



MINUTES OF
EXECUTIVE
 Kamloops-Okanagan Presbytery

OF BRITISH COLUMBIA CONFERENCE
 The United Church of Canada

September 06, 2013

TRINITY UNITED CHURCH
 VERNON, BRITISH COLUMBIA

PRESENT	Don Seaton, Reta Robertson, Martha Ashbaugh, Lily Watson, Leslie Stirling, Ian Fraser, Elaine Diggle, Irene Hart, Joanne Koster, Norma Fraser (Acting Chair), Maxine Coffey (Secretary), Ivy Thomas (Conference Minister).
REGRETS	Teri Meyer, Steve Hershey, Kathy Hogman, Jake Highfield
GUESTS	Rob Couch, Bob Blakely
AUTHORITY & CALL TO ORDER	Pursuant to the authority of the Spring Meeting (February 15-17, 2013) of Kamloops-Okanagan Presbytery (KOP), the Executive of KOP was Called to Order at 10:15 am, at Trinity United Church Vernon. Norma Fraser (Acting Chair) presided. A quorum was present.
OPENING	Norma Fraser led us in worship and a check-in. A grounding prayer was offered for our work on these items of business.
APPROVAL OF AGENDA	MS (Don Seaton/Ian Fraser) that the agenda be adopted as circulated. Carried
MINUTES OF PREVIOUS MEETINGS	MS (Reta Robertson/Martha Ashbaugh) that the minutes of 15 February 2013 be adopted as circulated. Carried MS (Irene Hart/Reta Robertson) that the minutes of 19 February 2013 be adopted as circulated. Carried
CORRESPONDENCE	A thank you card from the TK'EMLUPS Indian Band for KOP's donation to their TRC Hearings Events in Kamloops.
MOUNT PAUL	Terry Harrison and Reverend LeAnn Blackert met with us via Skype. Terry Harrison informed us what the BC Conference Property Resource Team (PRT) does. She is the Chair. See the appended letter from Terry Harrison. The Team was formed one and a half years ago. Since some pastoral charges in the KOP are 'property rich but cash poor' any redevelopment plans are individually problematic. This team has put together seven pastoral charges (Mt Paul United Church, Kamloops, is one of the seven) to invoke the economies of scale when dealing with property developers. Currently Terry works with Justen Harcourt of Colliers International to attract potential collaborators for redevelopment plans. In that context Terry has been working with Leann Blackert and the 'Dream Team' at Mount Paul United Church, Kamloops around a property development idea. Communication via skype was problematic. However it was decided that the appropriate way to inform the KOP Executive about the Mount Paul redevelopment idea was through the Property and Manse Committee. Apologies were given as to following an incorrect process. Moving forward, this

matter will be addressed by the Property and Manse committee and further communication will take place in order to obtain the KOP approval of this plan.

LUNCH

We stopped for a brief lunch provided by the Trinity United Church UCW.

WORSHIP

A brief worship started our afternoon.

BUSINESS ARISING**GOVERNANCE MODEL**

Ian Fraser led us through a synopsis of the current relationship of Kamloops-Okanagan Presbytery and the United Church of Canada. Please see his slides appended or attached to these minutes.

He suggests the KOP Executive adopt one of three possible changes to our current practice of operating and this choice be discussed and ratified by the Presbytery as a whole. This would be in order to carry on the business of Presbytery between Presbytery sessions:

The Executive needs to meet more frequently and in a scheduled manner

The KOP can appoint commissions to do business of the Presbytery and report back

OR use a combination of the above two

Also, it was proposed that the Executive be defined and voted upon. The suggestion is to have a chair, secretary, treasurer, chair (or designate) of each committee, representative to BC Conference and two members at large. This executive would be voted on annually.

The form that this proposal would take is:

Before presbytery the present Executive would decide:

Which committees/commissions to have

A plan for more frequent Executive meetings.

At Presbytery this would be explained

A chair would be elected

Commissions and committees would be adopted

An Executive would be appointed

After Presbytery

Reclaim the visioning function of Leadership Circle

Increase the engagement of presbyters

A discussion ensued and a motion was made.

MS (Leslie Stirling/Don Seaton) that at Fall Presbytery 2013, KOP elect a chair and appoint an Executive to take effect at that time until the rise of Conference 2015. **Carried**

It was also recommended that Gifts and Callings recommend who be chosen to stand.

CLINTON FUNDS

It was noted by Don Seaton, Administration Coordinator, that the Management Team through the Property and Manse committee will recommend to KOP how to disperse the funds derived from the sale of Clinton United Church.

**WINFIELD
CONSTITUTION**

Discussion occurred around the received proposal for the Constitution of Winfield United Church. Suggestions were made and the proposed Constitution will be sent back to Winfield United Church for correction. Conference Minister Ivy Thomas will clarify the changes with them.

An apology will also be sent as to the delay in dealing with this matter.

OUC/PUC DISCUSSION

Don Seaton presented to the Executive that further action is requested RE the legal costs of \$4,184.63 (four thousand one hundred eighty four dollars and sixty three cents) with regard to the Czuczar estate. Discussion followed.

MS (*Don Seaton/Leslie Stirling*) that Kamloops-Okanagan Presbytery makes an *ex gratia* combined payment of \$1,400.00 (one thousand four hundred dollars) to Oasis United Church and Penticton United Church (\$700; Seven hundred Dollars to each) too assist in the legal costs with regards to the Czuczor Estate. **Carried**

- REPORT IVY THOMAS** Ivy Thomas will send out her calendar to us for our information.
- FINALIZED PRESBYTERY AGENDA** As a group we reworked the proposed agenda for the Fall Presbytery. When the finalized agenda is completed it will be circulated.
- NEXT MEETING** The Executive will next meet when a suitable date is arrived at by using Meeting Wizard. Norma Fraser will initiate. The date will be sent to members of the Executive.
- BLESSING** We sang our way out led by Rev. Lily Watson.
- ADJOURNMENT** Having reached the order of the day, we adjourned at 3 pm.

Norma Fraser, Acting Chair

Maxine Coffey, Secretary

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Terry Harrison Letter

Send to Executive



BRITISH COLUMBIA CONFERENCE

THE UNITED CHURCH OF CANADA / L'ÉGLISE UNIE DU CANADA

Norma Fraser
Chair, Kamloops-Okanagan Presbytery
nfraser@telus.net

June 19, 2013

Dear Norma,

As you know, the Conference's Property Resource Team (PRT) was created last spring to provide leadership on property assessment and development matters to congregations and other ministries within the Conference. I would like to take this opportunity to update you on our activity as it relates to our work in your Presbytery.

It has been a busy year for the PRT! We've been contacted by over 50 congregations. Sometimes it's for a single conversation, wherein we exchange some information or answer specific questions. In other instances it's the beginning of a longer, more comprehensive engagement. Such is the case with the seven congregations listed below, all of whom the PRT has been working with over the past year and who are now in the position to seriously consider redeveloping their church property:

1. Brechin United Church (Comox-Nanaimo Presbytery)
2. Brighthouse United Church (Vancouver-South Presbytery)
3. First United Church (Fraser Presbytery)
4. Golden Ears (Westminster Presbytery)
5. Mount Paul United Church (Kamloops-Okanagan Presbytery)
6. Oakridge United Church (Vancouver-South Presbytery)
7. West Burnaby United Church (Westminster Presbytery)

Working closely with leadership teams at each of these congregations, we have conceptualized and undertaken feasibility testing for the possible redevelopment of each church property, as part of this Redevelopment Portfolio. In each case, we have participated in congregational meetings, and have the support of the Board/Council to continue our efforts on their behalf. Over the summer, the PRT will be putting some foundational pieces in place that will enable us to move forward to the next phase of planning and preparation. We'll then be ready to make a presentation to Presbytery regarding the redevelopment plan at Mount Paul United Church.

I'll be in touch with you in August to discuss the timing and process that would work best for sharing information with your Presbytery, and what details you will want from us as we prepare our request for Presbytery Approval [as per 2.3.2 (e) of The Manual-2013; and S.267 of The Manual 2010]. *My hope is that we can get on your agenda for sometime early this fall.* In the meantime, if you have any questions, please don't hesitate to contact me.

Blessings,


Terry Harrison
Property Resource Team Lead for BC Conference of The United Church of Canada
Home Office (250) 385-3064 Victoria, BC
Cell (250) 514-1064 | terry2@shaw.ca

CC: Ken Akins, Chair of Mount Paul's Leadership Team; and Rev. LeAnn Diackon, Mount Paul United
Doug Goodwin, Executive Secretary, BCCUCC

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Ian's Slides (14 pages) pdf

Briefing note to KOP

Briefing Note to Kamloops Okanagan Presbytery Executive
Sept 6, 2013
From Don Seaton/ Ivy Thomas

Re: Estate Expenses

Action Requested: Penticton United Church and Oasis United Church are requesting the Presbytery pay all or part of the legal expenses totaling \$4,184.63 arising from defense of an estate case (Czuczor).

Brief Background:

- A dispute in the congregation of PUC led to Presbytery appointing three trustees to act in place of the Board and Trustees of the congregation.
- During this time a person named Czuczor died, leaving a Will that gave a substantial estate to be divided between BC Lions Society for Children with Disabilities and PUC.
- Family members of Czuczor disputed the Will, saying it was made with a lack of testamentary capacity.
- The Executor of the estate, along with BC Lions engaged an estate lawyer, and PUC, acting via the Presbytery appointed Trustee, signed a contract to jointly defend that suit.
- At that time it was expected that all expenses of the lawsuit would be paid by the estate.
- Oasis UIC was then formed and PUC and Oasis agreed that any proceeds from the Czuczor estate would be divided equally.
- In 2010 the plaintiffs in the estate case made an offer to settle, whereby each side would get half of the estate. The offer was conditional on all defendants agreeing, and even before the Presbytery appointed Trustee could see the offer, BC Lions rejected it. The Trustee then agreed to reject the offer.
- Much litigation ensued, with a trial judgment came about a year after the trial this past January 2013. The plaintiffs won. The Will was set aside.
- The plaintiffs asked the judge to deprive the defendants (PUC, BC Lions and the executor) of costs from the estate, plus to award the plaintiffs special costs because they had achieved a judgment that was better than their early settlement offer. [Court rules provide for this to encourage settlements.] This put the defendants on the hook for their own legal bills plus about \$70k costs payable to the plaintiffs, for a liability of \$200k.
- BC Lions appealed the case and sought a new lawyer. PUC decided they had enough and sought to minimize risk.
- The plaintiffs made a new settlement offer that essentially paid most of the defendants legal costs from the estate. It left each defendant with a share of \$4,184.63 to pay their lawyer. All defendants agreed.
- At this stage PUC asked for Presbytery to pay this amount; or to share it equally between PUC, Oasis and Presbytery; or failing that, to share equally with PUC and Oasis.
- Because Presbytery was not in a position to make a snap decision, PUC and Oasis have paid the lawyer's bill, without prejudice to their claim to Presbytery.

Exec