_ Presbytery votes to concur with a Recommendation from COM that a particular congregation be dissolved and that an Administrative Commission be appointed to oversee the closing process.
2. \_\_\_\_\_ The Chair and members of the Administrative Commission are appointed by the Moderator of Presbytery.
3. \_\_\_\_\_ In creating the Administrative Commission, the Presbytery shall authorize it to act with the authority of the Presbytery, by adopting the following resolution, which may be modified, from time to time, as the specific circumstances of the congregation in question require: **RESOLVED** That the Presbytery of Huntingdon appoint an Administrative Commission for the (insert name) Presbyterian Church of (insert location), (state) ,to act on Presbytery’s behalf, with the power to meet with the Session and members of the congregation, including calling a meeting of the Session and/or of the congregation, as necessary, to arrange for the pastoral care of the members, publicize the dissolution of the congregation, ascertain the financial status and outstanding financial obligations of the congregation, secure the Session records, secure the legal rights to all property (real or personal) held by or for the benefit of the congregation, dispose of the moveable personal property of the congregation, secure the building and property, attend to matters of insurance, dispose of the building and grounds (subject to any guidelines established by the Presbytery or convey the building and grounds to the Presbytery of Huntingdon of the Presbyterian Church (USA)”. Recommend the use of the assets of the congregation, plan and conduct a Service of Witness, secure the assistance of other individuals, as appropriate, to assist with its work, and generally to do such things and take such action, for, in the name of, and on behalf of the Presbytery as shall be reasonably necessary to accomplish the general purpose of this resolution.
4. \_\_\_\_\_ If at all possible, the Commission should include an Elder on Session from the Church being closed. It is also suggested that a member of Visioning, COM, and CoPL be represented on the Commission.

5. \_\_\_\_\_ The Administrative Commission, declares the date upon which services of worship shall cease at the church to be dissolved, noting that the church is not dissolved until the conclusion of the final service.

6. \_\_\_\_\_ The Commission is convened in a timely fashion by the Chair.

7. \_\_\_\_\_ The Administrative Commission will meet and be trained and reminded of their duties either by the General Presbyter or Moderator of Presbytery. This is considered an important step for a smooth process.

## **THE RESPONSIBILITIES AND DUTIES OF THE ADMINISTRATIVE COMMISSION**

(NOTE: Each of the following duties should be executed in consultation with the Session of the church which is to be closed, if possible.)

### **I. ARRANGE FOR THE PASTORAL CARE OF CHURCH MEMBERS**

1. \_\_\_\_\_ Work with the Session to identify where members wish their membership to be transferred

2. \_\_\_\_\_ Appoint a pastor to be responsible for pastoral care until membership is transferred or a clear decision is made to cease being an active member of any congregation.

3. \_\_\_\_\_ Communicate to the members of dissolving congregation that membership is held by the Stated Clerk for one year if not transferred prior to dissolution of the congregation.

4. \_\_\_\_\_ If the member wishes to transfer membership before the church is dissolved, the Clerk of Session of that church will send the letter of transfer. If the membership is transferred after the dissolution of the church, the Stated Clerk of Presbytery will send the letter.

### **II. PLAN A CLOSING WORSHIP SERVICE CELEBRATING THE LIFE AND MINISTRY OF THE CONGREGATION.**

1. \_\_\_\_\_ Set the date and the time for the service. Aim for the warmer months whenever possible.

2. \_\_\_\_\_ Allow ample time for the date to be publicized and invitations issued.

3. \_\_\_\_\_ Decide what special features the service should include.
  - a. \_\_\_\_\_ Determine whether the celebration of the Lord’s Supper would be appropriate.
  - b. \_\_\_\_\_ Consider structuring the service as a Service of Witness to the Resurrection, using resources from the *Book of Common Worship*.
  - c. \_\_\_\_\_ Identify a possible preacher and other participants.
    - i. \_\_\_\_\_ Former pastors/preachers might be participants.
    - ii. \_\_\_\_\_ At least one representative from the church should be included.
    - iii. \_\_\_\_\_ At least one representative from the Commission should be included.
    - iv. \_\_\_\_\_ The Moderator of the Presbytery, the General Presbyter and the Stated Clerk should be included
  - d. \_\_\_\_\_ Identify favorite hymns of church members
  - e. Consider possibilities for special music, or community:
    - i. \_\_\_\_\_ The church choir, if one exists.
    - ii. \_\_\_\_\_ Soloists, from church, presbytery, or community.
    - iii. \_\_\_\_\_ A community or presbytery choir (existing or ad hoc).
    - iv. \_\_\_\_\_ Instrumentalists.
    - v. \_\_\_\_\_ A Bagpiper (if that is in the church’s tradition).
4. \_\_\_\_\_ Have the Session designate where the proceeds from the Offering will go (generally some local concern such as a hunger program or woman’s / homeless shelter).
5. \_\_\_\_\_ Arrange for ushers, “car parkers”, and elders to serve Communion (if needed)
6. \_\_\_\_\_ Type and print bulletins.
7. \_\_\_\_\_ Arrange for preparation of communion elements, if needed.
8. \_\_\_\_\_ Arrange for any needed cleaning of facility before the service.

### III. PUBLICIZE THE CLOSING SERVICE

1. \_\_\_\_\_ Have church members make a “guest list” of relatives, friends, former members, etc. whom they wish to invite to the celebration.

2. \_\_\_\_\_ Have invitations printed and give to church members to send out (stamps should be paid for out of church treasury).
3. \_\_\_\_\_ Design a flier and write accompanying letter to be distributed to the churches and members of the Presbytery.
4. \_\_\_\_\_ Send flier and letter to Presbytery office with ample time for duplication and distribution.
5. \_\_\_\_\_ Arrange for local newspaper coverage and photographer (picture might also go on the cover of the worship service bulletin).

#### **IV. ARRANGE FOR THE RECEPTION FOLLOWING THE WORSHIP SERVICE**

1. \_\_\_\_\_ Identify the location for a reception.
2. \_\_\_\_\_ Decide how the food will be provided (Caterers? Church Members?).
3. \_\_\_\_\_ Determine what financial resources the congregation has to pay for this.
4. \_\_\_\_\_ Appoint a “sub-committee” to take charge of decorating and other arrangements.
5. \_\_\_\_\_ Gather memorabilia to display.
6. \_\_\_\_\_ Plan any type of program, toasts, etc.

#### **V. ASCERTAIN THE FINANCIAL STATUS AND OUTSTANDING FINANCIAL OBLIGATIONS OF THE SESSION**

1. \_\_\_\_\_ Conduct a financial review of the Treasurer’s books for the last 12 months.
2. \_\_\_\_\_ Determine location of checking accounts, savings accounts, endowment accounts, Sunday school accounts, women’s group accounts and any other financial resources.
3. \_\_\_\_\_ On endowment or memorial accounts determine if there are any bequest stipulations.
4. \_\_\_\_\_ Have all accounts closed, transferring any balances to the primary checking account of the Session.

5. \_\_\_\_\_ Submit new signature card(s) for accounts with at least two members of the Administrative Commission designated as signatories.
6. \_\_\_\_\_ Determine any outstanding debts/obligations.
7. \_\_\_\_\_ Publish in local paper a public notice to the effect.

*The \_\_\_\_\_ Church of \_\_\_\_\_, PA  
will cease operation on or about (date). Any outstanding debts/financial  
obligations must be submitted in writing to the church of treasurer at (address) by  
the close of the business day (date).*

8. \_\_\_\_\_ Oversee the discharge of all financial obligations by the church treasurer.
9. \_\_\_\_\_ Oversee the provision of a “statement of contribution” to all current year contributors.
9. \_\_\_\_\_ If the church owns any stocks, bonds, certificates, or other financial instruments have ownership or such transferred to the Presbytery of Huntingdon.
10. \_\_\_\_\_ In providing for the obligation to care for the building and the financial responsibilities of the session after the church is closed the following may be considered: 1. Calculation of Per Capita for the next year 2. Calculation of one year of property liability insurance 3. Calculation of one year of basic utilities 4. The transfer of the sum total of 1-3 from congregational funds to the presbytery before other disposition of funds is made by the Session or Commission.
11. \_\_\_\_\_ Following the dissolution, transfer any and all remaining balances to the Presbytery of Huntingdon and close all remaining accounts.

## **VI. SECURE THE SESSION RECORDS**

1. \_\_\_\_\_ Locate all Session and Congregational minutes, the church register, and other financial and legal records and transfer to the Presbytery Historical Society or archival records of the Presbytery as appropriate.
2. \_\_\_\_\_ The Clerk of Session may hand these symbolically to a representative of the Presbytery (Stated Clerk) at the conclusion of the Closing Celebration.

## **VII. SECURE THE LEGAL RIGHTS TO THE PROPERTY**

1. \_\_\_\_\_ Secure a Clear Title to the property. (cost paid for by church funds).

2. \_\_\_\_\_ A copy of the deed may be obtained from the County Courthouse. A copy of the deed should be sent to the Presbytery Board of Trustees.
3. \_\_\_\_\_ Ascertain if there are any deed restrictions or stipulations.
4. \_\_\_\_\_ Transfer title of the property to the Presbytery of Huntingdon if it is in the name of someone other than the Presbytery of Huntingdon.
5. \_\_\_\_\_ Have the property listed on the Presbytery's property and liability insurance coverage, terminate any current insurance coverage.
6. \_\_\_\_\_ Discover if the congregation is incorporated; if so:
  - a. Locate the Articles of Incorporation.
  - b. A public Notice to Dissolve a Corporation must be published in the local newspaper.
7. \_\_\_\_\_ At the time of the sale of property, Presbytery must notify the County Assessor's Office that the property is no longer used as a church.
8. \_\_\_\_\_ Adopt and Publish the following motion in the Session Minutes of the Church:

*"Pursuant to Chapter 4, (G.4.0203) of the Book of Order of the Constitution of the Presbyterian Church (USA), the Presbytery of Huntingdon is the legal successor of the Presbyterian Church in \_\_\_\_\_, PA"*

*G-4.0203 Church Property Held in Trust*

*All property held by or for a congregation, a presbytery, a synod, the General Assembly, or the Presbyterian Church (U.S.A.), whether legal title is lodged in a corporation, a trustee or trustees, or an unincorporated association, and whether the property is used in programs of a congregation or of a higher council or retained for the production of income, is held in trust nevertheless for the use and benefit of the Presbyterian Church (U.S.A.)*

### **VIII. SECURE THE BUILDING AND PROPERTY**

1. \_\_\_\_\_ Arrange for the disposition of furnishings
  - a. The Session, with the concurrence of the Administrative Commission, needs to arrange for the disposition of furnishings, communion ware, hymnals, Sunday School supplies, pulpit, lectern, and communion table, etc. These may be given away, sold by the piece, or bids may be received for the entire lot of furnishings. It is recommended that at least one appraisal by an antiques dealer/estate assessor be obtained before accepting any bids.

- b. \_\_\_\_\_ These decisions should be documented in detail in both Session and Commission minutes.
2. \_\_\_\_\_ Ascertain which utilities should remain connected and which may be disconnected and make these arrangements with the proper companies. Have the billing for the utilities transferred to the Presbytery of Huntingdon following the closing service.
3. \_\_\_\_\_ It may be necessary to maintain heat during the winter to avoid damage.
4. \_\_\_\_\_ Electricity and Water (if available) should remain on until the closing celebration.
5. \_\_\_\_\_ Arrangements should be made to drain the pipes when utilities are turned off.
6. \_\_\_\_\_ Secure the building and recover keys from anyone who does not need access.
7. \_\_\_\_\_ If distribution of keys is widespread and any contents are valuable, consider having the locks changed.
8. \_\_\_\_\_ Make provisions for a caretaker until the final disposition of the property, including mowing the lawn and maintenance of any sidewalks.

**IX. ATTEND TO MATTERS OF INSURANCE** (in the Articles of Incorporation and Bylaws of Huntingdon Presbytery, the Committee on Presbytery Life is designated the Board of Trustees of presbytery. For practical purposes, Committee on Presbytery Life has created a Trustee Committee to do its property work. Hereinafter "Trustees" and "Trustee" shall refer to members of the Trustee Committee of the Committee on Presbytery Life) **(Presbytery Trustee matter)**

1. \_\_\_\_\_ All insurance coverage should be maintained at least until the final worship service.
2. \_\_\_\_\_ Liability coverage should be maintained until the final disposition of the property.
3. \_\_\_\_\_ Once the church is dissolved, coverage should be moved to the Presbytery's policy.

**X. DISPOSTION OF BUILDINGS & GROUNDS (Presbytery Trustees matter)**

1. \_\_\_\_\_ Have the property surveyed if this is needed.
2. \_\_\_\_\_ Obtain an appraisal from at least one real estate agency.

3. \_\_\_\_\_ If the building is to be sold, make decisions about how it will be placed on the market.
4. \_\_\_\_\_ Recommend to the Presbytery Trustees any stipulations regarding the sale of building and property (for example, that it should be used in a “manner respectful of its heritage”, that buyers have the wherewithal to maintain the building, that a liquor license never be granted to any establishment using the premises).
5. \_\_\_\_\_ If there is a church cemetery, ascertain if it is separately incorporated, with its own board, and still operating; if it is not separated the AC will determine a recommendation to the Presbytery concerning its disposition.
6. \_\_\_\_\_ After the closing worship service remove any identifying signage and the cornerstone, if possible (checking for a time capsule).

#### **XI. DISSOLUTION OF THE COMMISSION**

1. \_\_\_\_\_ Commission requests that it be dissolved effective (insert date).
2. \_\_\_\_\_ Commission reports to the Presbytery.
3. \_\_\_\_\_ Commission submits minutes to the Stated Clerk.
4. \_\_\_\_\_ The Presbytery votes to dissolve the commission.

#### **RECOMMENDED ADDITIONS AND CHANGES FROM BELLEFONTE COMMISSION WORK**

##### **VII. #9 SECURE THE LEGAL RIGHTS TO THE PROPERTY**

\_\_\_\_\_ Administrative Commission asserts the claim of the Presbytery of Huntingdon to any property or assets of \_\_\_\_\_ Presbyterian Church, PA, which may come to the \_\_\_\_\_ Presbyterian Church, PA, as the beneficiary of a will or trust, or from any other cause not known at this time.

**VII. #10** The charitable trusts and organizations section of the PA Attorney General’s office requires notice that the church has closed and distributed its assets following the denominational procedures of the Presbyterian Church (USA)

**VII. #11** The Pennsylvania Department of State is to be notified to file for corporate dissolution.