

**Church Council Meeting  
Task Force Report  
January 17, 2023**

**Task Force Members**

Dave Nash, Steve Evick, Tom Gatewood, Susan Hubbuch, Merc Skaggs, and Pastor Debra. Later, Robin Good, HUMC Administrative Assistant, joined the Task Force to assist with a congregational communication plan.

**Background**

On the formation of the Task Force, it was agreed the Task Force would report to the Church Council, and subsequently to the congregation, the following:

1. A complete discussion of the pertinent issues including alternative actions available.
2. A listing of alternative decisions that would result from various courses of action.
3. A non-binding straw poll to identify the wishes of the congregation.
4. A proposed schedule for moving forward.

The purpose of the Task Force was to educate and inform the congregation on the UMC human sexuality proposed changes before United Methodist Churches, but not advocate for one position over another. Before a congregation can make a final decision on the direction it will take, the church body must understand the many facets of this issue.

Prior to the congregation formalizing their decision with a Church Conference, numerous steps are required and must be followed carefully. These recommended steps are detailed under the heading Section VIII. Disaffiliation of Local Churches Over Issues Related to Human Sexuality Para. 2553. Disaffiliation of a Local Church Over Issues Related to Human Sexuality.

Additionally, “frequently asked questions” are appended to this report. These FAQ further describe the issues and actions.

**Task Force Recommendations**

**Church Council’s First Decision**

The first decision before the HUMC Church Council is determining if there is enough interest among members of the HUMC congregation to investigate disaffiliation from the United Methodist Church.

- If the answer is yes, the Church Council/Task Force would undertake a program of inquiry that would include educating the congregation on the human sexuality issue through printed and video materials, small group meetings, and inviting an outside resource to answer questions for clarity. Following this, a straw poll would be conducted to identify the direction in which the congregation wishes to move staying with a more progressive UMC or disaffiliating for a more traditional congregation.
- If the Church Council decides no, then HUMC will wait for the decision made at the 2024 UMC General Conference by the global assembled body regarding the ordination of

openly LGBTQ persons, the affirmation of marriage for openly LGBTQ persons, and the permission for UM clergy to perform LGBTQ marriages without punishment if they so desire.

### **Church-Wide Decision Making Process**

- The Harmony Church Council will decide whether or not to have a Church Conference in accordance with the ¶ 2553 *Resolution* (see). United Methodist Churches are not required to vote for remaining with the UMC or disaffiliating from the UMC. However, to advise the Church Council in making its decision, a congregation-wide, non-binding straw poll will be conducted. The results will be reported at the March 21, 2023, Church Council meeting. Should Church Council determine no action should be taken by December 31, 2023, then the Harmony UMC automatically remains a United Methodist Church.
- Should the Church Council decide to proceed with a formal vote, the procedure set forth in ¶ *Section 2553* will be followed. A Church Conference, called specifically for voting on this issue, would be held as soon as possible. For this vote, only members of Harmony UMC as of January 1, 2023 may cast a ballot. Each voting member must be physically present to vote; no proxies will be permitted. For a church to disaffiliate from the United Methodist Church, two-thirds of the votes must support disaffiliation. Prior to any formal vote, the Church Council would communicate clearly all voting procedures.

### **Action requested of the HUMC Council at its January 15, 2023 meeting**

The Task Force asks the Church Council to vote on this question: Should a non-binding straw poll be conducted of all current HUMC members and regular attendees? The straw poll would ask the question: “Should HUMC conduct a Church Conference before the end of February, 2023, to determine whether or not to remain a United Methodist Church according to the guidelines of Section ¶ 2553 the UMC Discipline?”

The Church Council voted to move forward with conducting a congregational straw poll. Procedures for the straw poll will be distributed prior to voting.

### **Important Policies and Procedures for Consideration Going Forward**

At the 2019 UMC General Conference, the following disaffiliation procedures were added to the Book of Discipline.

#### **Section VIII. Disaffiliation of Local Churches Over Issues Related to Human Sexuality**

##### **Para. 2553. Disaffiliation of a Local Church Over Issues Related to Human Sexuality.<sup>1</sup>**

Because of the current deep conflict within The United Methodist Church around issues of human sexuality, a local church shall have a limited right, under the provisions of this paragraph, to disaffiliate from the denomination for reasons of conscience regarding a change in the requirements and provisions of the Book of Discipline related to the practice of homosexuality or the ordination or marriage of self-avowed practicing homosexuals as resolved and adopted by the 2019 General Conference, or the actions or inactions of its annual conference related to these issues which follow.

### **Time Limits.**

The choice by a local church to disaffiliate with The United Methodist Church under this paragraph shall be made in sufficient time for the process for exiting the denomination to be complete prior to December 31, 2023. The provisions of ¶ 2553 expire on December 31, 2023, and shall not be used after that date.

### **Decision Making Process.**

The church conference shall be conducted in accordance with [Section] ¶ 248 and shall be held within one hundred twenty (120) days after the district superintendent calls for the church conference. In addition to the provisions of ¶ 246.8, special attention shall be made to give broad notice to the full professing membership of the local church regarding the time and place of a church conference called for this purpose and to use all means necessary, including electronic communication where possible, to communicate. The decision to disaffiliate from The United Methodist Church must be approved by a two-thirds (2/3) majority vote of the professing members of the local church present at the church conference.

### **Process Following Decision to Disaffiliate from The United Methodist Church.**

If the church conference votes to disaffiliate from The United Methodist Church, the terms and conditions for that disaffiliation shall be established by the board of trustees of the applicable annual conference, 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. The terms and conditions, including the effective date of disaffiliation, shall be memorialized in a binding Disaffiliation Agreement between the annual conference and the trustees of the local church, acting on behalf of the members. That agreement must be consistent with the following provisions:

#### **A. Standard Terms of the Disaffiliation Agreement.**

The General Council on Finance and Administration shall develop a standard form for Disaffiliation Agreements under this paragraph to protect The United Methodist Church as set forth in ¶ 807.9. The agreement shall include a recognition of the validity and applicability of ¶ 2501, notwithstanding the release of property therefrom. Annual conferences may develop additional standard terms that are not inconsistent with the standard form of this paragraph.

#### **B. Apportionments.**

The local church shall pay any unpaid apportionments for the 12 months prior to disaffiliation, as well as an additional 12 months of apportionments.

#### **C. Property.**

A disaffiliating local church shall have the right to retain its real and personal, tangible and intangible property. All transfers of property shall be made prior to disaffiliation. All costs for transfer of title or other legal work shall be borne by the disaffiliating local church.

#### **D. Pension Liabilities.**

The local church shall contribute withdrawal liability in an amount equal to its pro rata share of any aggregate unfunded pension obligations to the annual conference. The General Board

of Pension and Health Benefits shall determine the aggregate funding obligations of the Annual Conference using market factors similar to a commercial annuity provider, from which the annual conference will determine the local church's share.

**E. Other Liabilities.**

The local church shall satisfy all other debts, loans, and liabilities, or assign and transfer the to its new entity, prior to disaffiliation.

**F. Payment Terms.**

Payment shall occur prior to the effective date of departure.

**G. Disaffiliating Churches Continuing as Plan Sponsors of the General Board of Pension and Health Benefits Plans.**

The United Methodist Church believes that a local church disaffiliating under ¶2553 shall continue to share common religious bonds and convictions with The United Methodist Church based on shared Wesleyan theology and tradition and Methodist roots, unless the local church expressly resolves to the contrary. As such, a local church disaffiliating under ¶ 2553 shall continue to be eligible to sponsor voluntary employee benefit plans through the General Board of Pension and Health Benefits under ¶ 1504.2, subject to the applicable terms and conditions of the plans.

- a. Once the disaffiliating local church has reimbursed the applicable annual conference for all funds due under the agreement, and provided that there are no other outstanding liabilities or claims against The United Methodist Church as a result of the disaffiliation, in consideration of the provisions of this paragraph, the applicable annual conference shall release any claims that it may have under ¶ 2501 and other paragraphs of The Book of Discipline of The United Methodist Church commonly referred to as the trust clause, or under the agreement.

**NOTE**

In Decision 1379, the Judicial Council clarified that the process of disaffiliation by a local church is not finalized until a simple majority of the annual conference acts to approve the motion for disaffiliation.

**For Disaffiliation to Occur in the Virginia Conference, What Must Happen?**

- The Virginia Conference must approve the disaffiliation at its annual or a specially called meeting.
- The disaffiliating church is required to pay 24 months of apportionments and pastoral pension liabilities. The estimated amount for Harmony UMC would be approximately \$200,000.
- The disaffiliating church would be required to file a charter as a nonprofit organization with the State of Virginia.
- The disaffiliating group could decide to become independent or align with another church denomination.

**Appendix A**  
**HUMC Frequently Asked Questions**

**Do all UM churches in the Conference have to take a vote on this issue of disaffiliation?**

No. We suppose this confusion stems from the assumption leading up to the 2020 General Conference that there would be a division in the UMC and churches (or individuals) would need to determine which “branch” of Methodism they would follow. The General Conference did not meet in 2020. There has been no split, nor has there been any revision to the Book of Discipline allowing part of the church to separate and still call themselves “United Methodist”. Until and unless the General Conference requires churches to choose an affiliation, all United Methodist Churches and members remain United Methodist, guided by the Book of Discipline. Any individual layperson or clergy that chooses to withdraw or transfer their membership to another denomination have always been able to do that.

Congregations, however, have never had the option to leave the denomination as a whole until now, and only for a limited time (Dec. 31, 2023...through Par 2553). No church is required to take a vote to remain UMC or to leave (disaffiliate) from the UMC.

**Why do conservative churches have to disaffiliate and pay to the conference for our church building, but the liberal churches automatically get to continue to be "United Methodists"?**

No church has to disaffiliate. The UMC is made up of members who do not all agree on all matters. Every General Conference gives us an opportunity to discern together the rules that we will live in a covenant relationship. That is a democratic process.

In 2019, the General Conference made the unprecedented decision to allow some churches to leave the denomination per Par 2553: "Because of the current deep conflict within The United Methodist Church around issues of human sexuality, a local church shall have a limited right, under the provisions of this paragraph, to disaffiliate from the denomination for reasons of conscience regarding a change in the requirements and provisions of the Book of Discipline related to the practice of homosexuality or the ordination or marriage of self-avowed practicing homosexuals as resolved and adopted by the 2019 General Conference, or the actions or inactions of its annual conference related to these issues which follow." United Methodists choosing to remain in the UMC are free to do so, regardless of their agreement or disagreement with the Book of Discipline. Churches are made up of members who do not all agree and we discourage congregations from taking unnecessary votes that might cause painful division in the body.

**Why are those who disagree with the current BOD not required to leave?**

No church has to disaffiliate. And no member of the UMC is required to leave when they disagree with the Book of Discipline. The UMC is made up of members who do not all agree on all matters. Every General Conference gives us an opportunity to discern together the rules that we will live in a covenant relationship.

**What is a pastor's role in the decision of a church as they decide about disaffiliation?  
Should they influence or simply guide?**

The pastor is the spiritual and administrative leader of the church and should be involved in assisting the congregation through the discernment process. The District Superintendent is also available as a resource to answer questions and provide tools for discernment. We encourage lay and clergy to utilize the resources such as this FAQ, webinars and study guides available on our website in the discernment process so that everyone has the facts and information necessary to make an informed decision.

**Please explain who votes for disaffiliation.**

At the local church conference:  $\frac{2}{3}$  of the professing members present and voting. The church membership secretary is responsible for maintaining an updated list of professing members. At the annual conference: a simple majority (50%+1) is needed of all eligible members of the annual conference present and voting.

**Can a proxy or absentee ballot be cast at the Charge Conference during disaffiliation for members who cannot attend the meeting?**

No. Only those members present and voting at a properly called Church Conference will have their vote counted.

**Are all UMC (within the USA) using the same disaffiliation requirements?**

With the delay of the 2020 General Conference, a common set of terms for disaffiliation was not developed. Each conference was asked to develop its own process. As a result, the requirement across conferences is not comparable.

**What happens after Dec. 31, 2023, for the option of disaffiliation if a local church does not agree with the 2019 decision that won't be voted on until 2024?**

Current requirements for disaffiliation set a deadline of Dec. 31, 2023, for churches to leave the denomination using Para. 2553. A church can choose to leave the denomination at any time using the guidelines set forth in the Trust Clause. Churches will need to wait until after the delegates vote at the General Conference session in 2024 to see if there are any changes made to church polity.

**Can disaffiliating churches still use United Methodist in their name?**

No, upon disaffiliation, churches relinquish the right to use the name United Methodist and to use the cross and flame logo. In addition, they will surrender their non-profit status under the IRS group ruling granted to the General Council on Finance and Administration of The United Methodist church.

**If a church follows the process to disaffiliate - and the Annual Conference approves - is the disaffiliation effective with the Annual Conference vote, when all liabilities are completed, or on Dec. 31, 2023?**

Disaffiliation is complete only when all payments due are made in full, the annual conference has approved the motion of disaffiliation and the effective date of disaffiliation set by the annual conference is reached. All must be completed by December 31, 2023.

**May a retired UM pastor lead a disaffiliated congregation?**

Not necessarily. United Methodist clergy are amenable to the Annual Conference in which their membership is held. They are members of and report to a UMC charge conference and its pastor. Once a church is disaffiliated, they no longer have any claim on the UMC, and therefore will not have a UMC pastor appointed. They will be solely responsible for finding a pastor, or following the process in a new denomination.

**If a church wants to disaffiliate from the UMC, but cannot afford the financial cost, what happens to the church property?**

If an entire congregation leaves the UMC through the disaffiliation process and does not have the ability to meet the financial requirements to retain their property, the conference will work through the Missional Action Planning teams to utilize the assets for United Methodist ministry and mission in that area.

**What other options do we have to disaffiliate?**

No church is being forced to leave and pay the costs of disaffiliation. If the congregation discerns that it must leave, then it has the option of disbanding/closing and reverting the property to the conference. This should be part of your discernment. You do not need to leave the denomination. Please make sure that you are fully informed of the reasons for disaffiliation and whether or not your members truly intend to leave the UMC before making a decision that will displace your members and leave you without a place of worship, ministry and mission.

**It appears that based on the church's financial situation, the church may be in a position where it cannot disaffiliate even if it wishes to do so. Are there any options for such a congregation regarding appointments and performance of ceremonies?**

This question implies that the church is at odds with the current Book of Discipline. We do not always agree on all matters in the Discipline, and we work together through legislation and holy conferencing to discern where God is leading us. We have prayerfully discerned changes to our polity throughout our history. If a church agrees with the Discipline's language around ordination and marriage, there is no need to disaffiliate. If the church does not agree, then there are avenues to pursue through legislation to General Conference to change that. And, nothing in the current Book of Discipline requires a pastor to officiate a wedding if they do not want to. The appointment process allows a process of consultation with a local church SPRC to prayerfully discern the right match for a pastoral appointment.

**Why are we talking about disaffiliation if there has been no change to the BOD? It makes it sound like a change is coming that is already a done deal. Is this so? Have decisions already been made that we are not privy to?**

The restrictions in the 2016 Book of Discipline actually became stricter in 2019. No other changes have been made to the Book of Discipline since then. There are no guarantees what the delegates will do at the next gathering of the General Conference, which is the only body that can change the Book of Discipline. See #6 and #7 in <https://www.umc.org/en/content/ask-the-umc-is-the-umc-really-part-2>

**You indicated that a church that votes to disaffiliate will assume pastoral support. What are the implications for the funds that have been paid in the past into pension plans?**

Clergy who have investments with Wespath will not lose those funds. Churches who disaffiliate may or may not be able to continue to provide this pension support to their hired staff. See #5 in <https://www.umc.org/en/content/ask-the-umc-is-the-umc-really-part-1>

**It is my understanding that any changes to the Book of Discipline will not be voted on until the General Conference in 2024. If this is true, why is there a deadline to decide to disaffiliate by December 31, 2023? It would seem that disaffiliation should be allowed after the General Conference vote.**

There is not currently any legislation before the delegates that would allow disaffiliation after 2024. All of the petitions and reports from the general agencies and study committees for the postponed 2020 General Conference are contained in the [Advanced Daily Christian Advocate](#) (ADCA).

**What happens to members of a disaffiliating church who wish to remain UMC?**

When a local church disaffiliates, the Judicial Council has made clear all of its members depart the denomination with it. “Disaffiliation... under ¶2553 involves *both* church membership *and* property... the membership departs from The United Methodist Church” ([Decision 1449, Question 5](#)). From the standpoint of The United Methodist Church, it is not possible to be a member in The United Methodist Church and a member in another denomination (or an independent church) at the same time ([Paragraph 241](#) of the 2016 Book of Discipline).

So, if your congregation has voted to disaffiliate, and you wish to remain a member of The United Methodist Church, you will want to find another United Methodist congregation to join *before* the effective date of disaffiliation set by the annual conference. You may ask your district office for assistance in this process.

**If after a church has chosen to disaffiliate and some time has passed (several years, for example) and the church wants to return to the UMC is there a process for such a return?**

There is currently no such specific process currently in place.

### **General Conference**

**We've heard that the Protocol is dead. Is that true?**

[The Protocol of Reconciliation and Grace Through Separation](#) is a piece of legislation that delegates to the next session of General Conference will consider. All legislation is debated in committee and can be amended before presented to the delegates for final vote. Since several years have passed since the creation of the “Protocol” other proposals have garnered increased support. It will remain the decision of the delegates which, if any, new proposals on the unity or division of the UMC, along with other proposed changes to our polity, prevail.

**Where can we find the items that are proposed to the delegates to consider at the next General Conference?**

All of the petitions and reports from the general agencies and study committees for the postponed 2020 General Conference are contained in the [Advanced Daily Christian Advocate](#) (ADCA).

## **Trust Clause**

### **What is the "trust clause"?**

Congregations hold the title of a local church, but, legally, they hold it “in trust,” for the entire United Methodist Church. The trust clause ensures that United Methodist property will continue to be used for the purposes of The United Methodist Church. [Learn more.](#)

### **If a church has a community building that is not connected to the church building and not on the church site, does the UMC still hold it in trust for the conference?**

All property (sanctuaries, educational buildings, offices, parsonages, cemeteries, etc.) that the church owns are subject to the trust clause.

### **How does disaffiliation affect the church cemeteries?**

All properties owned by the local church are part of the collection of property assessed in disaffiliation and will be transferred accordingly if a church does leave the UMC.

### **So, I still don't really understand who "owns" the local church I attend. Does the local church own the property or does the conference?**

Legally, congregations hold the title of a local church, but they hold it “in trust,” through the annual conference, for the entire United Methodist Church. If a church closes or is abandoned, the property ownership reverts to the annual conference. Members cannot on their own turn the church into something other than a United Methodist Church.

### **What are some of the positive aspects of holding property in trust?**

The trust clause dates back to the beginnings of Methodism and is one of the essential foundations of the Methodist connectional system. While it serves a legal purpose, the trust clause also has a spiritual dimension, rooted in Acts 2. The trust clause preserves the doctrine and identity of United Methodism. Historically, churches have wanted to separate from the denomination over issues of pastoral compensation, squabbles over worship styles, and not wanting to accept pastors of different races or clergywomen in their pulpits. The trust clause ensures churches will be used solely for purposes consonant with the mission of the entire denomination and that today's churches will be kept in trust for each of us and for the future generation of United Methodists.

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