

Report from the Administrative Commission for  
the Dissolution of the Columbus Eastminster Presbyterian Church  
September 17, 2019

The Administrative Commission for the Eastminster Presbyterian Church convened on June 4, 2019 by Stated Clerk Rev. Sally Robinson for the purpose of dissolving the congregation. The following members were elected by the presbytery and served on the Commission: Rev. David Bubb, Co-Moderator; Rev. Charlotte O'Neil, Co-Moderator and Clerk; Ruling Elder and Eastminster Clerk of Session Marcia Evans; Ruling Elder Jim Hines; Commissioned Ruling Elder Mark Johnson; Ruling Elder Bill Lucas; and Ruling Elder Marquell Segelken.

The Commission met on the following dates: June 19, July 2, July 23, July 30, and August 15, 2019. Members of the Commission also attended an Eastminster Session meeting on June 17, 2019. Minutes of the commission meetings have been submitted, along with this report, to the Stated Clerk of the Presbytery of Scioto Valley.

The final service celebrating the life and ministry of the Eastminster Church was held in conjunction with the Brookwood Church on August 25, 2019. The final meeting of the Eastminster Session was held on September 9, 2019.

SALE OF THE PROPERTY AND EASTMINSTER LEGACY FUND OF THE COLUMBUS FOUNDATION

The Eastminster Presbyterian Church was located at 3100 East Broad Street where they owned their church building and property. In 2016, they were approached by a realtor representing an unidentified client who was interested in purchasing the property. The congregation rejected the initial offer of \$600,000 but ultimately negotiated a higher sale price and an agreement that would allow them to remain in the property for one year after the sale.

The final sale price of \$1,000,000 was a fair price based on an appraisal of the property that was arranged for and paid by the church. The sale was approved by the congregation on Sunday June 12, 2016 and was completed on April 13, 2017 with the agreement that the Eastminster congregation would continue to occupy the property until April 8, 2018. After the congregation's last worship service at the East Broad Street building on April 1, 2018, they began to "nest" at the Columbus Brookwood Church and continued there until their last worship service on August 25, 2019.

On May 21, 2018, the Eastminster Session established the Eastminster Legacy Fund with the Columbus Foundation from the \$1,000,000 from the sale of their building. As a part of the decision to sell the property, it was the intention of the congregation to use the money to benefit mission work that the church had historically supported. The Eastminster Legacy Fund was established as an irrevocable trust with the donation to the Columbus Foundation of \$1,000,000. The donation to the Foundation was completed on June 4, 2018 with the stated purpose of continuing the church's missions "in perpetuity".

On December 17, 2018 the Eastminster session was informed that Brookwood would be closing its school at the end of the school year and would be exploring merging with two other congregations. Eastminster was invited to join this venture but after much thought and discussion and a survey of the

congregation, the session voted to recommend to the congregation that the church be closed. The congregation approved the closing on March 24, 2019 with a nearly unanimous vote.

On June 17, 2019, the Administrative Commission met with the Eastminster Session. At this time, members Bill Lucas and Jim Hines requested documentation supporting the donation to the Columbus Foundation and were subsequently provided with a one-page document that indicated this was an “irrevocable gift” to the Foundation. On July 11, 2019, Bill Lucas and Jim Hines met with representatives from the Eastminster Session and the Columbus Foundation at the Foundation offices. In addition to Bill Lucas and Jim Hines, the following people were in attendance: Lisa Jolley, the Columbus Foundation Director of Donor Services; Brad Britton, the Columbus Foundation General Counsel; Marcia Evans, member of the commission and Eastminster Clerk of Session; Jennifer Ritchey, Eastminster session, Eastminster Treasurer, and Co-Administrator of the Legacy Fund; Diana Daniel, Eastminster session member and chair of the church’s Reach Out Commission; and Bill Evans, Eastminster ruling elder and Co-Administrator of the Legacy Fund.

At that meeting, Mr. Britton made it clear that the \$1,000,000 was no longer an asset of the Eastminster Presbyterian Church and that the Presbytery of the Scioto Valley had no right or claims to the funds. Mr. Britton indicated that the Presbytery could be recipient of a donation from the Eastminster Legacy Fund, if the co-administrators and session of the fund choose to make that designation.

At this point, the Eastminster Administrative Commission sought legal counsel on behalf of the presbytery. Jim Wilson, the Presbytery’s attorney, could not represent the Presbytery in this matter due to a conflict of interest since his firm also represents the Columbus Foundation. He referred the commission to the firm of Arenstein & Andersen Co., LPA in Dublin, Ohio. The commission also contacted the PCUSA Office of the General Assembly for advice.

On July 30, 2019, Bill Lucas and Jim Hines met with Attorneys Eric McLoughlin and Nick Andersen of Arenstein & Anderson to review the donation. On August 5, 2019, Bill Lucas and Jim Hines, along with Eric McLoughlin participated in a conference call with April Davenport, General Assembly Legal Counsel and Laurie Griffith, Associate Stated Clerk of the General Assembly.

After consulting with local counsel and with the General Assembly’s legal counsel, the commission reached the conclusion that the \$1,000,000 was a legal gift under both civil and ecclesiastical law; and that the Eastminster Session had the authority to make a gift without Presbytery approval. Since this donation, The Presbytery Policy on Sale of Church Property adopted by the Presbytery of Scioto Valley on September 18, 2018, more clearly addresses the requirements for handling the proceeds of a sale and clarifies the provisions in the Book of Order. However, the Eastminster donation to the Columbus Foundation predates the presbytery policy, therefore the donation did not need to comply with this policy.

During the final session meeting of the Eastminster Church, the following decisions were made regarding the Eastminster Legacy Fund. On the dissolution of the Eastminster Church, the Fund will grant \$100,000 to the Presbytery of Scioto Valley, representing a tithe of the original value of the Fund.

Other grants were made to West Virginia Ministry of Advocacy and Workcamps (\$5,000), to Sam's Fans (\$2,000), Adaptive Sports Connection (\$2,000), Dreams on Horseback (\$1,000), and Community Development for all People/Neighborhood Leadership Academy (\$1,000). \$250,000 will be transferred to create a new Field of Interest Fund to be known as The Eastminster Presbyterian Church Eastminster Legacy Fund for Basic Human Needs Serving East Columbus. Eastminster requested that this fund give priority to smaller, grassroots organizations in the Eastside Columbus metro area. The remaining balance of the Legacy fund will be transferred into a new Broad Field of Interest Fund to be known as the Eastminster Presbyterian Church Eastminster Legacy Fund for Basic Human Needs. Eastminster requested that the Columbus Foundation continue Eastminster's historic support of several organizations or organizations with a similar mission (Heinzerling Community, CHOICES for Victims of Domestic Violence, Star House, LifeCare Alliance, and the Columbus Chapter of the Alzheimer's Disease and Related Disorder Association). The distinction between a Field of Interest Fund and a Broad Field of Interest Fund is part of the structure of the Columbus Foundation. The Funds will be administered by the Columbus Foundation.

#### ECCLESIASTICAL AND PASTORAL CARE

Rev. Amy House and Rev. John Birkner had been moderating the Eastminster Session and providing pastoral care for the congregation and continued in this role throughout the work of the commission. A letter was sent to the members of the congregation on July 1, 2019 informing them of the work of the Administrative Commission and how to transfer their membership to another church. Members who did not transfer their membership can contact the presbytery to have the memberships transferred after the dissolution. The letter included the contact information for two members of the commission to contact for any membership or pastoral concerns.

#### OTHER FIDUCIARY AND PROPERTY MATTERS

The Session records were given to Jeannie Harsh after the closing worship service for their eventual transfer to the Presbyterian Historical Society in Philadelphia. Other records, including the records from the Eastminster Preschool will be delivered to the Presbytery office for conveyance to the Historical Society or retention by the Presbytery, as appropriate.

Jenifer Ritchey, Eastminster Treasurer will be transferring the checking account balance to the Presbytery upon the approval of the congregation's dissolution and future bills from the church's accountant and ATT will be sent to the presbytery for final payment. The church's accountant will be preparing final tax documents. A final Financial Report is being prepared for the members of the church.

Most of the personal property of the congregation had been distributed at the time that the congregation left the East Broad Street building. The remainder of the items were made available for members and friends of the congregation and to several churches in the presbytery (Rose Run, Old First, Ramseyer, and Brookwood/Unity). Other items were donated to worthy charities. Any remaining items were left at the Brookwood building for inclusion in their final garage sale.

## RECOMMENDATIONS

The Eastminster Administrative Commission recommends that the Commission on Presbytery Operations review the Policy on the Sale of Church Property in the light of the work of this commission.

**On behalf of the Columbus Eastminster Presbyterian Administrative Commission, we move to dissolve the Eastminster Church and for the Eastminster Administrative Commission to act as the session of the church until the corporation can be closed.**

*This report was approved by the Eastminster Administrative Commission on September 12, 2019. Six out of the seven members of the commission voted to approve the report by an email vote.*