

ADDITIONAL CONCERNED CLERGY

May 6, 2011

Mr. Larry Ternan
Bay View Association
Dear Larry,

I am writing to provide you with some background information you might find helpful in the discussion about Bay View membership.

Tax Status

I have heard around the edges that people are suggesting Bay View's 501(0)(3) status might be endangered if we are "inclusive" or "exclusive". I posed that question to Mr. Dan Gary of G.C.F.A., the lawyer who handles the tax affairs of the United Methodist Church. After giving him a synopsis of the issues, Dan replied May 3, 2011.

Dan,

As you may know, Jeri and I bought a cottage in Bay View, Michigan, a UM-related Chautauqua on Lake Michigan. You may remember that with your office's help they were put under the GCFA letter ruling 501(c)(3) a few years ago.

In the summer controversy in BV is as deep as its snow is in winter. This year's controversy has to do with inclusivity. The issue is a clause in the bylaws that says every member must be a Christian. It use to say "white Christian", but they took that out in the 50's. A large group is petitioning the board to interpret the bylaws more widely to mean "upholding Christian values". The purpose is to allow family members who have married outside the Christian faith to become members and inherit their parent's cottage. Several have been rejected because they married Jews.

Many are pushing the board to formally adopt this interpretation. Of course, others are arguing against it. One of the arguments against a more inclusive interpretation is that "the United Methodist Church would kick us out and we'd lose our tax exempt status". What do you think? Am I just blowing smoke or have organizations been ejected from the group ruling for being "too ecumenical"?

Stan Sutton

Stan,

Good to hear from you! It sounds like you are doing well.

In short, Bay View's inclusion in the UMC group ruling does not turn on whether the provision in the bylaws requiring that every member be a Christian is interpreted literally or is interpreted to mean that every member is "upholding Christian values." That is ("merely") an internal political dispute that you folks will need to work out.

Best regards,

Dan

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Book of Discipline

The Ecumenical Commitment section of The 2008 Book of Discipline of the United Methodist Church, 11104, may be instructive. After dealing with ecumenism among Christians, the Discipline says:

"Concurrently, we have entered into serious interfaith encounters and explorations between Christians and adherents of other living faiths of the world. Scripture calls us to be both neighbors and witnesses to all peoples. Such encounters require us to reflect anew on our faith and to seek guidance for our witness among neighbors of other faiths. We then rediscover that the God who has acted in Jesus Christ for the salvation of the whole world is also the Creator of all humankind, the One who is 'above all and through all and in all' (Ephesians 4:6)"

Lancaster Campground

As you may recall, I was tangentially involved as a witness in a lawsuit between a would-be leaseholder and the Lancaster Campground (LCG). LCG has its roots in the Methodist Church as a campground and assembly. It has perhaps 50 cottages, a large tabernacle, dining facilities, and programs that run from Memorial Day to Labor Day. It probably started as a Chautauqua, but never kept the arts pillar. Nevertheless, it hosts many church events, has bylaws, I believe, similar to Bay View's with language that required leaseholders to be Christians.

A Jewish/Christian couple, who had rented a cottage for many years, tried to buy one. Their membership application was denied because one of them was Jewish. They sued LCG under the Federal Fair Housing laws. LCG tried to enjoin the West Ohio Conference of the United Methodist Church into the suit, claiming they were exempt from the law by religious affiliation. I testified on behalf of the conference, against the campground. The conference was dismissed from the case on summary judgment.

The trial (Case N. C2-97-1096) was held in the Southern District of Ohio U.S. District Court. The Magistrate Judge ruled in favor of the plaintiffs, against LCG. Although the monetary damages were relatively small, the legal bills were so substantial LCG was forced to sell most of its vacant land to cover the costs. More importantly the remedies imposed by the court were draconian.

1. Eliminate all references to Methodist or Christian terms in all descriptions of the campground, its housing, and signage.
2. Eliminate all portions of Bylaws, the constitution, and any rules and regulations that identify, state or reference a religious belief or preference, including religious terms such as "Christian".
3. Participate in quarterly monitoring for five years. LCG had to pay for this monitoring.

4. The court then gave four prohibitory injunctions against LCG and four affirmative reliefs.

I have a more extensive file if you need additional information. As you know, I am no lawyer, so I can't say that the legal facts and circumstances of the LCG case apply directly to Bay View. For example, Bay View has tax exemption under the United Methodist Church, which may be different from the Lancaster Case. But, as a result of the suit, I saw the devastation caused by this divisive litigation. The campground has never recovered spiritually or financially.

A Twist

I have spent over thirty-five years in the leadership of church administration. I've seen many high ideals get corrupted by unintended consequences. The art of process and timing is crucial for a successful outcome that furthers the goals of Bay View. I would love to have Bay View evolve into a beacon of interfaith hospitality, where Christians, Jews, and yes, Muslims live harmoniously as children of God. And yet, if the board were to adopt the resolution without any reservation, where is the rim of inclusiveness? Do we include only those of the Old and New Testament, i.e. Jews and Christians? Do we extend it to the Abrahamic faiths, Le. Muslims? What about Hindus, Buddhists, atheists and agnostics? Will it include Mormon, Jehovah Witnesses, and New Agers? Do we even care about the religious "brand" as long as the applicant supports Christian values? Will this take the form of the New York Chautauqua where each faith and denomination has its own meeting house? How will this dovetail with religious life and education? How would Bay View life and culture have to change (if at all) to accommodate other faiths?

I can think of many more questions, but my point is this: opening the sluice gates of inclusiveness-fully and quickly could create a theological and administrative nightmare. Without careful study and dialogue with all members the results are entirely unpredictable.

If, however, the board decides to do nothing on May 27 (or worse, reject the proposal) the results could be much worse.

Therefore, I urge the Board of Trustees to take the following action at the May 27th meeting:

1. Adopt the "Reynolds" proposal to interpret the Bylaws more inclusively, using the proposal's language, but limit the action to spouses and lineal descendents of existing Bay View members.
2. Appoint a group of people with passionate views on all sides of this issue. Have it led by an outside consultant skilled and experienced in dealing with conflict in church-related organizations. Such experts are available from several United Methodist conferences in the North Central Jurisdiction. This group should devise a process of education and dialogue over a two-year period. At the end, they would make a report for adoption to the board and/or the membership.

Larry, by taking immediate but limited action, the board can protect the short range interests of Bay View while allowing time to consider all the options and consequences for the long range.

Jeri and I will be unable to attend the May meeting, but please know you and the board will be in our prayers. May you have the Wisdom of Solomon and the Peace of the Lord Jesus Christ.

R. Stanley Sutton

Jerilyn G. Sutton

August 20, 2010

Lawrence R. Ternan, President Board of Trustees,
Bay View Association, P.O. Box 583
Petoskey, MI 49770

Dear Larry:

I am writing in support of the idea that the Board place on its upcoming winter meeting agenda the idea of holding discussion meetings among Bay View members during the summer of 2011 on the topic of application for membership in the Bay View community. I am aware that David J. Krause has done some extensive work in the Bay View archives around the history of the standards for membership in Bay View and that a summary of his study will be sent to you as well. I am familiar with his study and commend it to you for sharing with the Board as helpful background information for your discussions.

I am personally in favor of a more inclusive membership, as stated for instance in the articles of association (IV) of 1880, which read: "Any person may become a member of this association by a vote of two-thirds of the board." Quite similar language is found in the association articles of 1890, 1895, 1916, 1926, 1929, and 1947. David himself would be an excellent resource person for the board to utilize in gaining further clarity concerning this history and its current timeliness.

I continue to appreciate the balanced, fair, and reasoned perspective of your leadership of Bay View and wish you continued success in this challenging and important work.

Sincerely,
Thomas R. Swears
1819 Moss Avenue, Bay View