

**MPBC TRUSTEE MINISTRY AND
FIDUCIARY DUTY
Constitution and Bylaws**

Special Meeting with the Senior Pastor

March 3, 2023

(DRAFT)



**MOUNT PLEASANT
BAPTIST CHURCH**

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Agenda

- ✓ **Scripture (s)**
- ✓ **Prayer**
- ✓ **Interpretation of MPBC Constitution and Bylaws**
- ✓ **MPBC Trustee Coverage**
- ✓ **Jan 5 and January Directors Meeting-Disinformation**
- ✓ **Path Going Forward**
- ✓ **Conclusion**
- ✓ **Prayer**



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Scripture(s)

Acts 6.

1. Now in these days when the disciples were increasing in number, a complaint by the Hellenists[a] arose against the Hebrews because their widows were being neglected in the daily distribution. 2 And the twelve summoned the full number of the disciples and said, "It is not right that we should give up preaching the word of God to serve tables. 3 Therefore, brothers,[b] pick out from among you seven men of good repute, full of the Spirit and of wisdom, whom we will appoint to this duty. 4 But we will devote ourselves to prayer and to the ministry of the word." 5 And what they said pleased the whole gathering, and they chose Stephen, a man full of faith and of the Holy Spirit, and Philip, and Prochorus, and Nicanor, and Timon, and Parmenas, and Nicolaus, a proselyte of Antioch. 6 These they set before the apostles, and they prayed and laid their hands on them.

As trustees, each individual must also be willing and able to work together as a team. *First Corinthians 12 notes that each person is important, yet must also work together to operate effectively.*

First Peter 4:10 also comments about fitting the roles of church members with their abilities: "As each has received a gift, use it to serve one another, as good stewards of God's varied grace."

Statement

The stated mission of MPBC is “We Build Here.” An open and inclusive management style produces better results than an autocratic approach. With the open and inclusive approach you would get buy-in and ownership of church members and leadership. If members do not have a sense of ownership, they may feel disenfranchised thereby creating an antagonist atmosphere.

Recent actions and decisions by Pastor Donalson have created tension and could possibly lead to serious Conflict of and Fiduciary Issues that will challenge the Church 501 (3) C status.



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Trustee and Fiduciary Duty

As trustees, each individual must be willing and able to work together as a team. 1st Corinthians 12 notes that each person is important, yet must also work together to operate effectively.

1st Peter 4:10 also comments about fitting the roles of church members with their abilities: "As each has received a gift, use it to serve one another, as good stewards of God's varied grace."

Trustees function as Christian stewards of property God that has entrusted to the congregation. This includes supervising and maintaining both the physical property of the congregation and gifts made to the congregation so that the ministries of the congregation can be effective and all legal requirements related to the property are satisfied.

A church trustee is a layman who deals with the secular side of running the church. Church trustees are typically responsible for ensuring the church's compliance with secular legal requirements and the management of the church's property and financial affairs.



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Trustee and Fiduciary Duty

A fiduciary duty is defined as an obligation owed by a person in a leadership or management role within an organization to the organization itself and its members. A director or officer who breaches their fiduciary duties can face personal liability to the organization and others for damages caused by the breach. State and federal laws provide limited immunity to uncompensated officers and directors of churches and other charities.

For example, officers and directors may be personally liable for their gross negligence or their willful or wanton misconduct.



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In Fairfax County, an order of appointment for church trustees or trustees for other places of worship or fraternal organizations must be confirmed by the Circuit Court.



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Leadership Violation of MPBC Constitution and Bylaws

Over the last 48 months, the pastor has used authoritative leadership to make major decisions about the numerous programs in the church.

Examples are outlined below:

Item#1. Changed the leadership of the CDC which lead to the demise of the Christian Academy. MPBCCA Closure for 2020. He made decisions without any effort to involve the church leadership and the congregation in his effort to achieve his goals reference MPBCCA.

Item#2. A New Academy Budgeted at an amount of \$260K Without a Top Down or Bottom-Up Program Plan. The church has seen no timelines, objectives, or information that centers on the participation of many of the church members in the MPBC and its MPBCCA development process.

Item#3. Improper Signing of Contracts/ Improper Obligation of Church Funds-Radio 1.



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Leadership Violation of MPBC Constitution and Bylaws

Item#4. Improper Use of Church Credit Card for Personal Use.

Item#5. Illegal Use of the Covenant Letter as a tool to dismiss some of the Leadership

Item#6. Trustee Ministry Proposed Dissolvement.

Item#7. Payroll (Family Members)

The latest incident occurred during the MPBC Annual Church "Hybrid" Meeting, Thursday, December 08, 2022 7:00 PM. Reverend Donalson stated that the he was going to establish a new group of Trustees because the current group would not sign the Covenant letter.



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August 2006 MPBC Constitution and Bylaws

1. MPBC Constitution. Article III - Beliefs Section I.

VI. The Church. This church is an autonomous body, operating through democratic processes under the Lordship of Jesus Christ. Each member is responsible and accountable to Christ as Lord.

The MPBC Bylaws outlines the following:

Article I - Pastor, Section 1.1 Defined.

B. Has oversight and supervision of all the interests of the church and all departments of its work, both spiritual and temporal.

C. Has absolute charge of the pulpit, ministries, and services. Responsible for approving any services or functions held in the church, or in the name of the church. He shall perform weddings, officiate at funerals, and other functions when requested to do so.



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Article I - Pastor, Section 1.1 Defined. (cont'd)

E. Administer church affairs by securing the cooperation of the members and gains his objectives by reason and persuasion, rather than attempting to force compliance by authoritative dictation.



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Article III- Director of Administration, Section 3.2 Trustees

E. Tenure shall be for a period of three (3) consecutive years. At the end of each term, he/she may be appointed by the pastor to serve an additional three years.

F. The trustees shall be subject to removal upon recommendation of the pastor and trustees after thirty (30) days' notice has been given in writing and upon two-thirds (2/3) vote of the members present and voting at a regular or called business meeting.

The purpose of the church's Bylaws is to establish an amendable document that addresses the present structure and internal governance of the church while providing elasticity for future growth. The Pastor's authoritarian leadership is in violation of the churches Constitution, Bylaws and finally 501 (c) 3 church's compliance to IRS code and must change.



Jan 5 and January Directors Meeting- Disinformation

Disinformation is the deliberate and purposeful distribution of false information.

The term is generally used to describe an organized campaign to deceptively distribute untrue material intended to influence public opinion.

Over the last 72 months, Disinformation about the Trustees has been presented to the MPBC church and it must end.



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Path Going Forward.

- **Pastor IAW the MPBC constitution and Bylaws cannot dissolve the Trustee ministry. Bylaws Section 3.2, E. and F. is very specific about the entire process. Any changes in the ministry must be executed IAW the Bylaws.**
- **Violation of the Churches Constitution and Bylaws will result in a violation of the church 501 c (3) status with the IRS.**
- **In short, a conflict of interest situation occurs when an individual with a vested interest in the affairs of the church (e.g., board member, compensated individual, etc.), participates in a decision process that may personally benefit himself or another individual with a vested interest in the affairs of the church.**



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Path Going Forward

IRS refers to:

- Officers;
- Directors;
- Bishops;
- Trustees;
- Board members;
- Pastor; and
- Relatives of officers, directors, bishops, trustees, board members, or the pastor as disqualified persons (see Treasury Regulation 53.4958-3).

Pastor Donalson selection of Trustees just highlights the examples mentioned above where “one individual cannot have all control **and/or manipulate leadership Boards, which “can”** benefit himself... set his own salary, hire his associates or people, that will support his decisions.



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Conclusion

The Church Leadership, Trustees and Pastor, as outlined in the Bylaws, Article 1 Pastor, Section 1.1 E. and Article 3 Section 3.2 E and F must work together in harmony to resolve this moment of crisis.

Misinformation only leads disharmony

The Church Congregation must be inform of all activities as Required by the Constitution and Bylaws.



Questions