

Statement Submitted on 10/14/2007 for October 15, 2007 Trial

Dear Brothers:

Thank you for granting me this opportunity to write you regarding the grievous matters that have befallen us. After much prayer, consideration, and attempts toward reconciliation, I still cannot fathom what thoughts or actions would have caused the Executive Elder team to terminate Pastor Bent and me with such disdain. I keep thinking there must be some grave misunderstanding and/or misjudging of men's hearts, intentions, and motives. No circumstance of this gravity can keep an honest man from considering his sin before a Holy Sovereign God as to what would merit such treatment by other godly men. And, I am not without sin. Most assuredly, I wrestle with pride and cynicism, a sharp tongue, and personal disciplines. No doubt these have contributed to my offense. I am guilty of these. I ask for your forgiveness and forbearance. God knows my heart is wicked. But there has been no gross sin, on-going sin or doctrinal or theological difference that would warrant the kind of treatment I have received. With a clear conscience, I believe I have done nothing that warrants my termination from staff let alone my termination as an elder.

I want to make clear that going forward with a trial was not my desire, nor my request. I did not choose this. Pastor Bent and I were given an ultimatum and a threat: resign from staff and as elders, or be fired from staff and face a personally damaging trial. No discussion was allowed. How could I resign in good conscience? I would be relinquishing my responsibility as an elder of this church and admitting to some unnamed charges. As I stated in my original letter to you all, which is copied below, "I would far prefer that we could resolve this as brothers who love Jesus, and even when we disagree in robust discussion, at the end of the day we can go home as brothers in Christ who share a common vision and goal and love each other." That remains my hope and prayer. I believe I have been misunderstood and my motives impugned. I was not contacted by Pastor Jamie or Pastor Mark following my dismissal. I only received an e-mail from Pastor Scott that he was heading up the Investigative Team, and later, an official employment termination letter from Pastor Jamie. I recently attempted again to meet with Pastor Jamie and Pastor Mark to try and reason together with them and to give them the opportunity to confront me with whatever they have taken offense at, in order to walk out Matthew 18:15, so that this conflict could be amicably and biblically resolved - but sadly, they both declined to meet with me.

Pastor Scott told me that I could submit a statement, and that it would be submitted along with the findings of the investigative taskforce to all the elders on my behalf. I would have preferred to address you all in person to testify on my behalf so you could perhaps hear my heart - but Pastor Scott informed me that I am not allowed to be present at my "trial," nor would I be allowed to testify or to personally answer any questions you may have. When I asked Pastor Scott if I

could be provided with the findings and conclusions that the taskforce would be presenting to you, so that I could specifically respond to them, he told me that was not possible. I have not been provided a list of who my accusers are, nor the names or testimony of corroborating witnesses - let alone being able to question any witnesses or face my accuser(s). The irony here is that I am a lawyer, so this all seems especially disturbing.

It is important to note that Pastor Scott was also one of the four Executive Elders who who sat in the room the night of September 30, when Pastor Bent and I were "terminated." And, that previous to that, on September 11, Pastor Scott approached Pastor Bent and me as we were eating lunch in a nearby park and told us, "If you men do not agree with the new bylaws that are being proposed, then you need to resign." This was more than two weeks before the September 26 deadline for submitting comments regarding the proposed new bylaws.

Without a list of charges, I am basing my responses below upon the termination letter I received days after I was terminated, and the questions I was asked by the taskforce. I am accused of:

- Disrespecting Pastor Jamie - accusing him of "hiding" a final draft of the bylaws

This was in response to Pastor Jamie's comments at the last elders' meeting when he told us that he would review any comments that we had to make and then submit to us a final draft of the proposed new bylaws, on which we would be expected to vote for on October 29 with no further discussion or debate. As an attorney and an inquisitive elder, I asked an obvious question, given Pastor Mark's and Pastor Jamie's often touted penchant for *reverse engineering*: "Could we see the final draft now?" I meant no disrespect. In fact, I was trying to be humorous. I realize the humor was lost on the hearer, but it was not a sin to ask the question. When Pastor Jamie asked if I was accusing him of hiding the final draft, I said no and I followed up the question by asking what was negotiable, and what was not negotiable. Perfectly legitimate questions in the context of any board meeting. When Pastor Scott confronted me the next day and said he found my questions to be very offensive to Pastor Jamie, I immediately went and spoke to Pastor Jamie and apologized for causing him offense and that I intended no offense and asked him to be patient with me. He said he would, and I thought that was the end of it. He did not bring it up again. That evening, Pastor Scott suggested that I had offended all the elders and should write a letter of apology to all the elders, but this seemed "over the top" to me making it a bigger issue than was warranted. My 9/26/2007 e-mail letter to Pastor Jamie regarding the proposed new bylaws was very respectful. A copy is attached for your review.

- Contacting the church attorney without permission

It did not occur to me that I needed permission. I am an elder. Why wouldn't an elder be able to contact the church attorney for questions regarding church governing documents? The proposed new bylaws would make major changes in how the church is structured and governed, as well as significantly change the

legal status of each elder. I was completely above-board and told Pastor Jamie that I had spoken with attorney Nat Taylor (see my attached 9/26/2007 e-mail to Pastor Jamie). It was not the first time Nat Taylor and I have met. We have met on other occasions to discuss how best to draft Mars Hill's counseling & member care documents to avoid possible liabilities and Nat has expressed to me several times that he welcomes my and other elders' input or questions. No one has ever criticized my meeting with Nat Taylor in the past or said I needed to have permission to do so.

- Being divisive within Mars Hill Student Ministry

It came up in the questioning that two years ago, my wife and I had discussed with [REDACTED] some history regarding our church's view of youth ministry. [REDACTED] is a delightful young man, a seminary student and friend to our son, [REDACTED]. Our sharing our evolving and cautious views concerning youth ministry in general and giving him a copy of the booklet, *Critique of Modern Youth Ministry*, was in no way to undermine Mars Hill student ministry. It was more a theological discussion of where we have been, how our views had changed, and our hopes for the future to encourage and to edify. It is no secret that at one time, Pastor Mark and Pastor Lief were opposed to modern youth ministries and *Critique of Modern Youth Ministry* was sold on the church's book table in the lobby for the first couple of years we attended Mars Hill. Our children, at our encouragement, have been very involved with Proxy. [REDACTED] was involved in Proxy from the beginning, and he volunteered many hours, almost two years, setting-up and taking-down for the bands, and running the sound system. [REDACTED] has played in the band, and [REDACTED] is involved in Junior Proxy. Jonna and I served as chaperones at the Proxy retreat at Camp Firwood last year, and we have opened up our home for many parties with the kids and young leaders from Proxy - such as [REDACTED] and Mike [REDACTED].

- Lack of submission to spiritual authority

This allegation is extremely broad and vague. I have not refused to submit to spiritual authority. I have never been accused of this, either privately by any brother, or in writing in my performance reviews by my supervising elders. In the meeting with the taskforce, I was told that I was accused of being "a cowboy or rogue elder...too independent." These may be issues someone has with my style or personality - but not sin. I am not a "yes man," I take seriously my calling as an elder, and I do research and ask questions when I am called on to vote. And, as I have always done in the past, even if I disagreed on a matter - once the vote was taken, I submitted to the eldership.

- Discussing bylaws with Mars Hill member, Rob Smith

It came up in my questioning that some were appalled that I had spoken with Rob Smith about issues and wording mostly involving church discipline. Over the last two years, there have been a few cases which involved church discipline of members in which Rob Smith and I were involved. Rob had expressed concerns

to me that we do not have adequate procedural safeguards, or an appeals process in place to protect a member who has been accused of sin and placed under church discipline. I believe Rob's concerns were genuine and valid. I consider Rob to be an honorable man who loves the Lord and has much experience in this area. As we were facing a deadline for submission of any comments or suggestions regarding the final draft of the bylaws, I asked Rob for input on what sort of procedural safeguards he thought would make for a document that would serve our church well. Based on my conversation with Rob, I incorporated some of those ideas into my suggestions for language for church discipline procedures to be written into the new bylaws. In no way was my meeting with Rob collusive, undermining, or a breach of any sort of confidentiality.

None of the above accusations warrant the treatment I have received: being called out at night with no advance notice for my termination, my resignation being demanded, being threatened with a painful, personal trial, my excommunication without a hearing, and my name posted on the members' site with good people wondering what great sin I had committed that would warrant such extreme measures. Matthew 18:15 was not followed. Instead, it appears that recently, there has been talk behind my back regarding my motives.

We should not regard each other as enemies. I am not your enemy, and you are not my enemy. We wrestle not with flesh and blood. But we must be mindful of who our enemy is and that his intention is to destroy us, if that were possible. If God be for it, I am asking for complete reconciliation and restoration to staff, and that this ordeal will uncover that I have served with integrity, devotion, and loyalty as an elder of this beloved church.

Your servant in Christ Jesus,

~ Paul

From: e-request@marshillchurch.org [mailto:e-request@marshillchurch.org] **On Behalf Of**

Paul

Sent: Monday, October 01, 2007 3:13 AM

To: e@marshillchurch.org

Subject: Please pray

Brothers:

For the purpose of full disclosure, that we may all walk in the light, I share these facts from this past evening: At 5:38 pm on Sunday evening, I received an e-mail from Pastor Jamie notifying me of a mandatory meeting later that evening at 8:15. Present at that meeting were Pastor Mark, Pastor Jamie, Pastor Scott, Pastor Bubba, another pastor that I will not name, and me. To the best of my recollection of what was said, Pastor Jamie started out the meeting by telling me and the other pastor that we were "Terminated. Effective immediately." Pastor Mark spoke after Pastor Jamie. The other elder and I were told that we had two choices: to either resign as elders or face a "full elder investigation" and that the executive elders already had "all the evidence we need." We were not informed of what that evidence is, nor of any sin - other than "disrespect",

however, no specific instances were named. No discussion was allowed. The meeting lasted maybe five minutes. Pastor Mark concluded the meeting by stating that "no further discussion was necessary - only repentance." And he left the room.

Our current bylaws provide a process for justly resolving such a situation as this (Article III, Section E). Although, I would far prefer that we could resolve this as brothers who love Jesus, and even when we disagree in robust discussion, at the end of the day we can go home as brothers in Christ who share a common vision and goal and love each other. That is my hope and prayer. My heart is broken by the strife that has come upon us as of late. I harbor no malice towards my brothers. It is my prayer that this will all still be able to work out in a way that glorifies our Lord and spares us all the anguish and dishonor to Him and ourselves. Please pray for me, for my family, for Christ's beloved church, and for this eldership that we will remain a biblical eldership of faithful men that is true to Jesus. We are sinners saved by grace. May we walk in constant repentance and humility. May God's will be done.

In Jesus,

~ Paul

**Mars Hill Church By-Laws
Review and Recommendations
By Pastor Paul Petry
To Pastor Jamie Munson**

September 26, 2007

Dear Jamie:

Next to the Scriptures, the by-laws are the most important document of a church. Where scripture is silent, or not specific, the by-laws provide the necessary details for the governance of the church. At your request, I have reviewed the proposed by-laws and discussed the proposed changes with Nat Taylor. I know that I will be held accountable before almighty God as an elder.

In addition to my commentary below, I have attached a complete copy of the bylaws as you drafted them, with few revisions. Please understand that as I reviewed the text of the document, it was my objective to complete this with a clear conscience, biblically faithful, remove my own interests or lack of interests, and try as best as I am able to erase the names and personalities of the men who currently serve in the various positions – with an eye to how the text of the document may affect the future governance of the church, and the relationships of those who are called to lead her.

In Jesus,

~ Paul

Commentary

Article I.

Adopting a three-tiered governance structure makes sense, especially as we continue to grow. My concern is with the details of how those tiers are established. Please refer to the attached revised By-Laws, which I have left with all of your original language intact, and indicating language to be removed by a strike-through, and language to be added underlined.

Article II

Making the wording more compact makes sense. However, the scripture references should be added, i.e.: (1 Peter 5:4).

Article III

Section B. Having the Board of Directors make certain determinations is fine, however, what about a situation where it involves an elder who is directly under the supervision of a campus pastor? Would it not make sense to have the campus pastor involved in determining the period of time for the Sabbath, or other matters involving an elder under his supervision, as he would presumably be closer to the situation? The document doesn't really address the matter of campus pastors – unlike the current bylaws which at least refer to “site pastors.” Some time and thought needs to be put into this, especially as we expand to outlying campuses outside of the ability of the Board of Directors to adequately exercise their fiduciary duties in regards to overseeing those campuses.

Section E involves the due process regarding charges brought against and discipline or removal of an elder. This should not be an arbitrary process – but must be clearly spelled out with all due procedural safeguards. This is an area where the highest level of due process must be exercised, as a man's reputation, his marriage, family, his future is at stake. Our current by-laws contain such language (Art. III, Sec. E), which was drafted and reworked several times, and provided for a just process which is based upon scriptural principles. It should remain.

Article IV

See the attached document.

Section B. I realize that an “Annual” meeting of the elders meets the requirements of state law, and I have not made any changes there, but preferably, the full council of elders will meet more frequently than once a year, so that at least one meeting of all the elders could involve more than just “transacting business.”

Section G. A quorum should consist of at least a simple majority (51%).

Section L. Notice, Advice and Consent. Although the full council of elders will have very limited powers as the result of the proposed bylaws change, would be a boost to morale and “by-in” by all the elders if they believe they have some say in the process. If we compare this to the governing of a city, for instance – the city council has the full authority to vote on proposed projects, etc., but there is a statutory time period before any major decisions are made for input from the community, and an “open-door” or “sunlight” policy regarding all decisions both before and after they are made. This fosters a sense of trust and openness.

Articles V, VI, VII

See attached document.

There appears to be a glaring conflict of interest in that the Board of Directors appoints the executive elder team, but the executive elder team has the power to terminate the board members. I have made proposed changes which address that issue, and others.

Article VIII

There needs to be a more detailed process in place, and an appeals process for a member who believes he has been wrongly accused or removed from membership. I have added some language to make the church discipline process more impartial, less arbitrary, and subject to scrutiny.

In the presence of God and of Christ Jesus and of the elect angels I charge you to keep these rules without prejudging, doing nothing from partiality. -- 1 Timothy 5:21

But the wisdom from above is first pure, then peaceable, gentle, open to reason, full of mercy and good fruits, impartial and sincere. -- James 3:17

Matthew 18:15-17: (The call for due process and establishing all the facts.)

If your brother sins against you, go and tell him his fault, between you and him alone. If he listens to you, you have gained your brother. But if he does not listen, take one or two others along with you, that every charge may be established by the evidence of two or three witnesses. If he refuses to listen to them, tell it to the church. And if he refuses to listen even to the church, let him be to you as a Gentile and a tax collector.

Proverbs 18:17

The one who states his case first seems right, until the other comes and examines him.

Example of representation

Philemon 1:10

I appeal to you for my child, Onesimus, whose father I became in my imprisonment.

Harshness to be avoided

2 Timothy 2:24-26

And the Lord's servant must not be quarrelsome but kind to everyone, able to teach, patiently enduring evil, correcting his opponents with gentleness. God may perhaps grant them repentance leading to a knowledge of the truth, and they may come to their senses and escape from the snare of the devil, after being captured by him to do his will.

Galatians 6:

Brothers, if anyone is caught in any transgression, you who are spiritual should restore him in a spirit of gentleness. Keep watch on yourself, lest you too be tempted.

1 Peter 5:3

not domineering over those in your charge, but being examples to the flock.

Elders are also entitled to due process

1 Timothy 5:19

Do not admit a charge against an elder except on the evidence of two or three witnesses.

Time Constraints

I realize that there is a rush to have the elders vote to adopt the proposed bylaws, however, given the gravity of this task, the lack of time for a complete and open discussion, especially given the issue of campuses opening on the horizon, I would appeal to extending the deadline so that a more robust discussion and analysis may result in fewer "loose ends" and bylaws that will serve our church well into the future.