

**PETITION
to the
2022 MOUNTAIN SKY CONFERENCE**

TITLE: DISAFFILIATION OF Cheraw United Methodist Church pursuant to Discipline Paragraph 2553

ACTION TO BE VOTED ON:

- 1 Does the Mountain Sky Annual Conference ratify the disaffiliation of Cheraw UMC as a local church of
- 2 The United Methodist Church?

RATIONALE (Not debatable):

The 2019 Special General Conference enacted new Paragraph 2553 to the Book of Discipline which sets forth the process for the disaffiliation of a local church from The United Methodist Church for reasons related to human sexuality. Paragraph 2553 authorizes the conference board of trustees to establish the terms and conditions of a binding disaffiliation agreement with the advice of the cabinet, the annual conference treasurer, the annual conference benefits officer, the director of connectional ministries, and the annual conference chancellor.

A necessary step in the disaffiliation process requires the annual conference to ratify the disaffiliation agreement between the local church and the applicable conference board of trustees. The Judicial Council in Decision #1420 held that “[t]he ratification of a disaffiliation agreement is completed by a vote up or down by the members of the annual conference but does not include the right to amend it.” There is no requirement under Paragraph 2553 that the Disaffiliation Agreement must be published or made available to the annual conference delegates before or after the annual conference delegates vote on the petition concerning a local church disaffiliation.

In 2020, the Mountain Sky Conference Board established and published its initial template for a Disaffiliation Agreement and related Exhibits patterned after a template developed by the General Council on Finance and Administration. As part of its process, the Conference Board sought the advice of the cabinet, the Conference treasurer, the Conference benefits officer, the Conference director of connectional ministries and the Conference chancellor, among others. For various reasons, including the impact of COVID, no local churches sought disaffiliation in 2020.

At the 2021 annual conference session, the annual conference ratified the disaffiliation of two local churches. Following the 2021 session, and learning from the experience with these two churches, the Conference Board revised the template for the Disaffiliation Agreement and related Exhibits to make certain terms and conditions more understandable. The material terms and conditions required by Paragraph 2553 were not changed. In addition to the revised template, the Conference Board established and published a document entitled, “Disaffiliation Application and Process” setting forth the steps and providing a timeline for the disaffiliation process.

Earlier this year, Cheraw UMC requested disaffiliation from The United Methodist Church pursuant to Paragraph 2553. It has timely complied with all terms and conditions set forth in the template for the Disaffiliation Agreement and related Exhibits.

One such term and condition authorized by Paragraph 2553 and set forth in the template of the Disaffiliation Agreement, authorized the Conference Board to require a monetary payment for the release of the church property

of Cheraw UMC from the trust imposed under Paragraph 2501.1 of the *Discipline*. Conference ministry leaders determined there was not a viable opportunity for vital United Methodist ministries in the locality of Cheraw UMC. Accordingly, the Conference Board did not require a monetary payment for the release of the denominational trust interest in the property of Cheraw UMC. Instead, the Conference Board inserted provisions in the quit claim deed releasing the denominational trust which places restrictions on the sale or transfer of church property after the disaffiliation process is concluded. Generally, if the property ceases to be used as a house of worship in the ten years following the effective date of disaffiliation, the Cheraw UMC or a successor in ownership of the property shall pay the Conference a percentage of the value of the property or sales price.

In all other respects, the local church has paid all other monetary obligations imposed by Paragraph 2553, including unpaid mission shares and apportionments, unfunded retiree healthcare, and unfunded pension liabilities.

The Conference Board requests the delegates to this annual conference session to ratify the disaffiliation of Cheraw UMC from The United Methodist Church.

As a final note, on August 22, 2022, the Judicial Council issued Decision #1449 related to whether local churches can disaffiliate under the provisions of Paragraph 2548.2 of the *Discipline*. The Judicial Council held in part that the process set forth in Paragraph 2548.2 does not apply to the membership of a local church who seek to disaffiliate from The United Methodist Church.

EVALUATION (Not debatable):

How will we know when the Mountain Sky Conference has done this?

Following annual conference ratification of this disaffiliation, the Conference Board will monitor steps necessary to deliver a quit claim deed to Cheraw UMC releasing all its property from any trust interest, as further provided in the Disaffiliation Agreement.

ATTACHMENTS (Additional Information / Not Debatable)

PETITION DETAILS

This petition is a

Binding Action

Non-Binding Resolution

Effective Date:

Effective upon vote to ratify the Disaffiliation Agreement

Termination Date:

This matter terminates upon performance of all outstanding matters set forth in the Disaffiliation Agreement.

PETITION ADVOCATE

This person will be the contact person for the Petition before and during the annual conference session and will be responsible for overseeing the presentation of the Petition in Hearing Groups and Plenary.

Name: Chris Carr

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Phone @ Conference:

PETITION SUPPORTERS:

Names of additional persons who wish to be identified in support of the Petition.

Ross Nielsen, Ad Council Chair	Laity, Cheraw UMC
Donna Rhode, Lay Leader	Laity, Cheraw UMC
Frank Broce, SPRC Chair	Laity, Cheraw UMC
Jack Hall, Trustee Chair	Laity, Cheraw UMC

FINANCIAL IMPACT:

Will there be any identifiable financial impact to the Conference?

Yes
 No

If "Yes," please complete the information below.

To Be Completed by the Originator of the Petition

Cost: \$
Over what span of time (check one):
 One Time
 One Year
 Multiple Years

To Be Completed by Conference Council on Finance and Administration (CFA)

Review by CFA on: 09/30/2022

Included in proposed 2023 budget?

Yes
 No

Amount if included \$

May be considered for budgets in future years?

Yes
 No

Projected Total Amount \$

Recommendation by CFA concerning funding

Reason for recommendation: This action has no material impact on Conference budget.