

# When the Presbytery of Huntingdon Must Dissolve a Church CHECKLIST

Approved September 28, 2021

## ESTABLISHING AN ADMINISTRATIVE COMMISSION: AN OVERVIEW

Each church closing is different, and this checklist provides general guidance to the Administrative Commission appointed to dissolve a congregation. The presbytery trusts each Administrative Commission will conduct its work decently and in order. This checklist is intended to assist the commission in its work.

\_\_\_\_\_ 1. The presbytery votes to concur with a request from a congregation made at a properly called congregational meeting that the 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 the presbytery.

\_\_\_\_\_ 3. If at all possible, the commission should include an elder on the session from the church being closed. It should also include a member of the Visioning Team, a member of the Committee on Ministry, and a trustee from the Committee on Presbytery Life.

\_\_\_\_\_ 4. 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*] to act on the 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; 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; bring to the presbytery for its approval a plan for disposing of the building and grounds (subject to any guidelines established by the presbytery) or for conveying the building and

grounds to the Presbytery of Huntingdon of the Presbyterian Church (U.S.A.); 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.

In carrying out the above resolution, the Administrative Commission shall:

- \_\_\_\_\_ a. Secure the legal rights to all property (real or personal) held by or for the benefit of the congregation, including any property or assets that may come to the congregation as the beneficiary of a will or trust, or from any other cause not known at this time.
- \_\_\_\_\_ b. Obtain funds for its work first from the resources of the congregation, and then from the presbytery.
- \_\_\_\_\_ c. In conformity with G-3.0301a of the Book of Order of the Constitution of the Presbyterian Church (U.S.A.), take possession of the records of the congregation, to transfer jurisdiction over its members to the Presbytery of Huntingdon and grant its members certificates of transfer to other churches.
- \_\_\_\_\_ d. Do any other work necessary to the dissolution of the congregation.
- \_\_\_\_\_ e. Report its work to the presbytery

## **HOW THE ADMINISTRATIVE COMMISSION IS ORGANIZED**

\_\_\_\_\_ 1. The Administrative Commission is convened in a timely fashion by the chair. While it is helpful to have all the members of the commission at each meeting, it is not essential. The Administrative Commission will determine its quorum. A recorder will be designated and minutes will be taken at every meeting. Reports will be submitted to the stated clerk for inclusion in the permanent records of presbytery.

\_\_\_\_\_ 2. Administrative Commission members will meet with and be trained and reminded of their duties by the general presbyter and/or the moderator of the presbytery. This is considered an important step for a smooth process.

## **WHAT IS MEANT BY 'TRUSTEES'**

In the Articles of Incorporation and Bylaws of Huntingdon Presbytery, the Committee on Presbytery Life is designated as the Board of Trustees of the presbytery. For practical purposes, the Committee on Presbytery Life has created a Trustee Committee to do its

property work. In this document, "trustees" and "trustee" refers to members of the Trustee Committee of the Committee on Presbytery Life.

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

Each of the following duties should be executed if possible in consultation with the session of the church which is to be closed.

### **I. PRELIMINARY MATTERS**

\_\_\_\_\_ 1. The first duty of the Administrative Commission should be to: meet with the session to introduce itself; have the session affirm the congregation's intention to dissolve and close the church; and inform the session what the process of the Administrative Commission will be. The commission should ask for the assistance of the session and congregation in the completion of its tasks.

\_\_\_\_\_ 2. Ask the session to 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 (U.S.A.), the Presbytery of Huntingdon is the legal successor of the Presbyterian Church in \_\_\_\_\_, PA"*

G-4.0203, Church Property Held in Trust, reads:

"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)."

\_\_\_\_\_ 3. Ask the session for the names and contact information for any groups using the church properties. The commission determines whether they may continue and notifies the groups of changes.

\_\_\_\_\_ 4. The commission discusses among itself the most appropriate timing for the dissolution. (If the Administrative Commission does not have the authority to dissolve the congregation itself, then the commission should make a recommendation to the presbytery about timing.)

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

\_\_\_\_\_ 1. Work with the session to identify where members wish their membership to be transferred. Ask the clerk of session to send to the stated

clerk of the presbytery a list of persons on the active membership roll, including addresses.

\_\_\_\_\_ 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 the dissolving congregation that their membership is held by the stated clerk for two years if it is not transferred prior to dissolution of the congregation.

\_\_\_\_\_ 4. If a 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 the presbytery will send the letter.

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

\_\_\_\_\_ 1. Set the date and the time for the closing 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 the 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 to 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. Arrange for the typing, printing, and distribution of worship bulletins.
  
- \_\_\_\_\_ 7. Arrange for preparation of communion elements, if needed.
  
- \_\_\_\_\_ 8. Arrange for any needed cleaning of facility before the service.

#### **IV. 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 an accompanying letter to be distributed to the churches and members of the presbytery.
  
- \_\_\_\_\_ 4. Send the flier and letter to the presbytery with ample time for duplication and distribution.
  
- \_\_\_\_\_ 5. Arrange for local newspaper coverage and a photographer. (A picture might also go on the cover of the worship service bulletin).

#### **V. 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 the reception.
- \_\_\_\_\_ 4. Appoint a subcommittee to take charge of decorating and other arrangements.
- \_\_\_\_\_ 5. Gather memorabilia to display.
- \_\_\_\_\_ 6. Plan any type of program, toasts, etc.

## **VI. ASCERTAIN THE FINANCIAL STATUS AND THE FINANCIAL OBLIGATIONS OF THE SESSION**

- \_\_\_\_\_ 1. 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:
  - a. Calculation of per capita for the next year
  - b. Calculation of one year of property liability insurance
  - c. Calculation of one year of basic utilities
  - d. The transfer of the sum total of one-third from congregational funds to the presbytery before other disposition of funds is made by the session or commission.
- \_\_\_\_\_ 2. Conduct a financial review of the treasurer's books for the last 12 months.
- \_\_\_\_\_ 3. Determine the location of checking accounts, savings accounts, endowment accounts, Sunday school accounts, women's group accounts and any other financial resources.
- \_\_\_\_\_ 4. Determine if there are any bequest stipulations on endowment or memorial accounts.
- \_\_\_\_\_ 5. Close all accounts, transferring any balances to a temporary separate checking account of the presbytery.
- \_\_\_\_\_ 6. Submit new signature card(s) for accounts with at least two members of the Administrative Commission designated as signatories.
- \_\_\_\_\_ 7. Determine any outstanding debts/obligations.

- \_\_\_\_\_ 8. Publish in a local newspaper 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 treasurer at  
(address) by the close of the business day (date).*
- \_\_\_\_\_ 9. Oversee the discharge of all financial obligations by the church treasurer.
- \_\_\_\_\_ 10. Oversee the provision of a "statement of contribution" to all current  
year contributors.
- \_\_\_\_\_ 11. Collect records and information relevant to providing 1099 and/or W-2  
forms to any employees during the most recent year. Designate someone (such as  
the session treasurer or presbytery treasurer) to provide them.
- \_\_\_\_\_ 12. If the church owns any stocks, bonds, certificates, or other financial  
instruments have ownership or such transferred to the Presbytery of Huntingdon.
- \_\_\_\_\_ 13. Following the dissolution, transfer any and all remaining balances to the  
Presbytery of Huntingdon and close all remaining accounts.

## **VII. SECURE THE SESSION RECORDS**

- \_\_\_\_\_ 1. Locate and collect all the records of the congregation, including session,  
congregation, trustees, deacons, missionary societies, women's societies, young  
peoples' societies, annual reports, and historical materials. The commission shall  
also collect congregational registers, insurance policies, financial records, building  
plans, information on major property, equipment, roof, etc., and any records of  
other Presbyterian Church that may be deposited there.
- \_\_\_\_\_ 2. Transfer all collected records and documents to the stated clerk of the  
presbytery for determination of which records should be retained for use in the  
presbytery and which should be deposited in the Presbyterian Historical Society  
(Book of Order, G-3.0107).

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

- \_\_\_\_\_ 1. Secure a clear title to the property (cost to be paid by church funds).
- \_\_\_\_\_ 2. Obtain a copy of the deed from the county courthouse. Copies of the  
deed should be sent to the presbytery trustees and the stated clerk.
- \_\_\_\_\_ 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. Ascertain 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.

\_\_\_\_\_ 6. At the time of the sale of property, if the property will no longer be used as a church, the presbytery must notify the County Assessor's Office.

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

\_\_\_\_\_ 1. Inventory and 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. Compile a list of all utilities and services (oil deliveries, bottled water, lawn mowing, snow removal, furnace and equipment checks, elevator maintenance, etc.), including account numbers, name and contact information of the service provider. 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. Arrange for a representative of the Administrative Commission or a designee to be present at disconnecting as necessary.

\_\_\_\_\_ 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.

## **X. ATTEND TO MATTERS OF INSURANCE**

\_\_\_\_\_ 1. In consultation with the presbytery trustees, insurance coverage shall be maintained until the final disposition of the property. Check with the insurance company/companies to ensure that coverage is maintained after a church is dissolved and while it is still owned by the presbytery.

\_\_\_\_\_ 2. Liability coverage shall be maintained until the final disposition of the property.

\_\_\_\_\_ 3. Once the church is dissolved, ensure that the property is covered by property and liability insurance coverage in the name of the presbytery.

## **XI. DISPOSITION OF BUILDINGS AND GROUNDS**

\_\_\_\_\_ 1. Consult with presbytery trustees as needed on disposition of buildings and grounds.

\_\_\_\_\_ 2. Have the property surveyed if this is needed.

\_\_\_\_\_ 3. Obtain an appraisal from at least one real estate agency, if possible.

\_\_\_\_\_ 4. If the building is to be sold, make decisions about how it will be placed on the market.

\_\_\_\_\_ 5. 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") and ask the session about any easements.

\_\_\_\_\_ 6. If there is a church cemetery, ascertain if it is separately incorporated,

with its own board, and is still operating. If it is not separately incorporated, the Administrative Commission will make a recommendation to the presbytery concerning its disposition.

\_\_\_\_\_ 7. 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. The commission reports to the presbytery.

\_\_\_\_\_ 2. The commission requests that it be dissolved effective on a stated date.

\_\_\_\_\_ 3. The presbytery votes to dissolve the commission.

\_\_\_\_\_ 4. The commission submits its minutes to the stated clerk by its dissolution date.

