

**Best Practices
for
Trustees in the Local Church
Webinar - Part 2**

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Desert Southwest Conference Board of Trustees

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Advanced Trustee Topics

- ▶ Sale of Church property (UM Trust Clause)
- ▶ Government regulations and local laws
- ▶ Memorial Committees vs. Trustees' (endowments and designated gifts)
- ▶ Fifteen-passenger vans
- ▶ Fire protection and inspections
- ▶ Safe Sanctuary compliance
- ▶ Building security
- ▶ Evacuation plans
- ▶ Lockdown plans

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**Transfer, Sale, or Mortgage of
Church-owned Property**

- ▶ Trustees' are the legal entity of the local church
- ▶ Such actions must be approved by the pastor, district superintendent, and the district location committee
- ▶ Must consider the mission of the church
- ▶ If church is unincorporated – two Trustees must execute necessary documents
- ▶ If church is incorporated – two Officers must sign

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United Methodist Trust Clause

The United Methodist Church is connectional – all churches are connected to all other churches through the district, annual conference, jurisdictional conference, and the general conference. For this reason, all titles to all church-owned properties are held "in trust" for the benefit of the entire UMC. The UM Trust Clause must be included in all titled or deeded property, as well as in the Articles of Incorporation for all incorporated local churches. The *Book of Discipline*, by reference, incorporates all UM property into deeds and Articles of Incorporation.

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UM Trust Clause -- Continued

- ▶ Review deeds annually to insure the Trust Clause is in place
- ▶ Absence of the Trust Clause does not relieve the local church of its connectional responsibility to hold property in trust
- ▶ Federal and state courts have upheld the UMC's right to the Trust Clause (an AZ case is currently being litigated)
- ▶ In the event of a church closing, its property is transferred to the annual conference for disposition by Conference Trustees
- ▶ In the DSWC, the proceeds of the sale of such property are deposited in a fund designated for new faith communities

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Government Regulations and Local Laws

"Give to Caesar that which is due Caesar"

Churches must comply with all applicable local, state, and federal laws:

Building permits, food preparation and health regulations, fire inspections, perimeter lighting, traffic rules, signage, etc.

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Memorials, Designated Gifts and Endowments

- ▶ Memorial Committee or Trustees?
- ▶ Trustees Responsibilities
 - ▶ Suitability of gift
 - ▶ Maintenance concerns
 - ▶ Liability and risk concerns
 - ▶ Theological concerns
- ▶ In consultation with Pastor and/or Committee

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Fifteen-passenger Vans

- ▶ Generally not recommended
- ▶ Insurability
- ▶ Designated Driver (CDL license and experience)
- ▶ Applies to ownership or rental
- ▶ Examine other alternatives

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Safe Sanctuary Compliance

- ▶ Guidelines for protecting children
- ▶ Protection for those who work with children
- ▶ Background checks by local authorities
- ▶ Waiting period for new child workers
- ▶ Coordinate Safe Sanctuary implementation with SPRC, youth and Sunday School ministry leaders, and the Pastor
- ▶ Copy of Guidelines is available from Cokesbury online.

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Building and Personal Security

- ▶ Fire and entry alarm systems – policies and procedures
- ▶ Security lighting
- ▶ Plan for unusual events such as an active shooter on campus, local disasters (weather related or other)
- ▶ Document procedures for building and personal security in the form of policies for staff and others using the facility
- ▶ Consult with Church Mutual on active shooter training
- ▶ Partner with local police and fire departments

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Evacuation Plans

- ▶ For full or partial evacuation of all facilities (Sanctuary, classrooms, meeting rooms, kitchen and dining facilities)
- ▶ Graphic representations of Evacuation Plans should be prominently displayed for the general public
- ▶ Evacuation Drills ???
- ▶ Provide for lockdowns at different times of the week
- ▶ Coordinate with nearby schools or other facilities for providing safe space in case of evacuation of children
- ▶ Arrange for meeting places and transportation centers

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Working with Local Authorities

- ▶ Establish relationships with local fire and police departments
- ▶ Enlist fire and police professionals in developing security plans and procedures
- ▶ Encourage an on-site presence
- ▶ Schedule activities involving fire and police in the life of the church (CPR classes, neighborhood policing, informational presentations)

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**Workplace Safety
and Loss Prevention**

- ▶ Church Mutual materials available (forms, videos, posters)
- ▶ Checklists
- ▶ Consult with Church Mutual Risk Management Representative
- ▶ Plan should be documented and routinely used
- ▶ Lowers Workers Compensation Insurance premiums
- ▶ Should be specific to each facility

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**DSW Conference
Resources for Trustees**

- ▶ Chancellor – Marilee Clarke, Attorney
Contact through Randy Bowman's office
- ▶ DSWC Treasurer – Randy Bowman
randy@dscumc.org (602) 798-8212
- ▶ DSWC Trustees – Rev. Jonathon Arnpriester, President
janpriester@gmail.com
- ▶ Church Mutual Insurance Company
Andrea Weingel, Account Manager– Local Representative
(800) 554-2642 option 1 Cell 480-772-6428
Email: aweingel@churchmutual.com
Website: www.churchmutual.com

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**Materials Available
From Cokesbury Online**

- ▶ *Book of Discipline -- 2016*
- ▶ *Guidelines for Trustees: Managing the Resources of the Congregation*
By Frank Dunnewind for the General Council on Finance and Administration
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