

Scouting America

Sale of a Local Council Camp FAQ's

Selling a local council camp is a complex process often driven by financial sustainability. Below are the most frequently asked questions regarding these sales.

Who has the final authority to sell a camp?

The local council's Executive Board is the governing body of the council corporation. Councils can sell real property in the ordinary course of business, but in some states it may be considered a fundamental change transaction that also requires a vote of the members.

Can the National Council force a sale?

No, local councils are separate corporations under state law. The National Council does have oversight and control under the BSA Charter and Bylaws and Rules and Regulations and the local council charter and can enforce that the proceeds are used for Scouting purposes in the state where the council is located.

What is the role of the State Attorney General?

State AGs often oversee non-profit asset sales to ensure they don't violate "donor intent" or legally restricted gifts.

Where do the sale proceeds go?

It may depend on the donor restrictions on what the proceeds can be used for.

Can proceeds be used to pay off the National Council general debt?

No, the proceeds must be used for Scouting purposes in the state where the local council is located.

What about the Victims' Settlement Trust?

Some local council properties were pledged to fund local council contributions to the Victims' Settlement Trust. Councils were not specifically required to sell camps.

What happens if the land was a gift?

Many deeds contain reversionary clauses stating the land must return to the donor's heirs if it is no longer used for Scouting.

Is a "Phase I" assessment recommended?

It depends. Sellers are encouraged to consider a Phase I Environmental Site Assessment early to identify "dealbreakers" like lead paint or old fuel tanks that could derail a sale.

Are there alternatives to a full sale?

Councils may consider conservation easements, which allow them to sell development rights to a land trust while retaining ownership and operational use of the camp.

Can local Scouters stop a sale?

While members can voice opposition at information sessions, board decisions are final once voted upon. Involvement with council leadership is the most effective way for members to understand and influence the council's financial position.

Can local Scouters buy the camp?

The purchase must be for fair market value based on an independent appraisal and avoid both the appearance and any actual conflict of interest.

Can a council close down a camp to stop the financial loss without selling the camp?

Yes, there is a checklist for closing a camp under the BSA Outdoor Programs and Properties resources. In some states the non-profit property tax exemption depends on the property being used exclusively for the tax-exempt purpose of the organization. Weekend camping may qualify for the property tax exclusion.

Is there a camp sale checklist?

Yes, see the attached checklist.