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DECREE
Eventu vetere

Preamble

With practiced success merging parishes, the parishes of the Sherburne Area Catholic Community (ACC) entered into the All Things New Planning Process, setting forth a pastoral plan, under the guidance of the Holy Spirit, for what is a demographically significant and growing region of the Diocese of Saint Cloud. Trusting in the thorough collaboration and reflection that went into the ACC's pastoral plan, I issue this decree, which contains a number of decisions and precepts drawn from the ACC's Pastoral Plan but chiefly enacts the merger of two parishes in the Sherburne ACC – St. Mary of the Visitation and St. Marcus.

Article I - Merger

General motivations from the diocesan situation

Whereas in 2019, in response to declining numbers of clergy and Catholics, Bishop Emeritus Donald Kettler instructed the parishes of the diocese to form ACCs, according to the plan assembled by the Diocesan Planning Council;

Whereas, upon my consecration as Bishop of the Diocese of St. Cloud in 2023, I spent time listening to the People of the Diocese of Saint Cloud, both clergy and laity, and became aware of poor health and overwork of the clergy, declining participation in religious education programs, shifts away from the demographics that had originally motivated the foundation of the majority of parishes in the diocese, inaccessible or dangerous parochial buildings, poor staffing, inefficient use of ecclesial resources, and parochialism that attacked the unity of the Body of Christ;

Whereas, in an effort to address these concerns, I initiated the All Things New Planning Process, established parameters as a guide for each ACC to reform in a manner best suited to present and anticipated pastoral needs, and called upon all ACCs of the diocese to form planning councils and present plans by December 31, 2025;

Motivations particular to the parishes concerned

Whereas two parishes in the ACC represent very recent parochial mergers – the Parish of Christ Our Light, which was formed from the extinctive union of St. Edward's in Princeton and St. Pius in Zimmerman in 2010; and the Parish of Mary of the Visitation, which was formed from the

extinctive union of Immaculate Conception in Becker and Our Lady of the Lake in Big Lake in 2012;

Whereas this ACC also contains the Parish of St. Andrew in Elk River, which, due to scale, mobility, and suburban growth, has enjoyed a single pastor who was not assigned to any other parish and yet successfully realizes an identity as a community of communities;

Whereas the Parish of St. Marcus in Clear Lake had once been affiliated with the Sherburne ACC and is now, again, as of July 2025;

Whereas, from 2025 onward, the parishes of Mary of the Visitation and St. Marcus have been served by one pastor;

Whereas, in response to my aforementioned request to develop an ACC Pastoral Plan, the parishes of the Sherburne ACC formed an ACC Planning Committee and developed a plan, hereafter dubbed Plan #1, which chiefly proposed the merger of St. Marcus and Mary of the Visitation, with the included provision that the Church of the Immaculate Conception in Becker become the primary church of the merged parish, and the Church of St. Marcus serve as a partner church, while the Church of Our Lady of the Lake and its associated campus in Big Lake be sold;

Whereas, upon presenting Plan #1, members of the ACC Community felt insufficiently consulted, presented alternative considerations, and generally called upon the ACC Planning Council to reconsider the proposal;

Whereas the ACC Planning Council regrouped and presented an alternative proposal, hereafter Plan #2, which was similar to Plan #1 insofar as it proposed the same extinctive union of Mary of the Visitation and St. Marcus but then proposed that the Church of Our Lady of the Lake become the primary church of the new parish, and the Church of the Immaculate Conception and associated facilities be repurposed for youth ministry;

Consultation with the CAP

Whereas, on January 12, 2026, a representative group of the Sherburne ACC presented both Plan #1 and Plan #2 to the Committee for the Affirmation of Plans (CAP), a group of canonical, financial, and pastoral experts, both clerical and lay, assembled by the Planning Office of the Diocese of Saint Cloud;

Whereas the representatives of the ACC confirmed that the Church of the Immaculate Conception is most geographically central to the proposed new parish;

Whereas the community and campus of Our Lady of the Lake is easily accessible from the Parish of St. Andrew and vice-versa, with parishioners frequently utilizing one or the other or even changing registration with ease;

Whereas the representatives of the ACC asserted that there *is* lingering animosity in Mary of the Visitation Parish, mainly surrounding old sports rivalries;

Whereas the representatives of the ACC acknowledged that particular circumstances in the ACC's region of the Diocese make the repurposing and sale of even ecclesial buildings relatively easy;

Whereas the late Bishop Emeritus, John Kinney, while serving as Diocesan Bishop in 2008, directed the pastor of the merging parish of Mary of the Visitation to elect "a" – *i.e.*, "one" – worship site "within the next seven years;"

Whereas the CAP, weighing the above motivations, ultimately recommended Plan #1;

Consultation with Presbyteral Council

Whereas, having received the recommendation of the CAP, I recognized as a requirement what is established by c. 515 §2, and subsequently presented the proposed merger to the Presbyteral Council on February 17, 2026, requesting a consultative vote;

Whereas the Presbyteral Council recommended, by a consultative vote, that I proceed with the proposed merger;

Whereas the proposed merger is within the parameters of the All Things New Planning Process, and likewise is, in my judgment, a prudent remedy to the general challenges to health and holiness in the Diocese of Saint Cloud, especially those challenges to clergy health, and those resulting from changing language groups, cultures, and demographics;

Whereas, mindful of the Legislator's general principle that a pastor is to serve only one parish (c. 526 §1), the proposed merger better aligns with the current and anticipated numbers of available pastors in the Diocese, as well as the ACC in particular, and it arranges things such as to better meet the customary expectations of the Faithful of these parishes with regard to parochial pastoral ministry, *ie* one pastor to one parish;

Whereas the proposed merger adjusts the governing structures to ease co-responsible governance of the current parishes, establishing one set of trustees and one finance council who share the same mandate as the pastor;

Whereas the proposed merger affords the opportunity for the pastor to utilize these more efficient governance structures and more easily accessible ecclesiastical goods, granting him the opportunity to spend less time on administrative tasks and more time on pastoral care, which gives benefit to both priest *and* parishioner health;

Whereas the proposed merger allows the parishioners of the two communities to more easily share resources that support common, collaborative ministries, as well as their shared pastor, prolonging the possibility for each parish and facility to be maintained and staffed rather than left vacant or being found financially insufficient for the support of necessary ministers;

Whereas the proposed merger draws together historic and distinct communities, creating the vision of the parish set forth by Pope Francis, “a community of communities” (*Evangelii gaudium*, 28), building on past collaboration to avoid any semblance of the small, isolated, homogenous, self-selecting communities that can promote a parochialism contrary to the unifying message of the Gospel;

Whereas the proposed merger builds on past successes with parochial mergers in this region of the diocese;

Whereas the proposed merger is also, in my judgment and in accord with the foregoing observations and motivations, for the good of the souls of the parishioners of the parishes of the Sherburne ACC overall, as well as the parishioners of Mary of the Visitation and St. Marcus in particular;

I hereby merge the aforementioned parishes of St. Marcus and Mary of the Visitation in an extinctive union, such that Mary of the Visitation encompasses the territory, assets, rights, and obligations previously included in each parish.

And, whereas Fr. Michael Kellogg is known to be of sound doctrine and uprightness of character, already serving well as pastor of the aforementioned parishes;

I hereby appoint Fr. Michael Kellogg as pastor of the newly merged parish (cc. 521, 523); and I hereby dispense from the obligation of taking possession in accord with c. 527 §2, such that he takes possession immediately, this decree serving as sufficient notification to the people of the parish (See Article II below).

And I hereby enact further provisions detailed in Appendix I, which I will make directly available to the pastor of the aforementioned parishes.

Art. II - Notification and Appeals

The above merger and associated precepts and decisions, though related by reason of motivation and legal action, are nevertheless, strictly speaking, independent. Therefore, if a member of the Faithful is aggrieved by *any* article of this decree, that member may present a petition for modification or revocation of the whole decree or simply a single provision therein, within ten working days of notification of the decree, *i.e.* the petition must be received at the Chancery of the Diocese of Saint Cloud before the close of business on June 22, 2026. (see the address of the chancery in the header).

To that end, **I hereby direct that notification take place according to the following:**

§1 The Pastor is to receive a signed copy of the decree;

§2 The Pastor or his delegate is hereby directed to read the Preamble, an appropriate summary of Article I, and this article at all weekend Masses on June 6 and 7, 2026;

§3 The Pastor or his delegate is to ensure that paper copies of this decree, less the appendix, are provided in the churches of each parish merged by this decree – the pastor may share part or all of the appendix at his discretion;

§4 This decree is to be posted, less the Appendix, to the All Things New Website of the Diocese of Saint Cloud on June 5, 2026.

So long as notification takes place as described above, **all of the decisions, precepts, and other legal actions indicated in this decree go into effect on July 1, 2027**, unless an alternative timeline or measure is indicated, and without prejudice to my right to suspend or revoke the provisions of this document, in whole or in part, especially in response to a petition from a member of the Faithful.

Given at the Chancery, the 5th Day of June, the Year of Our Lord 2026.

+ Patrick M. Neary, C.S.C.

+Patrick M. Neary, C.S.C.
Bishop, Diocese of Saint Cloud

[SEAL]

Joseph C. Tormalini

Ecclesiastical Notary

Prot. No. 87-26

APPENDIX I

Provision I - Designation of Primary Parochial Church

Whereas it is understood that a Primary Church means the church at which high feasts are celebrated, *i.e.* *Triduum*, Holy Days of Obligation, etc.;

Whereas, insofar as possible, the Primary Church is to be instinctively understood as *the* parochial church of the parish, *i.e.* where the community would gather if the parish is meeting “at the church” for some function;

§1 I hereby decree that the Church of the Immaculate Conception is the primary church of the Parish of Mary of the Visitation;

§2 Further, pursuant to this, I hereby decree that after July 1, 2027, all celebrations of the Triduum taking place in the Parish of Mary of the Visitation will only occur in the Church of the Immaculate Conception.

Provision II - Designation of Partner Churches

Whereas it is understood that a partner church means a church at which a weekend Mass is still regularly celebrated, insofar as clergy are available;

§1 I hereby decree that the church of St. Marcus is a partner church of the Parish of Mary of the Visitation;

§2 I hereby request that this status be reevaluated by the pastor and that he submit a report regarding the use and cost of the church no later than July 1, 2028.

Provision III - Disposition of the Church of Our Lady of the Lake

Whereas Plan #1 proposed that the Church of Our Lady of the Lake be relegated to secular use and sold;

Whereas, at the meeting with the CAP, representatives of the ACC indicated that parishioners in the ACC already move very freely between the Parish of St. Andrew and the Parish of Mary of the Visitation;

Whereas, at the meeting with the CAP, representatives of the ACC indicated that the Church of St. Andrew has sufficient seating to accommodate the entire typical Mass attendance seen in the Parish of Mary of the Visitation at the Church of Our Lady of the Lake;

Whereas research in the archives of the diocese reveals the aforementioned precept of the Bishop Emeritus, indicating that Mary of the Visitation Parish elect a single worship site;

Whereas, cognizant of the law, I observe that c. 1214 defines a church as a sacred building set aside for divine worship to which the faithful have right of access, especially for public acts of divine worship;

Whereas the perpetual nature of the consecration of a church is implied by the rigorous requirements of c. 1222 §2, namely that it may not be relegated to secular use without multiple grave reasons, consultation with the Presbyteral Council, and the consent of those who would be able to lawfully claim rights in the church;

Whereas relegation to secular use, as described in c. 1222 §2 would be required before transferring ownership to a secular organization, as the recommended plan seems to anticipate (see CONGREGATION FOR THE CLERGY, Procedural Guidelines for the Modification of Parishes and the Closure, Relegation and Alienation of Churches, 30 April 2013, reprinted with permission of Msgr. Antoni Neri, Undersecretary of the Congregation for the Clergy, in *The Jurist*, 73 (2013), 211-219, specifically see pg. 218);

Whereas it would be illegitimate and unbecoming of me, at this time, not having ascertained the causes nor taken the steps mentioned in c. 1222 §2, to decree the relegation to secular use of the aforementioned churches;

Whereas it would likewise be illegitimate and unbecoming of me to ignore that which was discerned by the ACC Planning Council and, in turn, approved and recommended to me by the CAP (cc. 50, 127 §2, 2° 212 §§2 and 3; 383);

I hereby require the pastor of the Parish of Mary of the Visitation to do the following:

1° As of July 1, 2026, the Blessed Sacrament will no longer be reserved in the Church of Our Lady of the Lake.

2° The pastor of the newly merged parish is to submit a report to me no later than December 31, 2026, regarding alternative uses of the Church of Our Lady of the Lake, even secular ones, as well as the motivations for those uses, indicating any which would rise to the level of grave causes.

3° Pursuant to this, the pastor is to consult members of the Finance Council, and he may utilize other collaborative structures, either established or *ad hoc*, for preparation of the aforementioned report.

Provision IV - Allocation of assets

Whereas the aforementioned parishes are joined into an extinctive union, forming one new parish, which is by law a public juridic person (c. 515 §3);

Whereas, whenever public juridic persons are amalgamated in such a way as to create a new public juridic person, the new public juridic person obtains both the rights and obligations which belonged to the previous public juridic persons, giving due regard to the wishes of founders, benefactors, and those who legitimately claim rights (c. 121);

Whereas I am mindful to safeguard, through particular arrangements, the aforementioned wishes;

Whereas, likewise, it is the consistent guidance of the Apostolic See that, in the event of a merger of parishes that results in the extinction of one or more parishes, the money should follow the people, rather than be acquired by the juridic person hierarchically superior to the extinguished parish or parishes;

I hereby enumerate the real rights and obligations, and direct the allocation of the assets of the Parish of Mary of the Visitation as such:

Cemeteries and perpetual care funds

Whereas the Parish of Mary of the Visitation, since it was formed from the extinctive union of the parishes of Our Lady of the Lake and Immaculate Conception, has been responsible for the previous parish cemeteries of Our Lady of the Lake and Immaculate Conception;

Whereas St. Marcus also maintains a parochial cemetery;

I hereby decree that the Parish of Mary of the Visitation is responsible for all three cemeteries and must administer them in accord with all applicable ecclesial and civil law.

Equitable Portions

§1 Parishioners of the presently existing parishes are to be informed by appropriate means that their registration automatically transfers to the newly merged parish on July 1, 2027; however, they are always free to register in another parish at any time.

§2 Further, they are to be informed that if they register in another parish, an equitable portion of the unrestricted liquid assets of their pre-merger parish of registration will be sent to the parish in which they have newly registered, so long as they meet the following two conditions:

1° The parishioner has made an unrestricted donation to their pre-merger parish of registration on or after July 1, 2026;

2° Their new parish of registration, which is neither the newly merged parish nor one of the parishes that merged to form it, informs the newly merged parish of the parishioner's new registration by July 1, 2027.

§3 A parishioner's equitable portion of the unrestricted liquid assets of his or her pre-merger parish of registration is determined by taking the total amount of cash, accounts receivable, and investments less restricted funds (cash or investments) held by that parish at the close of business on June 30, 2027, and dividing that value by the total number of currently registered parishioners who have donated at least one dollar to the parish as of June 30, 2027.

§4 Steps should be taken to administer appropriately the assets of the merging parishes before July 1, 2027, anticipating that some parishioners may register elsewhere.

§5 Further, I hereby order that the pastor and the trustees of the parish corporations, execute those instruments which are necessary to reflect in civil law the foregoing amalgamation of rights and obligations, by July 1, 2028:

1° Prior to the civil merger of the parish corporations, an audit of each corporation is completed by the Finance Office of the Diocese of Saint Cloud.

2° No utilization of the funds of the canonically merged parish should place the existing parish corporations or their administrator in legal jeopardy; to this end, the “Merger Handbook” of the Diocesan Finance Office should be consulted.

3° At each step, care and sensitivity to donors should be exercised, mindful that donations to the Church generally remove any restrictions on the utilization of that donation, except where carefully and explicitly indicated by the donor and recognized by the one receiving the donation on the Church’s behalf.

Provision V - Lay collaboration in the governance of the parish

Whereas the parish is governed by the Pastor who serves as administrator of the parish’s goods and represents the parish (c. 532);

Whereas the parish is to have a finance council, ordered by the norms of the Diocesan Bishop (c. 537);

Whereas this newly merged parish is a “community of communities,” and an amalgamation of the church goods held in trust by four distinct communities;

Whereas it is my desire that the administration of the church goods of the newly formed parish proceed in a manner consistent with and even exceeding previous standards of trust and integrity;

Whereas provision for the Finance Council is otherwise normally made according to Policy A1b of the Handbook of Policies and Guidelines Diocese of Saint Cloud – namely, it is appointed freely by the pastor;

§1 I hereby order the pastor of Mary of the Visitation to conscientiously adjust the Finance Council of the parish by July 1, 2027, so that some representation of what was the distinct community of the Parish of St. Marcus is present on the finance council until July 1, 2030;

1° Further, if this adjustment to the Parish Finance Council of Mary of the Visitation proves too difficult, I enjoin the pastor to petition the local ordinary for assistance.

2° Further, I hereby decree that as of July 1, 2027, the Parish Finance Council of the Parish of Mary of the Visitation shall be the finance council consulted in accord with Article V of the by-laws of the civil corporations of Mary of the Visitation and St. Marcus, until such time as the civil corporations of those parishes are merged.

Whereas the civil corporate structures representing parishes in the Diocese of Saint Cloud are governed by a corporate board consisting of three ex officio members – the bishop, the vicar general, and the pastor – and two lay trustees;

Whereas, as indicated above, it will be some time before the civil corporate structure is able to align with the enacted canonical structure;

Whereas it is evidently not contrary to civil law for a person to serve as a member of more than one corporate board at a time;

§2 I hereby order that the pastor, no later than June 1, 2027, to present petitions for proxy votes so as to make two persons trustees of each of the existing parish corporations for a term of two years, renewable up to ten years, with the understanding that the existing trustees of each parish will relinquish this responsibility for their respective corporations on July 1, 2027.

Provision VI - Other parochial things

§1 Without prejudice to the pastor's right to establish the Mass schedule, in accord with the discernment of the ACC Planning Council, which was reflected in the Pastoral Plan, I hereby advise that the Mass Schedule be 5 PM Saturday at the Church of the Immaculate Conception, 8 AM Sunday at the Church of St. Marcus, and 10 AM Sunday at Immaculate Conception;

§2 I hereby order the pastor, having consulted appropriate persons, to determine the timing, location, and composition of events (titular feasts, potlucks, fish fries, festivals) in the yearly calendar by July 1, 2027, carefully preserving, insofar as possible, some celebrations and events of the parish of St. Marcus.

§3 I hereby direct that the parochial registers of the parish of St. Marcus be ended as of June 30, 2027, and that those registers be carefully preserved in the main office of the Parish of Mary of the Visitation.

Here ends the appendix

Bishop Neary PMN