

**MINUTES OF THE SPECIAL MEETING OF THE PRESBYTERY OF THE MIAMI VALLEY**

Thursday, December 19, 2019

Memorial Presbyterian Church, Dayton, Ohio

**Approved at February 8, 2020 stated presbytery meeting**

The meeting was convened with prayer at 11:00 a.m. on Thursday, December 19, 2019, by Ruling Elder Bruce Saunders, Moderator, at Memorial Presbyterian Church, Dayton, Ohio.

## LEGEND:

P – Present    E – Excused    Blank – Absent    *Italics* – attendance recorded in more than one category

**OFFICERS OF THE PRESBYTERY OF THE MIAMI VALLEY**

<i>Ruling Elder Bruce Saunders, Moderator</i>	P
<i>Ruling Elder Alice McCollum, Vice Moderator</i>	P
<i>Ruling Elder Don Niece, Leadership Council Chair</i>	P
<i>Ruling Elder Larry Hollar, Stated Clerk</i>	P
<i>Ruling Elder Kathleen Sewer, Recording Clerk</i>	P

**MINISTERS OF THE WORD AND SACRAMENT ON ACTIVE ROLL**

Adams, Garth		Haddox, Clifford	P	Miller, Herbie	P
Allen, Todd	P	Haddox, Emily	P	Murphy, Kevin	P
Avotri, Solomon		Hamilton, Susan		Neely, John	E
Bain, Marciana		Helling, Michael		Nile, Laura	E
Baker, Jeri	P	Hernandez, David		Peláez-Díaz, Francisco	
Baker, Richard	P	Hess, Lisa		Ramsey, Thomas	
Bartel, Lawrence	E	Hinds, Kathryn Blocher	E	Rupnik, Frank	
Beres, Benjamin		Hodgkins, Nancy	P	Schenck, Angela	P
Birdsong, Nancy	E	Ingram, Steven		Shin, Kelley Wehmeyer	P
Bova, Lynette	P	Isaacs, Michael	P	Soards, Marion	
Brakemeyer, Randall	P	Kukuk, Terry	P	Sparks-Franklin, Sarah	
Brown, Beau		Lawler, Kevin		Tidwell, Melissa	P
Burslem, Kathleen		Lawrence, Ronald		van Bulck, Marcel	E
Cassedy, Karen	P	Lee, Sang Un		Weaver, Denise	P
Circelli, Diana		Lewis, John		Worthen, Merritt	
Dardaganian, Brad	P	Linville, Deborah		Young, Darryll	
Dennis, Ted	P	Maguire, Brian	E	Ziegler, Diane	E
Dozeman, Thomas		Martin, Christopher			
Duiker, Amy	P	McCormick, Dwight	P		
Garrigan, Carmen		Merrin, Steven			

**TEMPORARY MINISTER MEMBERS FROM OTHER DENOMINATIONS**

Gockel, Stan  
Williamson, Julia  
Whitt, Joe

**HONORABLY RETIRED MINISTERS OF THE WORD AND SACRAMENT (Excused unless attendance indicated)**

Amidon, C. Forrest		Girbert, David A.		Philips, William	
Barr, Judith Dunlap	P	Godfrey, Norman		Righter, Richard	
Brown, Edward		Graham, James		Sheldon, Jocelyn J.	
Conn, Arbuth		Hinds, Joe. M III		Smith, Robert B., Jr.	
Creager, Ronald		Hookey, Joseph R.		Sparks, W. Franklin	
Davis-Dudding, Kay		Horrigan, Kevin		Stewart, Donald M.	
Edmonds, Cheryl		Howard, Kenneth		Swaim, Gerald G.	
Edmonds, Hart		Kester, Gordon L.		Thompson, Glenn E.	
Edwards, Robert L.		Kim, Soo Kwang		Thornton, Jesse	
Evans, Michael		McConnel, George H.		Wade, Robert	
Fleming, David L.	P	McNulty, Edward		Wall, Evan	
Foubert, David		Meyers, JoAnne		Walthour, William	
Fulton, Robert		Niece, Linda	P	Warren, Patrick	
Gerhart, Andrew	P	Nowak, Jacqueline	P	Williams, Russell D.	

Yanney, William

Zuercher, John

**ROLL OF CHURCHES (RULING ELDERS PRESENT)**

BELLBROOK 1 – Seiler, Sue P	DAYTON: TRINITY 1 – Blackmon, M.J. P	PIQUA: GOOD SHEPHERD 1 –
BELLE CENTER 1 –	2 – Smith, Rosemary P	PIQUA: WESTMINSTER 1 –
BELLEFONTAINE 1 –	DAYTON: WESTMINSTER 1 –	REILY 1 –
BLUE BALL 1 –	2 –	RUSHSYLVANIA 1 –
BRADFORD 1 –Buker, Mike (CRE)	EATON: FIRST 1 – Kelley, Rachel K. P	SEVEN MILE 1 –
2 –	FAIRBORN: FIRST	SIDNEY: FIRST 1 –
CLIFTON 1 –	1 – Gadd, Ken P	SPRINGBORO: COVENANT 1 –
COLLINSVILLE 1 – Gabbard, M. (CRE)	FARMERSVILLE: SLIFERS 1 –	SPRINGFIELD: COVENANT 1 –
2 -	HAMILTON: THE P. C. 1 – Eyler, Greg P	SPRINGFIELD: NORTHMINSTER 1 –
COVINGTON 1 – Schultz, Judy P	2 –	2 –
DAYTON: BATH 1 –	HAMILTON: WESTWOOD 1 -	TROY: FIRST 1 –
DAYTON: CENTRAL 1 –	HUBER HEIGHTS: FAITH 1 – Adams, Cyndi P	2 –
DAYTON: COLLEGE HILL 1 –	HUNTSVILLE 1 –	URBANA: FIRST 1 –
DAYTON: CORINTH 1 – Zeh, Barb P	JAMESTOWN 1 –	WEST LIBERTY 1 -
DAYTON: FAIRMONT 1 –	MIDDLETOWN: FIRST 1 –	WILMINGTON 1 – Gillette, Jim P
DAYTON: IMMANUEL KOREAN 1 –	MIDDLETOWN: ST. LUKE 1 -	2 -
DAYTON: MEMORIAL 1 -	MONROE 1 –	XENIA: MEMORIAL UNITED 1 – Randall, Gerald P
DAYTON: SOUTHMINSTER 1 –	NEW CARLISLE: HONEY CREEK 1 –	XENIA: WESTMINSTER 1 – Rickels, Joyce P
2 –	NEW PARIS 1 –	YELLOW SPRINGS: FIRST 1 –
DAYTON: SUGAR CREEK 1 – Mundhenk, Terry P	OXFORD 1 –	

**RULING ELDER MEMBERS OF PRESBYTERY**

Courtney, Donna (LC)	<i>Niece, Don (LC)</i> P	Welborn, Diane (LC)
Hamilton, Kim (LC) P	<i>Saunders, Bruce (Mod)</i> P	<i>Hollar, Larry (SC)</i> P
McCollum, Alice ( <i>ViceMod</i> ) P	Shoemaker, Matt (LC)	<i>Morgan, Marge (COM)</i> P

**CORRESPONDING MEMBERS AND THOSE GRANTED VOICE** (not otherwise registered): Ruling Elder Kathleen Seewer (Recording Clerk), by rule. Ruling Elder Harold Hanlin (Xenia: Westminster), by presbytery vote.

**INQUIRERS AND CANDIDATES** (not otherwise registered): None

**STAFF MEMBERS OF PRESBYTERY** (not otherwise registered): Tom Oxley

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**CALL OF THE MEETING**

Today's special meeting was duly called by the Moderator at the request of the Administrative Commission for the Xenia Churches (hereafter "the AC"), in compliance with the Bylaw requirement that the request come from two ministers of the Word and Sacrament and two ruling elders from different churches. Pursuant to the presbytery Bylaws, notice was given to all church sessions, ministers of the

December 19, 2019

Presbytery of the Miami Valley

Word and Sacrament and Ruling Elder members of the presbytery by email and by U.S. Mail on December 9, 2019.

The purpose of the meeting was to request that the presbytery:

- concur in the Plan of Union approved by the Xenia: Memorial United and Xenia: Westminster Presbyterian Churches through congregational votes on December 8, 2019 (Appendix A below); and
- adopt the implementing and empowering authority delegated to the AC to carry out the presbytery's role in effectuating the union of the two churches as specified in the Plan of Union and as required by the *Book of Order* and the laws of the State of Ohio (Appendix B below).

**REPORT OF THE STATED CLERK:** Following the convening prayer by the Moderator, the Stated Clerk attested to a quorum being present, and on motion and second, presbytery approved the roll of the meeting being formed by signatures obtained at registration. The Clerk attested to the call of the meeting, and clarified the purpose and the process to be undertaken at the meeting, including that the single motion to be offered that requires only a simple majority to pass. He noted that no additional matters may come before the meeting and that only presbyters who have registered by signature would be eligible to vote. The Clerk also explained that no amendments will be in order to the Plan of Union since that document has been specifically approved by both churches in its current form. The presbytery vote will be whether to concur or not concur in the Plan of Union as presented. Amendments to the Implementing and Empowering Authority will be in order on the floor prior to the vote on Motion 1.

By signatures, the attendance was as follows: twenty-six (26) ministers of the Word and Sacrament, zero (0) minister member from other denominations, thirteen (13) ruling elder commissioners (representing twelve (12) churches), and six (6) ruling elder members of presbytery: forty-five (45) voting members. Also present and not otherwise registered were one (1) corresponding member seated by presbytery rule, four (4) visitors, and one (1) staff member of the presbytery. Including duplicate categories, total registered attendance of fifty-one (51). A motion to accept excuses requested by eight (8) ministers of the Word and Sacrament was adopted.

By motion and vote, the presbytery granted the privilege of voice on the floor for today's discussion to Ruling Elder Harold Hanlin (Xenia: Westminster).

#### **ACTION ON MOTION**

**ADMINISTRATIVE COMMISSION FOR THE XENIA CHURCHES** – Minister of the Word and Sacrament Todd Allen, AC member

On behalf of the AC, MWS Allen presented the following motion and spoke to the rationale for the committee's request:

**Rationale and Motion:** For many months the two churches in this presbytery located in Xenia, Ohio—the Memorial United Presbyterian Church and the Westminster Presbyterian Church—have discussed ways of uniting their ministries. Small teams from both churches have addressed some of the details of what that joining might look like. At the request of the sessions of both churches to the presbytery's Committee on Ministry, the presbytery at its August 27, 2019 special meeting noted the progress of those discussion and created an Administrative Commission ("the AC") to come alongside the churches as they continued this journey of exploration. The motion approved by the presbytery in August 2019 was as follows:

"The presbytery authorizes the presbytery Moderator to appoint an Administrative Commission (AC) composed of not fewer than five members (pursuant to Sec. 6.02 of the presbytery Bylaws, Sec. 5.05 of the PMV Policy and Practice, and G-3.0109b of the Book of Order) to collaborate with the sessions of the Memorial United Presbyterian Church and the Westminster Presbyterian Church, both of Xenia, Ohio, as they consider a mutual joining.

- a. The AC so created is authorized to assist the churches by, among other things:
  - i. Determining the process that would best allow a proposed plan of union to be prepared between the two churches and taken to the congregations for a vote, and recommending what vote would constitute sufficient congregational support to approve the plan of union;

- ii. Providing for a presbytery vote to concur in a plan of union that the congregations would jointly present;
- iii. Using empowering authority from the presbytery to carry out the approved plan, in consultation with the churches, to:
  1. Dissolve, merge and create congregations as agreed to in the plan of union;
  2. Allocate the assets of the two churches for joint ministry or disbursement in the best interests of both congregations;
  3. Ensure that pastoral leadership needs are compassionately provided for, working with the Committee on Ministry;
- iv. Keeping appropriate records and reporting to the presbytery at each stated meeting;
- v. Seeking to conclude its work expeditiously, ideally by December 31, 2019.”

The authority and responsibilities of the AC specified above remain in place, and are clarified and in some cases amended by the implementing and empowering authority to be granted in Motion 1 today. The members of the AC are Ruling Elders Rob Storm (Springfield: Covenant), chair, and David Weaver (Dayton: Westminster), clerk; and Ministers of the Word and Sacrament Todd Allen, Emily Haddox, and Merritt Worthen.

On December 8, the active members of both churches, in duly called, separate congregational meetings, voted on whether to approve the proposed Plan of Union that their sessions jointly presented. The votes were 60-30 at Xenia: Memorial, and 32-7 (with one blank ballot) at Xenia: Westminster. The required 2/3 majority of each congregation voting in the affirmative, the AC today brought the motion to presbytery to concur in the Plan of Union the two churches approved (Appendix A). The AC also brought, as part of the same motion, a request that presbytery approve the implementing and empowering authority necessary to carry out the joining of the churches in a way consistent with the Plan of Union, the *Book of Order*, and state law (Appendix B).

The motion the AC presented read as follows:

**Motion 1: That the presbytery:**

- o **concur in the Plan of Union approved by the Xenia: Memorial United and Xenia: Westminster Presbyterian Churches through congregational votes on December 8, 2019 (Appendix A); and**
- o **adopt the implementing and empowering authority delegated to the Administrative Commission for the Xenia Churches to carry out the presbytery's role in effectuating the union of the two churches as specified in the Plan of Union and as required by the *Book of Order* and the laws of the State of Ohio (Appendix B).**

The pastors of the two churches, MWS Kevin Murphy at Memorial and MWS Melissa Tidwell at Westminster, spoke to the motion urging approval, and RE Harold Hanlin also spoke in favor of the motion with suggestions from his perspective as a 62-year member of the Xenia: Westminster congregation.

When all debate concluded, the Moderator called for the vote on Motion 1 and the Motion was adopted.

**ADJOURNMENT WITH CLOSING PRAYER**

All business properly before the presbytery being completed, the meeting was adjourned with prayer by Moderator Bruce Saunders at 11:25 a.m. The next Stated Meeting of the presbytery is Saturday, February 8, 2020, at 9:00 a.m. at the Covenant Presbyterian Church, 201 N. Limestone St., Springfield, OH 45503.

Attest:

Ruling Elder Larry Hollar, Stated Clerk

**APPENDICES:**

- A. Plan of Union Approved by Both Churches

B. Implementing and Empowering Authority for the AC

**APPENDIX A**  
**PLAN OF UNION APPROVED BY BOTH CHURCHES**

**PLAN OF UNION BETWEEN**  
**MEMORIAL UNITED PRESBYTERIAN CHURCH (MEMORIAL)**  
**AND**  
**WESTMINSTER PRESBYTERIAN CHURCH OF XENIA (WESTMINSTER)**

**Mission and Vision Statement for the New Congregation**

As children of God, through faith in our Lord and Savior, Jesus Christ, we seek to further God's kingdom through worship, nurture, and mission to our own and to the world.

Our mission is to present a Presbyterian witness in the community of Xenia. Through both hands-on ministry and financial support, our congregation will use its combined talents and resources to be God's hands in the world. Our united congregation will seek to model the early church exhortation: "See these Christians, how they love one other."

Guided by the Holy Spirit, our larger mission will be to love others in our community as we love one another in Christ's name. We seek to build a house with love and vision where hands reach out to serve and teach so that we may be vessels for God's redeeming purpose.

**Voting to Unite Westminster and Memorial**

Congregational meetings will be called for both congregations on December 8, 2019. During that meeting, every active member present will have the ability to vote in favor of or against the union. 2/3rds of those voting in the affirmative will constitute approval of union according to this Plan of Union. Westminster and Memorial will be dissolved and the new church will be formed by the Presbytery of the Miami Valley and incorporated in the state of Ohio as soon as possible. The new congregation will begin worshipping together January 12, 2020

The purpose of a new name for the united church is to establish unity between both congregations. Therefore, voting for the new name will be done at the first congregational meeting following an affirmative vote for union. The following name choices will be on the ballot:

Xenia Presbyterian  
Trinity Presbyterian  
Xenia United Presbyterian

**Pastoral Leadership**

Ongoing pastoral leadership during the transition is an important factor in helping both churches come together in a spirit of unity. Pastor Tidwell's contract with Westminster has been extended beyond January 1, 2020 to complete the administrative details of the union and once that work is complete, her contract will end, and she will not be employed by the new church. Pastor Murphy's contract is with Memorial, and he is willing to contract with the new church to continue as interim pastor until such time as the new church can elect a pastor nominating committee and call a new installed pastor.



### **Building**

In consideration of both functionality and accessibility, and with regard to both its current and future use, the Memorial building is best suited to house the new church. Key elements in this decision are building and grounds layout, parking, kitchen structure, available classroom space and the size of the pre-school. While acknowledging the emotional ties many members have for either building, there is great potential to explore new and untapped use of the Memorial building in the worship and mission of the new church.

### **Structure for Boards and Committees for the New Church**

The goal for the formation of all boards and committees, including a future Pastoral Nominating Committee is to create fair representation from each congregation for at least three years. Thereafter, prior church affiliation will not be considered in filling vacancies on boards and committees.

Those currently serving on session, boards and committees will continue until new officers are elected. Those with unexpired terms will continue until their terms are completed. A nominating committee will be elected at the first congregational meeting of the new church. They will be expected to fill any vacancies as soon as possible.

**Session:** Session is charged with governing the congregation and guiding its witness to the sovereign activities of God in the world. Currently, Memorial has a session of nine members and Westminster has six members. The new church will have a session of nine members. At the first meeting of the newly formed session a clerk, a treasurer and an assistant treasurer will be elected for a term to be determined by the new session.

**Deacons:** Deacons are charged by the session to maintain contact and care for all members of the congregation. Currently, Memorial has a Board of Deacons consisting of nine members. Westminster does not have a Board of Deacons. The new church will have a Board of Deacons of nine members.

**Trustees:** Trustees are charged by the session for the maintenance and management of the buildings and grounds and serve as the legal representatives of the corporation. Currently, Memorial United has a Board of Trustees consisting of seven members. Westminster does not have a Board of Trustees. The new church will have a Board of Trustees of seven members.

**Committees or Ministry Teams:** Each congregation has a similar committee structure with slight differences in responsibilities. The following Committees/Ministry Teams will combine and as their first task will develop a description that delineates their responsibilities, programs and ministries. They will also decide on their name and chair. The chair of each committee/team should be a currently serving elder. We acknowledge that the newly formed committees/teams may be unduly large and expect them to return to more workable numbers through attrition within the first year. The following is a list of current standing Committees for Westminster and their corresponding Mission Teams for Memorial:

**Westminster Committee**

Leadership Development  
& Personnel Committee  
Mission Committee  
Program and Worship Committee  
Evangelism and Outreach Committee  
Parish Care Group  
Communications Committee  
Finance Committee  
Building & Grounds Committee

**Memorial Mission Team**

Personnel Team  
  
Mission Team  
Worship and Music Team  
Spiritual Growth Team  
Board of Deacons  
  
Stewardship Team  
Trustees

**Mission and Ministries**

All current missions and ministries of each congregation will be continued in the new church. Teams and boards will be encouraged to evaluate them in the first year after the union to determine if they should be continued beyond that. These include, but are not limited to: Memorial Preschool, AA meetings, Communion at Legacy, Sweet Dreams etc.

**Staff Consolidation**

Every person who is currently employed in a permanent position at either of the two joining churches and who wishes to continue in his or her position, will be employed at the new church.

The financial secretary and music director at Westminster have indicated they are planning to retire at the end of this year (2019) and will not be employed by the new church.

The custodian of Westminster would like to continue working and will be employed at the new church at the same number of hours he currently works. Sam will be supervised by Ed McCoy. The personnel committee of the new church will work with Ed and Sam to make this transition work smoothly.

Within sixty days the session of the new congregation will approve a new employee handbook. Until that time we will use the current handbook developed by Memorial. Any future staffing needs or issues will be addressed by the Personnel Committee in coordination with the Pastor.

**Disposition of Moveable Property**

Some movable property from each church will be transferred to the new church. This will include, but not be limited to: furniture, plaques, statues, items used in worship, items on loan, decorations, memorial gifts, etc. Members of each church shall be given the opportunity to request items to be transferred to the new church in writing. Each Session will decide what properties will be transferred.

Excess property may be donated to other churches in need or sold or discarded to allow room for placement in the new church.



Once the union is approved by both congregations, the session of the new church will make the determination of placement of all property in question.

The new church should reflect the origin, history, and traditions of each of the contributing churches. This should help the new church establish new plans, goals, and opportunities for its future growth of God's kingdom in Xenia, Ohio.

### **Years of Longevity after Church Merger**

Each church member's years of longevity, at the time of union, will carry over to the newly formed church.

### **Financial and Legal Considerations**

Upon successful vote to unite, the clerks and treasurers of Memorial and Westminster and those of the new church, once they take office, are hereby authorized and directed to take all actions needed to wind up the affairs and to dissolve Westminster and Memorial and to create one new legal entity under the name selected for the new church. These tasks will include:

- Filing new documents of incorporation and a certificate of consolidation with the Ohio Secretary of State
- Applying for new sales tax exemption certificates
- Applying for new local, state, and federal tax ID numbers for the purposes of properly withholding and paying payroll, worker's compensation, and all other tax requirements
- Creating a new accounting system for receiving gifts and income to the new church; expending funds as needed to pay for financial obligations and ministry contributions; and managing payroll as well as tracking income and expenses and reporting needed financial information to the new session
- Reviewing all restricted gifts held by the separate churches and setting up such new accounts as needed to properly safeguard those gifts for the purpose intended
- Combining all financial assets in checking, saving or money market investment accounts from the separate churches into one common set of accounts for the purpose of wisely managing the financial assets of the new church
- Obtaining a new internet address for the website of the new church
- Obtaining new corporate credit cards
- Informing vendors of our new identity and tax ID number.

This work will be done in a way that upholds all applicable requirements of the law and the polity of the PCUSA, safeguards the confidential information of donating members, and reports to the people in a transparent and timely way.

The new session will form a sub-group, along with other persons in the congregation who may be of assistance, to write a manual of operations and new set of by-laws for the new church in accordance with the form of government of the PCUSA.

### **Conclusion**

We offer this plan with prayers of gratitude for the call to move toward unity and the gifts emerging from our midst for the glory of God.

**END OF APPENDIX A**

## **APPENDIX B**

### **Implementing and Empowering Authority, Administrative Commission for the Xenia Churches**

The presbytery grants the following powers to the Administrative Commission for the Xenia Churches (“the AC”) to enable the AC to effectively implement the merger of the Xenia: Memorial United Presbyterian Church and the Xenia: Westminster Presbyterian Church in accordance with the Plan of Union agreed to by the two congregations and the Presbytery of the Miami Valley; with the *Book of Order*, and with the laws of the State of Ohio.

Should authority not specified below be necessary to implement the merger, the AC, in consultation with the two congregations or the succeeding congregation, may request the presbytery’s Leadership Council to approve and grant the AC additional or clarifying implementing authority. The Leadership Council will report on any such authority granted to the AC to the next stated presbytery meeting.

- 1. Consultation and Communication:** Implementation of the Plan of Union requires close coordination and communication between the AC and the two congregations and succeeding congregation. This will ensure a merger that is consistent with both ecclesial and legal requirements and preserve assets for the ministries of the congregations. The presbytery Trustees and staff will also play important roles in the implementation process. A merger done with haste is less important than a merger done thoughtfully and well. It is essential that, at an early date, a mutually-agreed upon timeline be prepared specifying actions that the succeeding congregation and its session, and the AC and others acting for the presbytery, will take to implement the merger, and the respective authorities of each to carry out the plan be clarified in writing. The AC should also inquire about the congregations’ current perspectives on the Plan of Union and the merger as they have passed through the congregational vote process and enter the implementation stage.
  
- 2. Authority regarding congregations:** The AC is specifically granted authority, in consultation with the two congregations, to act on behalf of the presbytery to:
  - a.** Dissolve the Xenia: Memorial United and Xenia: Westminster Churches (G-3.0301);
  - b.** Merge the two congregations (G-3.0301);
  - c.** Organize creation of a new congregation as successor to the two former congregations (G-3.0301).

- 3. Responsibility for the people of God:** In accordance with G-3.0301a and c, the AC will
  - a. Ensure that processes for membership transfers for all members of the dissolved congregations are in place to care for their spiritual needs.
  - b. Ensure that the presbytery's Committee on Ministry compassionately provides for pastoral leadership of the congregations and the successor congregation.
  - c. See to it that meaningful final worship services of the two congregations as separate churches and the initial worship service of the successor congregation are carried out, including appropriate ways to acknowledge the congregations' changing ecclesial status as an action of the presbytery at those services.
  
- 4. Authority for legacy gifts, mission spending and budgets:** The AC shall consult with both congregations and the successor congregation to:
  - a. Ensure that consideration is given to a possible legacy gift to be paid from the proceeds of the sale of any real property of the former congregations and other assets as both congregations are dissolved, reflecting the history and mission of the former congregation whose property is involved.
  - b. Ensure that the remaining proceeds of any real property sale and other assets of the two congregations are used in accordance with mission priorities of the combined congregations or for disbursement in the best interest of both congregations, as approved by the session of the successor congregation and with the concurrence of the AC.
  - c. Ensure that the congregations and the successor congregation prepare operating and capital budgets to carry out their mission and ministry plans.
  
- 5. Authority regarding real and personal property:** The AC is authorized to:
  - a. Except as provided in Sec. 4a above, provide for the transfer of all current property, real and personal including financial assets, to the successor congregation, and ensure inclusion in all such transfers a reference that all property is held for the use and benefit of the Presbyterian Church (U.S.A.) (G-4.0203).
  - b. Serve as a pastoral resource to the congregations and the successor congregation for any property transfers such as memorial gifts regarding which emotional connections and loyalties create controversy or concern.
  - c. Ensure that the new congregation is legally named as the successor in interest of both former congregations so that any property or gifts can be received by the successor congregation.
  - d. In collaboration with the presbytery Trustees and in consultation with the congregations and the successor congregation, provide for the sale,

purchase or encumbrance of the church building and other real property of either of the current congregations in accordance with G-4.0205 and G-4.0206a of the *Book of Order* and Sec. 1.02 of the Presbytery Trustees Policy and Practice.

- e. Through use of the proceeds of sale of any property and of the other resources of the two congregations, ensure that the presbytery's expenses for legal and professional support, maintenance and repair expenses relating to a prospective sale of property, and other costs the presbytery incurs related to the sale of the property and implementation of the merger are fully and promptly reimbursed in cash.
  - f. Request that presbytery provide such accounts on its books as may facilitate receipt and payment of legacy gifts, presbytery expense reimbursement, or other financial matters, along with use of appropriate accounts of the successor congregation, as agreed to by the AC and the session.
- 6. Authority of sessions:** The authority of the sessions of both congregations and of the successor congregation that are described in the Plan of Union are affirmed as the powers those councils may carry out during the period of transition to the new structure. The AC will provide counsel, support and interpretation in the event of disagreements or ambiguity in the exercise of those authorities or in implementing the new congregational operational structure.
- 7. Coordination of timing:** The AC shall ensure that the timing of action on legal matters under Ohio law described in the section of the Plan of Union entitled "Financial and Legal Considerations" are coordinated, through the Stated Clerk of the presbytery, with:
- a. The naming of the new congregation; and
  - b. The ecclesial actions necessary through the Presbyterian Church (U.S.A.) to dissolve the current congregations and merge and create the successor congregation.
- 8. Reporting and Records**
- a. The successor congregation shall create a new active membership roll from the combined rolls of the former congregations, and such other rolls as are necessary.
  - b. The minutes of the former congregations shall be appropriately archived, in collaboration with the presbytery Stated Clerk.
  - c. The presbytery Stated Clerk will report the dissolutions and merger to the denomination and obtain a new PIN for the successor congregation.
  - d. The AC will keep appropriate records, report to the presbytery at each stated presbytery meeting, and prepare a final report upon concluding its business.

END OF APPENDIX B

