

**THE COMMISSION OF TRUSTEES  
THE PRESBYTERY OF SOUTHEASTERN ILLINOIS**

**MANUAL OF OPERATIONS**

Adopted 9/18/86

Revised 9/95, 2/99, 11/03, 11/13

**I. ORGANIZATION OF THE COMMISSION**

PRESIDENT - shall be elected annually by the Commission.

SECRETARY - shall be the Stated Clerk.

TREASURER – shall be the Presbytery Treasurer.

MEMBERSHIP - shall be composed of six members, plus the Stated Clerk and the Treasurer, elected by the General Council, plus Stated Clerk, Treasurer as ex-officio.

QUORUM - shall be any three of its voting members.

MEETINGS - shall be held prior to the meetings of the General Council whenever possible.

ACCOUNTABILITY - shall be to the General Council and the Presbytery.

ORIENTATION AND EVALUATION - shall be conducted annually by the Commission.

**II. PRESIDENT OF THE COMMISSION**

- A. Conducts the meetings of the Commission.
- B. Receive from congregations requests to sell, lease and encumber real property.

**III. THE SECRETARY OF THE BOARD**

- A. Shall be the Stated Clerk, who shall be the registered agent of the Corporation.
- B. Shall keep the minutes and records of the Commission and submit the record of its proceedings to the General Council and the Presbytery for incorporation into its records. (G-3.0109b) The Secretary shall provide forms on request to congregations wishing to sell and mortgage real property.
- C. Shall annually file with the Secretary of State of the State of Illinois the annual report as required by the General Not For Profit Corporation Act.
- D. Shall provide an extract of the Minutes of the Presbytery to congregations granted permission by the Presbytery to sell, mortgage or lease real property.

**IV. RESPONSIBILITIES OF THE COMMISSION**

- A. The Commission of Trustees shall be the Board of Directors of the presbytery's not-for-profit corporation.
- B. The Commission shall uphold G-4.0203. "All property held by or for a congregation, a presbytery, a synod, the General Assembly, or the Presbyterian Church (U.S.A.), whether legal title is lodged in a corporation, a trustee or trustees, or an unincorporated association, and whether the property is used in programs of a congregation or of a higher council or retained for the production of income, is held in trust nevertheless for the use and benefit of the Presbyterian Church (U.S.A.)."

- C. All requests by congregations to sell, mortgage or otherwise encumber church property shall be directed to the Commission of Trustees.
- D. All requests by congregations to lease property for more than five years shall be directed to the Commission of Trustees.
- E. Any requests for use of the Presbytery's Trustee Funds (either loan or grant) shall be directed to the Commission of Trustees.
- F. It shall consult with and supervise the Treasurer of the Presbytery in the investment of the Trustees Fund.

#### **V. PROCEDURES FOR SALE AND MORTGAGE OF REAL ESTATE**

- A. Because a congregation shall not sell, mortgage, or otherwise encumber any of its real property and it shall not acquire real property subject to an encumbrance or condition without the written permission of the presbytery transmitted through the session of the congregation (G-4.0206a) all requests to do so shall be made through the Commission of Trustees. A particular church desiring permission to sell or mortgage real estate may obtain the application forms from the Presbytery website ([www.psei.net](http://www.psei.net)) or from the Secretary of the Commission (Stated Clerk of the Presbytery). The particular church shall submit the application forms to the President of the Commission of Trustees. The application must be authorized by action of the Session and the Congregation, and must be signed by the Moderator and the Clerk. A suggested form is attached. The Commission shall consider the request, along with any recommendation that may be made to it by the General Council, and make its recommendations to the Presbytery for its action.
- B. A particular church applying for funds through the Presbyterian Investment and Loan Program (P.I.L.P.), which requires a Presbytery guarantee rather than a mortgage, shall forward a copy of the completed P.I.L.P. application to the President of the Commission of Trustees for approval.
- C. After approval of the Presbytery, the Commission of Trustees shall complete the matter in the case of Presbytery property. In the case of property of a particular church, the Stated Clerk of the Presbytery shall send the Clerk of the Session a certified copy of the Presbytery's action. This shall be its authority to proceed with the action as authorized in the Presbytery's approval.

#### **VI. PROCEDURES FOR LEASE OF REAL ESTATE**

Because a congregation shall not lease its real property used for purposes of worship, or lease for more than five years any of its other real property, without the written permission of the presbytery transmitted through the session of the congregation (G-4.0206b) all requests to do so shall be made through the Commission of Trustees. The Commission shall consider the request, along with any recommendation that may be made to it by the General Council, and make its recommendations to the Presbytery for its action.

#### **VII. USE OF TRUSTEE FUNDS FOR CHURCHES**

- A. A church may request the use of Trustees funds by making application to the President of the Commission of Trustees. The Commission of Trustees shall make a recommendation to the Presbytery, through the General Council.
- B. The Presbytery may make grants or loans from Trustee's funds for the development of new churches, for capital needs for church expansion and for extraordinary needs of the churches of the Presbytery. Careful examination of each situation should be made and each decision should recognize the uniqueness of the circumstances. In doing so, the Presbytery should recognize the following statements as guides:
  - 1. Loans or grants should not be made when local funds, including long-term congregational support, are reasonably available.
  - 2. Loans or grants should not be made to cover operating costs, except in exceptional situations such as for

redevelopment, relatively new churches, or in the event of natural disaster.

3. Presbytery should consider the urgency of the need and the ability of the church to repay, when deciding to provide funds as a loan or as a grant.
4. In exceptional cases, the Presbytery may consider converting a loan to a grant, if it can be demonstrated that conditions have changed significantly. The Presbytery might ask: If this were a new application, would it qualify for grant funds?

#### **VIII. PROCEEDS FROM SALE OF PRESBYTERY PROPERTY**

“The property of the Presbyterian Church (U.S.A.), of its councils and entities, and of its congregations, is a tool for the accomplishment of the mission of Jesus Christ in the world.” (G-4.0201) Proceeds from the sale of property owned by the Presbytery shall be credited by the Presbytery Treasurer to the Trustees Account. The Presbytery shall use the income from the funds in the Trustees account to offset the annual Presbytery per capita apportionment. The Treasurer shall invest Trustee’s Funds. The Commission may consult with the Treasurer and supervise this investment.

**COMMISSION OF TRUSTEES - Appendix A****THE PRESBYTERY SOUTHEASTERN ILLINOIS****PROCEDURES FOR SALE AND MORTGAGE OF REAL ESTATE****V. PROCEDURES FOR SALE AND MORTGAGE OF REAL ESTATE**

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**VI. PROCEDURES FOR LEASE OF REAL ESTATE**

Because a congregation shall not lease its real property used for purposes of worship, or lease for more than five years any of its other real property, without the written permission of the presbytery transmitted through the session of the congregation (G-4.0206b) all requests to do so shall be made through the Commission of Trustees. The Commission shall consider the request, along with any recommendation that may be made to it by the General Council, and make its recommendations to the Presbytery for its action.

REVISED: 2/1999, 11/2003, 11/2013

Board of Trustees

COMMISSION OF TRUSTEES - Appendix B
THE PRESBYTERY OF SOUTHEASTERN ILLINOIS
FORM TO APPLY FOR PERMISSION
TO SELL PROPERTY

Date: \_\_\_\_\_, 20\_\_\_\_

Ref: Book of Order, (G-4.0206a)

TO: President, Commission of Trustees

Permission is requested to sell property belonging to this church. The following information is submitted:

Name of Church: \_\_\_\_\_ of \_\_\_\_\_, IL.

Sale Price: \$ \_\_\_\_\_.

Name of Proposed Buyer: \_\_\_\_\_

Property to be sold: \_\_\_\_\_

Address: \_\_\_\_\_

Legal Description: \_\_\_\_\_

Kind of property and general description of the use of the property and its improvements: \_\_\_\_\_

Reason for property is to be sold and use to be made of the money received: \_\_\_\_\_

This matter have been approved by: Session of this church on \_\_\_\_\_, 20\_\_\_\_
Congregation of this church on \_\_\_\_\_, 20\_\_\_\_

Other comments you desire to make: \_\_\_\_\_

\_\_\_\_\_  
Clerk of Session

\_\_\_\_\_  
Moderator of Session

NOTE: Also use this form for permission to lease real estate.

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**COMMISSION OF TRUSTEES - Appendix C**  
**THE PRESBYTERY OF SOUTHEASTERN ILLINOIS**  
**FORM TO APPLY FOR PERMISSION**  
**TO MORTGAGE PROPERTY**

Date: \_\_\_\_\_, 20\_\_\_\_

Ref: Book of Order, (G-4.0206a)

TO: President, Commission of Trustees

Permission is requested to mortgage property belonging to this church. The following information is submitted:

Name of Church: \_\_\_\_\_ of \_\_\_\_\_, IL.

Amount of Proposed Loan: \$\_\_\_\_\_. Name of Proposed Lender: \_\_\_\_\_

Property to be mortgaged: \_\_\_\_\_

Address: \_\_\_\_\_

Legal Description: \_\_\_\_\_

Kind of property and general description of the use of the property and its improvements: \_\_\_\_\_

Reason for loan and use to be made of the borrowed money: \_\_\_\_\_

This matter has been approved by: Session of this church on \_\_\_\_\_, 20\_\_\_\_

Congregation of this church on \_\_\_\_\_, 20\_\_\_\_

Other comments you desire to make: \_\_\_\_\_

\_\_\_\_\_  
Clerk of Session

\_\_\_\_\_  
Moderator of Session

These forms are available from the Stated Clerk's office

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