

ATTENDANCE

Present

Ministry

Personnel: Cheryl-Ann Stadelbauer-Sampa, Philip Newman, Paul Rodey, Doug Wright, John Brown, Paul Browning, Connie Ellis, Judith Fayter, Kenji Marui, Jeff Crittenden, Paul Ross

Lay: Bev Slater, Mary Anne Silverthorn, Bill Butt, Charles McMillan, Pat Whitton, Louise Hall, Glenda McMillan, Joyce Payne, Tanya Cameron, Thom McDonough

Regrets Clare Walker, Chuck Scott

OPENING – President Philip Newman

In the name of Jesus Christ, the one true head of the church, and by the authority given to me at the 89th Annual Meeting of London Conference, I declare this meeting of the Executive of London Conference duly constituted for any business that may come before it. The bounds of the meeting shall be this room and the conference call.

OPENING WORSHIP

Philip Newman and Cheryl-Ann Stadelbauer-Sampa provided deeply personal reflections on their time spent at the Truth and Reconciliation Commission, March 27-30th in Edmonton, Alberta. They spoke of the lasting heartbreak of the Residential School system and completed their worship with a video of victim impact statements from residential school survivors.

CONSENT DOCKET

There was a request to remove the Huron-Perth Presbytery report from the Consent Docket for later discussion.

Kenesserie Camp Board Member Nominees paperwork was removed from the Consent Docket as it is incomplete. Cheryl-Ann Stadelbauer-Sampa will follow up with Kenesserie Camp to secure the required information in order for London Conference Executive to approve its Board of Directors.

Motion It was moved, seconded and carried to accept the consent docket.

ADOPTION OF THE AGENDA

APPROVAL OF MINUTES

Motion **To accept the London Conference Executive minutes from February 19, 2014 and March 21, 2014, and to receive for information the minutes from the Special Commission dated April 9, 2014 (Appendix 1).**

INCORPORATED MINISTRIES (Appendices 2 & 3)

Motion **To approve Board Membership of the following Incorporated Ministries:**

- a. Lambton United Church Centre**
 - i. Kyna Patterson**
- b. East London United Church Outreach**
 - i. Linda Petronis**
 - ii. Elma Johnston**
 - iii. Linda Badke**
 - iv. Janice Elliott**

COMMITTEE / DIVISION REPORTS (Appendices 4 - 6)

To receive for information:

1. United Church Women April 2014 Report to London Conference Executive
2. Budget Forum 2015 Minutes
3. Executive Secretary's Accountability Report

BUSINESS ARISING FROM MINUTES

Cheryl-Ann directed the court to the handout "Background Information re: Criminal Charges, Suspension and Ending of Pastoral/Employment Relationship" to be received as information. (Appendix 7).

Code of Conduct

Cheryl-Ann noted that Betsy Exley, Faith Formation - Youth and Young Adults Minister for London Conference has submitted standards for screening and asked the Executive to endorse them as practice for London Conference to make clear that this is the official practice.

Motion **It was moved, seconded and carried to receive material for the "Code of Conduct and Standards For YAYA (Youth & Young Adult) Ministry London Conference – The United Church of Canada" as the code of conduct throughout London Conference.**

For reference, the Code of Conduct and Standards, the London Conference Youth Forum Home Group Leader Application, the London Conference Youth Forum Volunteer and the Home Group Job description are included as Appendices 8 – 11.

Becoming an Affirming Conference

Cheryl-Ann was not able to complete the comprehensive background research to becoming an Affirming Conference at this time due to limited abilities and scheduling but she will continue to work on it.

Priorities Working Group Updates

Job Descriptions – (Appendices 12 & 13)

Motion **It was moved, seconded and carried to accept the job descriptions for the Conference Personnel Minister and Minister, Vocations and Training.**

It was noted that this separation of roles and responsibilities could have been enacted a year ago when the current Conference Personnel Minister was hired in order to avoid potential for stress and burn-out due to the intense demands of the job.

EDGE Consulting Update

Four pastoral charges have submitted their interest in being part of the EDGE consulting study and EDGE will be asked to evaluate their suitability for our purposes and report back to the London Conference Executive as requested.

Clarification was sought about how the data gathered from these test pastoral charges will be extrapolated to be applicable to the wider Conference. Cheryl-Ann confirmed that the intention is that this would be a springboard to test both fit and work of EDGE to determine, with executive consultation, what the next steps are and if it fits with the direction London Conference wants to proceed in regarding named priorities. Rob Dalglish of EDGE has indicated he is willing to come to explain the work during the 2014 Annual Meeting.

FINANCE AND ADMINISTRATION

Motion **It was moved and seconded to accept the Minimum Reserve Threshold Proposal, which would establish a minimum threshold of \$225,000 in its unrestricted reserve funds. (Appendix 14)**

Paul Browning noted to the court that his motion to be presented later in the meeting, should it pass, could exceed a \$150,000 payment to David Woodall and therefore to be aware of that payment and subsequent effect on reserves.

Motion carried.

The Finance and Administration Division has also created the volunteer role of Treasurer in Training, and the position description can be found in Appendix 15. As well, the March, 2014 London Conference financial statements were presented for information (Appendices 16 & 17).

BUDGET FORUM

Mary Anne Silverthorn provided background information on Budget Forum 2015 held April 11, 2014. Please refer to Appendix 5. Bev Slater took the court through a line-by-line item noting all rationale for revenue/expense estimation (Appendix 18).

Motion **It was moved and seconded to recommend to the Annual Meeting that the Conference assessment from Presbyteries of \$540,455 using 2.2% of Col. 40 over 3 most recent years, be accepted as presented. This requires a minimum draw of \$82,000 from reserves.**

Paul Browning repeated his earlier concern that our financial statements are incomprehensible to 70% of people reading them and requested that the formatting change. Cheryl-Ann confirmed that we will seek our auditor's opinion on the presentation and layout of the financial statements.

Motion carried.

EXECUTIVE SECRETARY'S ACCOUNTABILITY REPORT

In her report, gave a brief introduction to the work of the Comprehensive Review team. She invited the Executive to consider whether the proposed discussion for the Conference Annual Meeting covered the necessary topics. The Executive did not express the need to consider the Conference role in ministry formation or staffing.

Louise Hall expressed thanks for the hard work and amazing document produced by the Comprehensive Review team in such a short time.

LUNCH

Upon returning from lunch the floor was opened to questions for the Comprehensive Review team and Kenji but as no discussion was forthcoming, Kenji directed us to seek out unitedfuture.ca for supplemental information. Kenji left the meeting.

The court was informed of the online Comprehensive Review sessions: May 1, May 15 and June 12.

GENERAL COUNCIL COMMISSIONERS

The majority of General Council Commissioners for the 2015 General Council in Corner Brook, Newfoundland will be elected at London Conference 2014 Annual Meeting. When inviting someone to consider being nominated for this role, it is important to elect commissioners who are familiar with all courts of the church and are prepared to invest time and energy in

completing the hard work. Cheryl-Ann provided some background on how youth forum participants will be selected for this General Council.

MORAVIANTOWN OF THE THAMES

At the November 2013 meeting of London Conference Executive, the Executive Secretary, Conference President and Conference President-Elect were empowered to enter into negotiations with Moraviantown of the Thames regarding the potential transfer of a land plot across the road from Fairfield Museum currently farmed for the benefit of the Canadian Foodgrains Bank and make recommendations to the London Conference Executive expeditiously. London Conference is still seeking to have the property title clarified as it is more complicated than anticipated. Once that occurs, London Conference is in a better position to have a conversation with representatives from Moraviantown of the Thames.

Philip Newman recused himself from the chair and Paul Browning, Past President assumed the chair of president.

Motion It was moved, seconded and carried to have Philip Newman and Matthew Stevens work with the Executive Secretary in conversations about the potential transfer of a land plot across the road from Fairfield Museum, currently farmed for the benefit of the Canadian Foodgrains Bank to the Moraviantown of the Thames.

Philip Newman resumed the chair of president.

Pat Whitton updated the group on the Right Relations event on June 3, supported in part by the Social Justice Committee and the Division of Mission in Canada. Paul Browning highlighted a CBC audio clip discussion on residential schools titled “Monster” and requested that the website link be sent to the Executive.

Cheryl-Ann requested hospitality for the July 24 – 26 Right Relations Event to be held at Mt. Elgin. She noted that there is a search occurring in all archival material for any residential school data but there is very little to be found with respect to the Mount Elgin school.

INCORPORATED MINISTRIES

Motion It was moved, seconded and carried to accept the amended bylaws for the United Church Council of Middlesex Presbytery. (Appendix 19)

A member of the court requested clarification on what determines “mental capability” as required in the bylaws and Cheryl-Ann confirmed that the person acts on their own rather than through a power of attorney.

A member of the court wanted to know if other extension councils and incorporated ministries have difficulties filling board membership levels? No clear answer was provided.

HURON PERTH PRESBYTERY REPORT (Appendix 20)

Paul Ross noted that the Comprehensive Review is met with enthusiasm.

A small group met with an EDGE consultant regarding the positions of Presbytery Youth Worker and Presbytery Pastoral Support Minister. The current Pastoral Support Minister is retiring in June 2014, and the group was given the responsibility to give direction of what to do with these positions. The decision was made to keep positions as they are, and the presbytery has formed a search committee to replace the Pastoral Support Minister part-time. There will be a lag time between the current employee retiring and the new employee starting, so EDGE has been contracted to provide pastoral support as needed.

Paul noted he was under the impression that Huron-Perth sends its presbytery report to London Conference and it subsequently “gets lost” in the consent docket but he noted it turns out the report is sent to executive members for their perusal prior to the meeting and he was grateful for that. He opined that the role of presbytery representatives has been crucial to the function of this group; if memory served correctly there used to be check-in of presbyteries around the table prior to the meeting. He has the sense there is something of value lost by not doing this and requested a return to the presbytery check-in as there is a preference to interact and exchange ideas and values rather than reading a written report.

Cheryl-Ann shared that presbytery representatives Joyce Payne – Middlesex and Judith Fayter – Kent have had their terms on London Conference Executive extended by one year.

A general discussion occurred of the implications of presbyteries having “staff”. Are they legally allowed to have presbytery employees/staff? This matter came to General Council and decision was to take no action at this time simply through expected changes from comprehensive review: Where there will be staff, how they will be funded and what if there is no governance in the “middle”? Cheryl-Ann strongly suggested that if your presbytery must hire employees, use contract positions with end-dates.

CRIMINAL CHARGES AND SUSPENSION

This topic was brought up at the February 2014 executive meeting, and Cheryl-Ann has sought advice and researched relevant background information (see Appendix 8).

This stems from a recommendation to take to General Council methods by which to handle people’s pay when they are suspended from their ministry position due to criminal charges. It is a complicated matter to balance personal and financial needs – what to do? Paul Browning clarified that he was moved to submit a notice of motion at the February 19, 2014 executive meeting of London Conference. He was unable to attend that meeting so it was presented at this meeting as a proposal to pay David Woodall from his date of termination to June, 2014.

There was a lengthy discussion, touching on several topics germane to this proposal.

Discussion concerning proposal

- Concern as it could be a taxed amount? Concern that this will be used as precedent?
- Is this taking place only because it is David Woodall, or would it occur for any ministry personnel? Agree with needing to do the fairness and right “thing”; is there a timeframe that this proposal should include with regards to legal proceedings? Cases could drag on for years.
- How far back can we go with charges (if you are charged with an event that occurred 25 years ago)? What about any alleged crimes not associated with the current job?
- It was noted that clergy have the opportunity to buy insurance to cover expenses related to legal fees, and should consider getting it along with provision of education around this for clergy and those related to work in ministry. Cheryl-Ann has done some preliminary research into appropriate practice insurance but London Conference is too small to create large pool of money and it is complicated as well. AON Hewitt does sell this type of insurance but their track record with our pension plan does not inspire confidence.
- How long can a court-case go on? Confirmed that duration is related to “timely fashion” in the eyes of the law, as long as activity going on in the case.
- Cheryl-Ann noted that in The Manual 2013 (2013 – 071(c) – 73), the Sexual Abuse and Prevention Policy is different – the section related to criminal charges does not provide suspension with pay. (Reference: The Manual [2007 – 364; 2010 – 364; 2013 – J.10])
- Paul stated that supporting this proposal indicates leadership, fairness, supporting nature and furthers on-going conversation in the larger church.
- UCC must have polity and stance on these situations – can we investigate these? Opened the floodgates for recompense? Is it the purview of this court to decide that this is what we are going to do? Or should we go to General Council to seek wisdom to restore financial security for David Woodall et al?
- This court also endorsed the termination of employment relationship with another clergy and so then it would appear that while their pastoral relationship ended, this court made no payment and supported the termination.
- Practitioners Insurance –One concrete thing that we could do is to educate those in leadership positions about practitioners insurance.

- It was confirmed that 90 days of employment notice is all that is afforded to clergy – criminal charges do not suspend termination of employment.
- Difficulty with this situation – not everyone in non-secular environment gets two years plus year severance. What is fair?
- David Woodall's severance/termination package is Confidential – but such agreements generally include language under which the person is not eligible to take further payment. Reimbursement of legal expenses might be allowed.
- Problem with this issue is the ability to remain fair/just and also the setting of the precedent and letting floodgates open to those who may make claims.

Motion **It was moved and seconded that the London Conference Executive circulate a memo to all clergy of the importance of taking out practitioners insurance to protect against financial difficulties arising from legal action, also circulated to the General Council office to make it nationwide.**

Motion **It was moved, seconded and carried to refer this to Conference staff to get insurance information and bring it back to London Conference Executive for discussion.**

Pat Whitton from Lambton noted that there was a proposal coming from Lambton which directed that London Conference pay David Woodall's legal expenses.

Motion **It was moved and seconded to approve in principle the payment of salary equivalency of ministry personnel who at the direction of London Conference were terminated from employment pending disposition of criminal charges related to their ministry and who have been acquitted and that we ask staff to:**

- 1. Ascertain the cost of this motion**
- 2. Prepare preliminary agreements as to how the motion would be enacted**
- 3. Bring this info back to executive for final approval**

After much discussion, it was agreed more information is needed.

Motion **It was moved, seconded and carried to postpone this motion definitely to a specially called meeting of the London Conference Executive at 3:00pm on May 7, 2014.**

The closing was offered by Phil and was a reading from Carolyn Wilson-Wynne.

MEETING ADJOURNED

May 7, 3:00 location at Riverside United Church
June 11, 2014 at Pearce Williams Christian Camp
September 10 – 11, 2014 at Five Oaks

Philip Newman, President

Cheryl-Ann Stadelbauer-Sampa, Executive Secretary