

General Council Report to the Presbytery

March 19, 2015 ~ Presbyterian Church, Bath, NY

[From the General Council meetings of April 14, 2015 and May 12, 2015.]

FOR PRESBYTERY'S ACTION

The General Council VOTED to recommend that the presbytery:

1. **Appoint** the following Administrative Commission to Install the Rev. Kirianne Weaver Riehl as Pastor of First Presbyterian Church, Ithaca, NY on Sunday July 19, 2015 at 4:00 p.m.

The Rev. David Kilgore, HR (Presbytery Moderator), or his designee

The Rev. Betsey Crimmins (Elmira, First)

The Rev. Cheryl Peeples (Ulysses)

The Rev. Jeff Kellam (HR)

Elder Tom Bailey (Spencer)

Elder Susan Wade (Ithaca)

Elder John Peeples (Ulysses)

2. **Grant** the moderator the authority to make changes in the Administrative Commission to Install, as necessary and appropriate.

(Hedgesville / Dissolution of Congregation)

3. **Approve** the following RESOLUTION regarding the dissolution of the Hedgesville Presbyterian Church, Hedgesville, NY:

The **Presbytery Administrative Commission Regarding Closing Of Hedgesville Church** (the "Administrative Commission"), with the concurrence of the **Presbytery Committee on Ministry**, and in recognition of the action taken by the Congregation of the **Hedgesville Presbyterian Church**, in the Hamlet of Hedgesville, Town of Woodhull, Steuben County, New York (the "Church"), at a duly called meeting of the Congregation and Corporation of such Church, held the 14th day of December, 2014, recommends that the **Presbytery of Geneva**:

1. **Dissolve such Church**, as a congregation of the Presbyterian Church (USA), effective immediately; and

2. **Authorize and direct the Presbytery Board of Trustees to:**

A. **Take custody and control of the real and other property** of the Church and take any and all actions as may be deemed necessary and appropriate to maintain and manage the real property known as Hedgesville Presbyterian Church, including but not limited to arranging for property management and maintenance, payment of utilities, insurance, and other such charges, pending disposition of such property, the cost of all such maintenance and management to be charged to Presbytery and paid from the _____ Fund pending sale or other disposition of the property.

B. **Petition the Supreme Court for Steuben County**, pursuant to § 17-b of the Religious Corporations Law for an Order to the effect that all property of whatever kind which may have belonged to, or have been held by, said Church shall vest in the Presbytery of Geneva in as full and ample a manner as the same shall theretofore have been vested in the Church.

3. **Authorize** the Chair of the Administrative Commission, the Chair of the Presbytery Board of Trustees, the Stated Clerk of Presbytery, the Presbytery Executive and/or the Presbytery Moderator to execute and deliver such documents, and take such actions as may be required to effectuate the foregoing.

4. **Direct the Administrative Commission and Presbytery Board of Trustees** to investigate and explore the appropriate disposition of the Church property, including providing for the marketing of such property for sale (such as listing of the property with a real estate broker), or

determination of the disposition of such property by gift or other means, and otherwise taking other actions as may be conducive to the expeditious disposition of the property, the results of such investigation and exploration, and of the actions taken, to be reported to Presbytery for final approval as to any proposed disposition.

(Synod of the Northeast / Revised By-Laws)

NOTE: This action item has been rendered moot by a General Assembly Permanent Judicial Commission decision in the Remedial Case *The Rev. James McKellar, Complainant v. Synod of the Northeast, Respondent* (see below).

The Council was prepared to present the following resolution to the presbytery, for action either affirmative or negative.

4. **Shall the presbytery approve** lines 85 – 110 of the Revised By-Laws for the Synod of the Northeast?

NOTE: The Synod of the Northeast requests all constituent presbyteries to vote on the recommended changes by May 28, 2015.

2.000 SYNOD ASSEMBLY

2.100 Membership

2.101 Commissioners: The Synod Assembly shall consist of one teaching elder, one ruling elder, two members at large and one young adult member (age 17-22) elected as Commissioners by each presbytery within the bounds of the Synod for the purpose of voice and vote. Their term shall be two years, commencing at their first Assembly meeting and continuing for all Stated and Called meetings until their successor's first meeting.

2.102 Alternate Commissioners: Each presbytery shall also elect one presbyter or active church member to serve as alternate commissioners. The alternate commissioner shall serve when the commissioner is unable to attend a particular Synod Assembly meeting, and may complete the unexpired term of the Commissioner when so designated by the presbytery.

2.103 Additional Members at Large: In order that the Synod Assembly may be a diverse community of gracious welcome, it may provide in its standing rules for additional members at large.

2.200 Unexpired Terms: In the event that commissioners' or alternates' terms conclude prematurely, their presbytery shall elect someone to fill the remainder of the unexpired term.

2.300 Conduct of Elections: The Synod Standing Rules shall govern the conduct of elections.

2.301 Eligibility for Re-Election: Members of the Synod Assembly are eligible for re-election at their presbyteries' discretion, for not more than three consecutive terms.

Background:

A New Way Forward: new, leaner design of Synod Government effective October 2014. The 2014 Synod Assembly marked the end of the transition year for the New Way Forward.

The New Way Forward includes a commitment to support and facilitate programs and initiatives that encourage and resource our young leaders who are under the age of 40. A working group met over the last 18 months culminating in the first retreat with emerging leaders across the Synod and beyond. The retreat was a time of conversation, connection, movement building and finding new partners in ministry. The group will hold at least one additional large gathering. In the meantime, they will organize through social media and meet in smaller groups locally. While they do not know yet how this group will manifest itself within the Synod, they do know they will engage with each other and with the Synod with energy, intelligence, imagination, and love.

Starting with this fall, the Synod Assembly will meet every two years. During the alternate years, the Synod will plan an event similar to the Big Tent in which presbyteries will share innovative programs as well as the progress of the Synod networks. A tentative month for the 2015 meeting is May – location is being determined.

The Synod Leader, Stated Clerk, and Treasurer will stand for election by Synod Assembly for a term of four years. The following were elected: Synod Leader - TE Harold Delhagen, Stated Clerk - TE Nancy Talbot, and Treasurer – RE Alan Ford.

Synod Council's name has changed to Synod Mission and Ministries Commission to reflect the value that mission is at the center of our work. The Mission and Ministries Commission is to have one member from each presbytery (total of 22 presbyteries). The Commission will meet four times each year. The Commission will have three working groups: Mission, Networks, and Administrative. Each working group will do the detailed work and discussion required before bringing recommendations to the Commission for action and vote.

- **Mission** – articulate the Synod's common mission – including diversity, emerging leaders, leadership, innovation, collegiate ministries, and special projects
- **Networks** – develop and coordinate networks, or groups of individuals, churches, and/or presbyteries recognized by the Commission and committed to gathering and working together with a common purpose that embodies the overall mission of the Synod. The Synod Networker will assist with development and coordination
- **Administrative** – carrying out administrative functions of the Commission – with respect to finance, insurance, legal affairs, management of capital assets, sponsoring training events for presbyteries, etc.

The By-Laws create a leaner organization which should be quicker to respond to ideas and projects from congregations or a group of people with similar interests and goals.

The By-Laws require a simple majority of presbyteries to vote for Lines 87 – 110 which describe presbytery representation at the Synod Assembly. The vote must be taken by May 28, 2015. Each presbytery will have four commissioners (as well as one alternate) – one Teaching Elder, one Ruling Elder and two Members at Large who may or may not be TE or RE. Preferably, one of these commissioners will be under the age of 35. It is expected that the Members at Large will encourage participation by younger people than is typical now.

- Each presbytery will have one Young Adult Member, 17 – 22 years old at time of Synod Assembly, who will have voice and vote.

On May 2, 2015 the General Assembly Permanent Judicial Commission (GAPJC), meeting in Indianapolis, Indiana, delivered a decision in the Remedial Complaint, *The Rev. James McKellar v. Synod of the Northeast*. The substance of the decision is printed here. The full decision may be accessed at www.pcusa.org/gapjc.

A pre-trial conference was held pursuant to D-6.0310. By agreement of the parties on April 22, 2015, the facts were stipulated as follows:

For the past several years, the Synod of the Northeast has been engaged in a process of self-study and missional reorganization, resulting in a plan called “A New Way Forward.” The Synod Assembly adopted this plan in October, 2013 and formally implemented it through By-laws and Standing Rules that the Synod Assembly adopted in October, 2014. The members of two different Synod Assemblies concurred, adopting not only A New Way Forward, but also the By-laws and Standing Rules, by a substantial margin.

Those By-Laws and Standing Rules contain provisions that allow presbyteries, seeking to comply with Book of Order mandates for unity in diversity and openness, to elect church members who are neither ruling elders nor teaching elders as commissioners to the Synod Assembly. They also permit the Synod's Leadership Team to name, from among a group of individuals nominated by the presbyteries, church members who are neither ruling elders nor teaching elders as members of the Synod's Mission and Ministries Commission (a commission that is responsible for the operations of the Synod between biennial Synod Assembly meetings).

In accordance with G-3.0401, the Synod's presbyteries are currently voting on those portions of the By-laws and Standing Rules related to participation and representation. The voting results to date are 10 presbyteries in favor and none opposed, with a total of 12 presbyteries required (out of 22) to form the necessary majority.

The appellant, a former Stated Clerk of the Synod, was a commissioner to the Synod Assembly who spoke against this measure and who voted in the minority.

In addition to these stipulations, at the trial held on May 1, 2015, one witness appeared on behalf of the Respondent.

ALLEGED IRREGULARITIES

1. *The Synod of the Northeast erred in constitutional interpretation by adopting Bylaws and Standing Rules that allow presbyteries, seeking to comply with the mandates for unity in diversity and openness, to elect church members who are neither teaching elders nor ruling elders as commissioners to the Synod Assembly.*

This specification of error is sustained.

2. *The Synod of the Northeast erred in constitutional interpretation by adopting Bylaws and Standing Rules that permit the Synod's Leadership Team to name, from among a group of individuals nominated by the presbyteries, church members who are neither ruling elders nor teaching elders as members of the Synod's Mission and Ministries Commission (an administrative commission responsible for operations of the Synod between biennial Synod meetings).*

This specification of error is sustained.

DECISION

This Commission commends the Synod's goal to hear the full diverse voice of the church as affirmed in F-1.0403; "The unity of believers in Christ is reflected in the rich diversity of the church's membership. In Christ, by the power of the Spirit, God unites persons through baptism regardless of race, ethnicity, age, sex, disability, geography, or theological conviction." In so doing, the Synod also honors the witness of Scripture "For God shows no partiality." (Romans 2:11).

Nonetheless, the Synod erred in the approach it adopted because by definition a synod is "composed of commissioners elected by the presbyteries. ... The commissioners from each presbytery shall be divided equally between ruling elders and teaching elders" (G-3.0104). This definition conforms to F-3.0202, which provides: "This church shall be governed by presbyters, that is, ruling elders and teaching elders." Contrary to the Synod's arguments, the adoption of the New Form of Government reaffirmed rather than diminished these principles. It is not intrinsically discriminatory to require presbytery, synod and General Assembly commissioners to have prior experience in the government of local congregations, the "basic form of the church" (G-1.0101). To the extent the Synod's Bylaws and Standing Rules fail to give proper weight to the requirements of F-3.0202 and G-3.0401 by giving vote to members who are neither ruling elders nor teaching elders, they are unconstitutional.

The issue of broader representation in decision-making is significant to the wider church.

For instance, this Commission notes that the 221st General Assembly (2014) encouraged the Committee on the Office of the General Assembly to continue the discussion of how to include young adults in all levels of the life and ministry of the PC(USA), including encouraging sessions to affirm the call of young adults to the office of ruling elder (Minutes, 2014, 12, 170, Item 303). We strongly encourage the wider church to continue this discussion.

ORDER

IT IS THEREFORE ORDERED that those portions of the Synod bylaws allowing presbyteries to elect Synod Commissioners who are not ruling elders or teaching elders, and allowing such commissioners to serve on Synod commissions are declared null and void.

IT IS FURTHER ORDERED that the Stated Clerk of the Synod of the Northeast report this Decision and Order to the Synod at its first stated meeting following the date of this Order, that the Synod enter the full Decision and Order upon its minutes, and that an excerpt from the Synod's minutes showing entry of the Decision and Order be sent to the Stated Clerk of the General Assembly of the Presbyterian Church (U.S.A.).

(Temporary Standing Rules)

5. **Receive for first reading**, the *Temporary By-Laws for the Presbytery of Geneva*, as prepared by the Synod Administrative Review Committee and reviewed by the General Council during the April and May meetings of the General Council.

ITEMS FOR PRESBYTERY'S INFORMATION

The General Council VOTED to:

(Hedgesville / Legal Expenses)

1. **Authorize** payment of legal expenses for the transfer of the building, anticipating recovery of those expenses from the Boyd's Corners Bible Church, if the way be clear.

(Camp Whitman)

2. **Approve** that the expenses of the necessary repairs (convection oven, freezer, golf cart) be paid from the Vittum Fund.

3. **Approve** a 2% raise for the Camp Whitman Property Manager (\$480), effective January 1, 2015.

[NOTE: The money is already in Camp Whitman Budget, so this action does not represent a budget increase.]

(Presbyterian Women)

4. **Approve** the request for communion during the May 2, 2015 meeting of the Presbyterian Women.

(Personnel Committee)

5. **Approve** the presbytery's Flexible Spending Plan.

(Camp Whitman)

6. **Approve** the purchase of a new golf cart for Camp Whitman, to be paid from the Vittum Fund. The cost will be about \$2,000.

7. **Authorize** the Camp Whitman Operating Team to dispose of two motor boats which do not operate. Repairing the boats will be cost-prohibitive. A person associated with the camp will take care of disposing of the boat.

(Mission Funding Committee Recommendations)

8. **Approve** the Two Cents a Meal Program Funding for 2015 (\$15,252 available / \$15,200 awarded)

9. **Approve** the Session-endorsed Mission Grants [1/3 congregation / 2/3 presbytery] (\$50,000 available / \$49,682.72 awarded)

(Protestant Cooperative Ministry at Cornell University)

10. **Approve** a grant of \$2,000 from Synod Block Grant money to support the Protestant Cooperative Ministry at Cornell University. [NOTE: in the future we should ask the Mission Grants Committee to Look into our support of Ministry in Higher Education within the bounds of the presbytery, and apply for grants from the Synod.

(Budget & Finance Committee)

11. **Appoint** Russ Roth as the Alternate Signer for presbytery accounts.

Rationale: Jim Yao reported that Gary Montgomery has had to resign due to health issues.

(Geneva Presbytery Women)

12. **Endorse** a grant application by the Geneva Presbyterian Women Coordinating Team for a \$125,000 grant from the Women's Birthday Offering for *Building Minds in South Sudan*. Linda Wertz is helping with the grant application.