October 11th, 2023

Dear members of Dardenne Presbyterian Church,

As you may have heard, DPC’s governing session has voted to ask that a local court provide guidance on whether DPC’s property is subject to a legal “trust” in favor of the Presbyterian Church (U.S.A.) (“PCUSA”). The request was submitted to the Court on October 3, 2023, in the form of a “petition for declaratory judgment.” If DPC’s property is subject to a trust, then there are limits on what the church can do with its property, and the PCUSA and Presbytery of Giddings-Lovejoy (“PGL”) would have much greater control over what we say, what we do, and how we do it. While it is the opinion of legal counsel that DPC’s property is not subject to a trust, the only way to gain certainty, and to properly protect the church’s property, or to make sure any rights of the PCUSA are properly recognized, is to submit the question to a civil court.

We first announced the session’s decision, including the reasons supporting it, in a communication circulated by e-mail on October 4. In case you did not receive that notification, we are including a copy of the communication with this letter.

Please note that, as referenced in DPC’s original announcement, DPC has scheduled a congregational/membership meeting for **Sunday, October 22, 2023**, which will be held at **10:00 a.m.** in the main **DPC sanctuary**. The specific purpose of the meeting is to enable DPC’s members to vote upon six proposed resolutions that have already been approved by DPC’s session. These six resolutions relate to DPC’s property rights and are part of measures to present the strongest legal case and to make sure that the PCUSA cannot interfere with our leaders or operations while the issue is before the court.

Note that only official church members will be able to vote on October 22. In order to make sure the vote is conducted fairly and counted accurately, church members will be asked to sign in and receive a ballot on October 22. In turn, the ballot will list each of the six resolutions and allow the member to vote “for” or “against” each action. We ask those attending worship at 9:00 a.m. to arrive no later than 8:45 a.m. to receive their ballot. If you are attending a later worship service, or are only joining us for the congregational meeting, please arrive no later than 9:45 a.m. to receive your ballot.

So that you can review the proposed actions ahead of time and raise any concerns or questions with church leadership, below is a listing of the six resolutions that will be submitted to DPC’s members on October 22. Below the text of each resolution is a brief summary of the core purpose of the action:

**Resolutions to be voted upon on October 22:**

**RESOLUTION 1**: That the Church should reaffirm its position that the Church holds, and has always held, the Church’s property in full ownership for the church’s members, without any Church property being subject to any trust interest in favor of the PCUSA, the PGL, or any other religious denomination or organization.

SUMMARY: To confirm that the Church holds its property for its members and not for the PCUSA.

**RESOLUTION 2**: That, to the extent the Church has ever taken any action that is argued to have created a trust in favor of the PCUSA or PGL, any such trust is now unconditionally revoked, and any subject property shall accordingly be returned to the complete control of the Church to be held for the Church’s members. This act of revocation extends to any trust alleged to exist in favor of the PCUSA or the PGL, including but not limited to any trust (1) suggested by the Church’s mere involvement with the PCUSA, (2) arising out of any trust language or reference to the authority of the PCUSA or Book of Order in any prior corporate bylaws approved in 1999, 2009, 2012, 2013, or 2019; or (c) arising out of any other past communication or action of the Church. To the extent that any legal or contractual obligation is alleged to be inferred or implied merely by the Corporation’s present membership in the PCUSA, any such intent is disavowed.

SUMMARY: To cancel any trust in favor of the PCUSA that the Church may have created in the past.

**RESOLUTION 3**: That the Church should approve the proposed amended bylaws circulated to the congregation, which bylaws have been amended to remove references to the PCUSA, PGL, or Book of Order, in order to avoid any argument by the PCUSA or PGL that the Church has “accepted” the PCUSA’s trust clause.

SUMMARY: To ensure that the PCUSA cannot claim that the Church wants the PCUSA to control the Church’s property.

**RESOLUTION 4**: That, for the avoidance of doubt, Jessica Fouse, Nick Giannakis, Bonnie Gilmore, Karen Harvey, Kathy Holtkamp, Stuart Huddleston, Jennie Kimmel, Kevin Mullins, Bob Pflaum, Marty Provin, Allen Sebaugh, Frank Schuman, Tom Stevener, and Jeff Woods, and Pastor Andrew Kasberg, should be affirmed, elected, and/or re-elected as the governing session and board of directors of the Church, to continue serving in the capacity that they served through September 26, 2023, for their respective remaining terms of service.

SUMMARY: To ensure that the individuals who control the Church are the people chosen by the Church’s members.

**RESOLUTION 5**: That, for the avoidance of doubt, any individual, other than the individuals named above, that purports to be a member of the Church’s governing session and board of directors should be removed, with any act taken by any such person to be considered void or revoked.

SUMMARY: To make sure that the PCUSA cannot claim to have replaced the Church’s elected leaders.

**RESOLUTION 6**: That the decision of the session to obtain a legal declaration of the Church’s property rights should be ratified and confirmed, and the session of the Church should be directed to continue pursuing such a declaration unless and until the PGL and PCUSA agree to a recognition of the Church’s property rights upon terms that the session determines to be reasonable and in the best interest of the Church’s members.

SUMMARY: To ensure that the congregation agrees with the session’s decision to resolve the uncertainty concerning who controls the Church’s property.

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Additional information and items relating to DPC’s legal filing, including all exhibits and all of the Church’s property deeds and corporate documents, are available on the DPC website. Simply click the “PROPERTY” tab at the top of the webpage, or go directly to the relevant information by typing “[www.dpc4u.org/property](http://www.dpc4u.org/property)” in your web browser. Included in the information online is the sample ballot that will be circulated to Church members on October 22. In the coming days, a full copy of the Church’s proposed new bylaws (see Resolution #3) will also be available on the same webpage.

Again, if you have any questions, please do not hesitate to contact a member of DPC’s session or attend a question-and-answer opportunity Sunday, October 15, 2023 at 10:00 a.m. in the main DPC Sanctuary. In the meantime, we look forward to seeing you on October 22. And, of course, we ask that you pray for the Church’s leaders and that all members continue to be shining examples to the world, and to their neighbors, of the love of Christ.

Sincerely,

DPC Session