

ASSEMBLY COUNCIL**March 22-24, 2009**

The Assembly Council met within Crieff Hills Community, Puslinch, Ontario, from March 22-24, 2009. S. Kendall led the Council in opening worship. L. Duncan constituted the meeting with prayer.

ATTENDANCE

104/09C

Present were:

Assembly Appointees: Ms. Lisbeth Duncan (convener), Ms. Janet Clapp, The Rev. J. Wesley Denyer, The Rev. Douglas W. Maxwell, Mr. Gordon Walford, Mr. Warren Wong.

Presbytery Representatives: The Rev. Kimberly Barlow, Mr. George Fraser, The Rev. Janice Hamalainen, Ms. Elaine Heath, The Rev. Geoffrey B. Jay, Mr. Richard Kirk, Mr. Soo-Chul Lee, The Rev. Dr. A.R. Neal Mathers, Mr. Jeff Rawana, The Rev. Paul Sakasov, Ms. Tori Smit, Mr. Barry Flude, Mr. Paul Tysdal, Mr. Jake van Kooten, The Rev. John R. Wilson.

Synod Representatives: Mr. Blair Bleakney, Mr. Ken Dahl, Mr. Charles Greaves, Ms. Peggy Liptrott, The Rev. James M. Patterson, Ms. Marilyn Repchuck, The Rev. Bert Vancook, The Rev. Fiona Wilkinson.

Ex-Officio - Voting: Ms. Druse Bryan, The Rev. Daniel Cho, The Rev. Ian McDonald, The Rev. Dr. J.H. (Hans) Kouwenberg, The Rev. Cheol Soon Park, Ms. Ann Taylor.

Ex-Officio - Non-Voting: The Rev. Dr. Rick Fee, Mr. Stephen Roche, The Rev. Stephen Kendall (secretary), The Rev. Dr. Dorcas Gordon (principal).

Others: Ms. Terrie-Lee Hamilton (recording secretary), The Rev. Don Muir.

Visitors

105/09C

Ms. Marilyn Clarke (Personnel Policy Committee), Rev. Angus Sutherland (History Committee).

Others

106/09C

Mr. Colin Carmichael (Communications), Ms. Connie Purvis (Record).

REGRETS

107/09C

The Rev. Robbin D. Congram, The Rev. William J. Middleton.

Tori Smit (Sunday night), Daniel Cho (Sunday night and Monday morning), Cheol Soon Park (Monday afternoon and Tuesday), Dorcas Gordon (Tuesday morning).

AGENDA

108/09C

It was moved by W. Wong, duly seconded, and

AGREED, that the agenda and order of business as printed be adopted.

MINUTES**Council**

109/09C

It was moved by J. Rawana, duly seconded, and

AGREED, that the Council minutes of November 23-25, 2008 be adopted.

Executive

110/09C

It was moved by P. Sakasov, duly seconded, and

AGREED, that the Executive Committee minutes of January 14, 2009 be received for information.

CORRESPONDENCE

111/09C

There was no correspondence for this meeting.

**RACIAL/ETHNIC
DIVERSITY****Policy**
112/09C

The Assembly Office staff reported that the policy for dealing with allegations of racial harassment has been published and will be circulated in the upcoming PCPak and that it is on the website. The policy was circulated to members of Council. Case studies are now being developed and they will be placed on the website.

Indecently Exposed
113/09C

The Council agreed to purchase copies of the DVD, *Indecently Exposed* for use within the synods and to prepare a study guide for this documentary. This study guide is being prepared by staff at the church office.

Racial/Ethnic Diversity Tool
114/09C

The Management Team and the Personnel Policy Committee has prepared a tool that could be used by committees and staff to ascertain the racial/diversity make up of these two groups. Council members offered suggestions for revising the document. They also completed the tool.

(cont'd on p. 870)

REPORTS WITHOUT RECOMENDATIONS
115/09C

It was moved by P. Sakasov, duly seconded, and
AGREED, that the following reports be received for information:

- Archives and Records Management
- Benevolence Committee
- Experimental Fund
- Lending Funds Committee

EXECUTIVE Report
116/09C

B. Vancook took the chair while the convener, L. Duncan, presented the report of the Executive Committee.

It was moved by L. Duncan, duly seconded, and

AGREED, that the report of the Executive Committee be received and considered.

Executive Staff Performance Review
Completed
117/09C

The convener of Council reported verbally that the performance reviews for the general secretaries were completed in January, 2009.

Cycle of reviews
118/09C

Additional Motion

It was moved by G. Walford, duly seconded, and

that an informal performance review of the Management Team be performed annually with a more thorough review conducted every three years.

119/09C

Motion to Table

It was moved by W. Denyer, duly seconded, and

AGREED, that the above motion be tabled.

(cont'd on p. 867)

MODERATOR, GENERAL ASSEMBLY
120/09C

C.S. Park, Moderator of the 134th General Assembly, told of his experiences since the last meeting. He has travelled and visited many congregations over the winter months and has participated in various events including a Healing and Reconciliation event at Kings University College in Edmonton. Next month, he will be involved in an event focusing on his priorities of change and healing and reconciliation.

CALVIN ANNIVERSARY
121/09C

R. Fee, having recently returned from Geneva, shared some items relating to John Calvin and the celebration of the 500th anniversary of his birth. The Council was also informed of events being held in Montreal, Toronto and Vancouver.

EVENING ADJOURNMENT

The hour for the end of the day having arrived, the Council adjourned. L. Duncan closed with prayer.

MONDAY MORNING

PRAYER

L. Duncan opened the session with prayer.

**EXECUTIVE
Executive Staff
Performance Review**
Cycle of reviews
(cont'd from p. 866)
122/09C

B. Vancook took the chair while L. Duncan continued with the report of the Executive Committee.

Tabled Motion - Lifted

It was moved by L Duncan, duly seconded, and

AGREED that the tabled recommendation be lifted from the table.

123/09C

Additional Motion

The recommendation, with the removal of the work, "informal", reads as:

that a performance review of the Management Team be performed annually with a more thorough review conducted every three years.

124/09C

Amendment to the Motion

It was moved in amendment by J. Paterson, duly seconded,

that the words after the word 'that' be replaced with the following: "that a review of executive staff persons be carried out in the last trimester of the first year after appointment and biennially thereafter unless requested by Assembly Council to do an emergency review."

125/09C

Notice of Motion

W. Denyer, gave the following notice of motion:

that, at a future session, I will move or cause to be moved that the following words be added: 'conducted by a team appointed by Assembly Council'.

126/09C

Notice of Motion

J. Paterson, gave the following notice of motion:

that, at a future session, I will move or cause to be moved that a review of executive staff persons be carried out in the last trimester of the first year after appointment and biennially thereafter unless requested by Assembly Council to do an emergency review."

Job Descriptions
127/09C

Additional Motion

It was moved by L Duncan, duly seconded, and

that the Executive, in consultation with the Principal Clerk, review the position description for the Principal Clerk.

128/09C

Motion to Table

It was moved by J. Wilson, duly seconded, and

AGREED, that the above motion be tabled.

Items Deferred
129/09C

It was agreed that the above matters will be deferred until the November meeting pending a report from the Executive Committee.

(cont'd on p. 887)

**KOREAN
TRANSLATIONS
Report**
130/09C

C.S. Park presented the report on the Korean translation of Living Faith and the Book of Forms (Overture No. 11, 2007 and Additional Motion, 2006).

It was moved by C.S Park, duly seconded, and

AGREED, that the report of the Working Group re Korean Translation be received and considered.

**Overture No. 11, 2007
and Additional Motion,
Response
131/09C**

Overture No. 11, 2007 and the additional motion from the 2006 General Assembly seek the support of the church in making some key documents, and the Assembly itself, more accessible to our Korean ministers and members. Both the overture and the additional motion were referred to the Assembly Council which established a working group in collaboration with the Life and Mission Agency and the Committee on Church Doctrine to both prepare a response and begin working directly on translation. In addition to being represented on the working group, representatives of Han-ca presbyteries were consulted, and the group met by email and conference call to conduct its work.

As the group carried out its work it became aware of some of the opportunities that exist to provide greater access to resources of The Presbyterian Church in Canada to our Korean ministers and congregations, and some of the limiting factors in meeting that goal. The committee is grateful to the participation and input from representatives of the Han-Ca presbyteries who have been committed not only to assisting the group with understanding the needs, but have also taken a lead role in carrying out the work to make this possible.

While we wish that all our documents and the Assembly itself could be made available in Korean, we have discovered that translation can be extremely expensive (\$75 to \$300 per page). We are also very much aware that our church functions in many languages other than Korean and it would not be right to focus solely on one language to the exclusion of others. PWS&D and The Vine Helpline (Life and Mission Agency) have been responding to requests for language-specific resources and, insofar as possible, will continue to do so.

Translation at the General Assembly

Since the additional motion regarding Korean translation at General Assembly was made in 2006, the Han-Ca presbyteries have generously provided the necessary translation service for its commissioners on an ad hoc basis and in communication with the General Assembly Office. Often the commissioners from Han-Ca presbyteries that come to the Assembly are reasonably fluent in English and require the kind of support that can reasonably be provided by another commissioner sitting nearby. The need for this kind of support can vary considerably from year to year depending on who the commissioners are and so the presbyteries themselves are in the best position to assess this need. The Han-Ca presbyteries indicated to the working group that this arrangement is satisfactory and they are willing to continue with this offer of support in the future.

Living Faith

For some years now there has been a draft translation of *Living Faith* and a small fund (\$5,000) set aside to facilitate its production. The Rev. Ian Wishart, who was both on the working group and participated in the preparation of *Living Faith* originally, agreed to lead the project to bring a suitable Korean translation forward. The working group is grateful to The Rev. Cheol Soon Park, who retained translators to review and refine the Korean translation. The task of translating a Reformed theological document into Korean is very specialized work and much of this work, carried out by four dedicated individuals, has been done as a gift to the church. At the time of writing this report, a final Korean text is being circulated to presbyteries for feedback in the hope that the Assembly Council will be able to recommend a well-supported translation to the 2009 General Assembly. The Communications Office has been in dialogue with the committee about printing the final version, which will compliment the existing English and French versions and will be Korean on one side of the page and English on the other. We anticipate a motion to approve the reception of the Korean translation of *Living Faith* in a supplemental report to General Assembly.

The Book of Forms

The working group was also given the mandate to investigate the possibility of translating the Book of Forms into Korean and look for sources of funding for this work. In consulting with the Clerks of Assembly, the Clerks have indicated that they are in favor of there being a Korean translation provided that it remains understood that the English version is the authoritative version and that a sustainable mechanism can be implemented to ensure that annual updates are properly prepared in the future. The working group has noted that the Han-Ca presbyteries have worked on this in the past and there is already a (unapproved) Korean version from 2002 that could form that basis of an updated new version. The working group has therefore agreed to consult more fully with the Han-Ca presbyteries to ascertain if, on the basis of reasonable honoraria, the presbyteries themselves could facilitate an acceptable translation of the most recent edition of the Book of Forms and commit to a process of annual revision. In order to save costs, this edition of the Book of Forms will be distributed annually in an electronic only format and would be in English on one side of the page and Korean on the other. This partnership model with the Han-Ca presbyteries is seen as a very positive approach to meeting the needs of Korean congregations, and being good stewards of church resources. It might also serve as a model for translation into other languages in the future. It is premature to bring forward a final decision on the Korean translation of the Book of Forms, but the working group is optimistic that this will be possible over the next year or so.

Recommendation No. 1

It was moved by C.S Park, duly seconded, and

AGREED, to recommend to the General Assembly:
that the prayer of Overture No. 11, 2007 and additional motion (A&P 2006 p. 34) be answered in terms of the above report and work plan.

Report 132/09C

It was moved by C.S Park, duly seconded, and

AGREED, that the report as a whole be adopted.

MANAGEMENT TEAM **Report** 133/09C

S. Roche presented the report of the Management Team.

It was moved by P. Sakasov, duly seconded, and

AGREED, that the report of the Management Team be received for information.

SUPPORT SERVICES **Report** 134/09C

S. Roche presented a verbal report of Support Services. He described the various departments which comprise Support Services: Financial Services, Pension and Benefits Board, maintenance of the church office and the missionary residences and distribution of resources and computers. He noted the closure of the worship room for safety reasons.

It was moved by P. Liptrott, duly seconded, and

AGREED, that the report of Support Services be received for information.

LONG RANGE **PLANING** **“Emmaus Project:** **Open Eyes, Burning** **Hearts”** 135/09C

W. Denyer, a member of the Long Range Planning Committee, presented its report. He described the work of the planning team facilitating “The Emmaus Project: Open Eyes, Burning Hearts” conference, that will be held Thursday April 29 to Sunday May 2, 2010.

It was moved by W. Denyer, duly seconded, and

AGREED, that the report of the Long Range Planning Committee be received for information.

**RACIAL/ETHNIC
 DIVERSITY**

Tool
 (cont'd from p. 866)
 136/09C

The results of the racial diversity tool were presented by S. Kendall. Further discussion followed concerning revisions to the tool and the implications of studying the racial and ethnic composition of the church.

**FINANCE
 COMMITTEE**

Report
 137/09C

G. Walford and S. Roche presented the report of the Finance Committee.

It was moved by G. Walford, duly seconded, and

AGREED, that the report of the Finance Committee be received and considered.

Management Discussion
 138/09C

Recommendation No. 1

It was moved by G. Walford, duly seconded, and

AGREED, that the management discussion document relating to 2008 operations be received for information.

2010 Budget
 139/09C

The 2010 budget for The Presbyterian Church in Canada was presented as follows:

| | 2008 ACTUAL \$ | 2009 BUDGET \$ | 2010 BUDGET \$ |
|--|---------------------------|---------------------------|---------------------------|
| Revenue | | | |
| Contributions from - Congregations | 8,585,554 | 8,600,000 | 8,675,000 |
| - Individuals | 47,006 | 100,000 | 100,000 |
| Income from - Investments | 362,772 | 400,000 | 410,000 |
| - Estates | 26,682 | 50,000 | 45,000 |
| Women's Missionary Society | 150,000 | 150,000 | 150,000 |
| Atlantic Mission Society | 50,000 | 70,000 | 70,000 |
| Income from other sources | 49,101 | 150,000 | 150,000 |
| Bequests received for current use | 701,264 | 400,000 | 400,000 |
| Gifts received for current use | 14,261 | 1,000 | 1,000 |
| All other income | 0 | 0 | 0 |
| Total Revenue | 9,986,640 | 9,921,000 | 10,001,000 |
| Expenses | | | |
| <u>General Assembly and its Council</u> | | | |
| General Assembly | 426,567 | 490,900 | 473,000 |
| Assembly Council & its committees | 57,952 | 71,000 | 69,814 |
| Secretary's Office | 555,779 | 580,914 | 570,000 |
| Archives | 15,997 | 22,000 | 22,000 |
| | 1,056,295 | 1,164,814 | 1,134,814 |
| <u>Life and Mission Agency</u> | | | |
| Program Support and Administration | 1,903,018 | 2,387,053 | 2,387,053 |
| Ministry & Church Vocations | 56,429 | 76,275 | 72,675 |
| EFD - Mission Education | 92,127 | 96,518 | 98,001 |
| EFD - Education for the Faith | | | |
| EFD - Youth and Young Adult | | | |
| EFD - Stewardship | 65,129 | 66,333 | 66,333 |
| EFD - Worship | | | |
| Vine Helpline | 137,282 | 136,566 | 136,566 |
| EFD - Evangelism | | | |
| Justice Ministries | 25,739 | 39,000 | 39,000 |
| Regional Staffing | 430,171 | 456,473 | 477,366 |
| Canada Ministries | 2,057,217 | 2,077,282 | 1,951,144 |
| International Ministries | 1,628,669 | 1,515,817 | 1,392,936 |
| Planned Giving | 181,868 | 41,414 | 39,414 |
| Resource Production/Communications | 17,767 | 56,300 | 56,300 |
| | 6,595,416 | 6,949,031 | 6,716,788 |

| | | | |
|--|-------------------|-------------------|-------------------|
| Support Services | | | |
| Administration | 895,648 | 960,100 | 930,000 |
| Human Resources | 5,949 | 6,400 | 1,400 |
| Building Maintenance | 326,188 | 351,000 | 342,000 |
| Missionary Residence | 65,720 | 50,000 | 50,000 |
| Financial Services | 151,865 | 131,400 | 141,000 |
| RDC - Sales | 53,702 | 53,900 | 53,900 |
| RDC - Resource Distribution | 6,264 | 7,600 | 6,000 |
| RDC - Printing | 45,627 | 59,750 | 46,000 |
| | 1,550,963 | 1,620,150 | 1,570,300 |
| Other | | | |
| Contingencies | 9,151 | 50,000 | 25,000 |
| Grants to Colleges | 1,256,099 | 1,007,002 | 1,011,647 |
| Total Expense | 10,467,924 | 10,790,997 | 10,458,549 |
| | 9,211,825 | 9,783,995 | 9,446,902 |
| Excess of Revenue over Expense for | (481,284) | (869,997) | (457,549) |
| Transfer from Restricted Fund | 593,148 | 261,350 | 470,914 |
| Transfer to Restricted Fund | (572,035) | | |
| Capital Additions funded by | (109,446) | (15,000) | (15,000) |
| Operating Fund(Deficit) – Beginning | 1,401,493 | 831,876 | 208,229 |
| Operating Fund (Deficit) – End of | 831,876 | 208,229 | 206,594 |
| Bequest Stabilization Fund | 1,612,440 | 1,407,090 | 984,176 |
| Funds available for Operations | 2,444,316 | 1,615,319 | 1,190,770 |

Recommendation No. 2

It was moved by G. Walford, duly seconded, and

AGREED, to recommend to General Assembly:
 that the 2010 budget be approved.

**Bequest Stabilization
 Fund**
 140/09C

Recommendation No. 3

It was moved by G. Walford, duly seconded, and

AGREED, that \$173,000 over and above the approved \$240,000 be transferred to operations from the bequest stabilization fund in 2010, if required.

Forecast – 2011-2012
 141/09C

The forecasts for 2011-2012 were presented as follows:

| | Forecast | | |
|-----------------------------------|------------------|------------------|------------------|
| | 2011 | 2012 | 2013 |
| Revenue | \$ | \$ | \$ |
| Contributions from congregations | 8,700,000 | 8,725,000 | 8,750,000 |
| - Women's Missionary Society | 150,000 | 150,000 | 150,000 |
| - Atlantic Mission Society | 60,000 | 60,000 | 60,000 |
| Income from all other sources | 525,000 | 525,000 | 525,000 |
| | 9,435,000 | 9,460,000 | 9,485,000 |
| Bequests received for current use | 450,000 | 450,000 | 450,000 |
| Total Revenues | 9,885,000 | 9,910,000 | 9,935,000 |
| Expenditures | | | |
| Grants | | | |
| Grants to Colleges | 905,787 | 913,091 | 902,501 |
| | 905,787 | 913,091 | 902,501 |

| | | | |
|---|-------------------|------------------|------------------|
| Operating Agencies | | | |
| GAO; LMA; Support Services | 9,141,371 | 9,032,785 | 9,023,113 |
| | 9,141,371 | 9,032,785 | 9,023,113 |
| Contingency Expenditures | 50,000 | 50,000 | 50,000 |
| | 9,191,371 | 9,082,785 | 9,073,113 |
| Total Expenditures | 10,097,158 | 9,995,876 | 9,975,613 |
| Expenditure over Revenue(-), Revenue over Expenditure (+) | | | |
| - Normal Operations | (212,158) | (85,876) | (40,613) |
| - Interfund transfers | 205,000 | 100,000 | 45,000 |
| - Capital Additions | (10,000) | (10,000) | (10,000) |
| Fund Balance – Beginning of Year | 206,594 | 189,436 | 193,560 |
| Fund Balance – End of Year | 189,436 | 193,560 | 187,947 |
| Bequest Stabilization Fund | 779,176 | 679,176 | 634,176 |
| Funds available for Operations | 968,612 | 872,736 | 822,123 |

Recommendation No. 4

It was moved by G. Walford, duly seconded, and

AGREED, to report to the General Assembly:
 that the 2011 to 2013 forecast be received as information.

**Savings, \$400,000 for
 2011 Budget
 142/09C**

Recommendation No. 5

It was moved by G. Walford, duly seconded, and

AGREED, that the Management Team be directed to identify and present plans to find permanent savings of \$400,000 in 2011 and present this information to the Finance Committee in October/November of 2009.

**Deferred Bequests, 2008
 143/09C**

The distribution of the deferred bequests for 2008 were presented as follows:

| <u>Impact</u> | <u>Project</u> | <u>Total</u> |
|----------------|---|----------------|
| College Grants | Colleges grants at 10.13% | 57,947 |
| LMA | Mission Priority Funds as per policy | 109,931 |
| Operating Fund | Bequest Stabilization Fund- as per policy | 200,000 |
| LMA | Camping Ministries | 31,157 |
| Operating Fund | Bequest Stabilization Fund – additional grant | 173,000 |
| | Total | 572,035 |

Recommendation No. 6

It was moved by G. Walford, duly seconded, and

AGREED, that the deferred bequests as outlined above for 2008 be approved.

**Financial Statements,
 2008
 144/09C**

Recommendation No. 7

It was moved by G. Walford, duly seconded, and

AGREED, that the financial statements as adjusted for The Presbyterian Church in Canada at December 31, 2008 be approved.

**Audited Financial
 Statements, 2008
 145/09C**

Recommendation No. 8

It was moved by G. Walford, duly seconded, and

AGREED, to recommend to the General Assembly:
 that the audited financial statements for The Presbyterian Church in Canada ending December 31, 2008 be received for information.

**Pension Fund, Financial
Statements, 2008**
146/09C

Recommendation No. 9

It was moved by G. Walford, duly seconded, and

AGREED, that the financial statements of The Presbyterian Church in Canada Pension Fund at December 31, 2008 be approved.

**Audited Pension Fund
Statements, 2008**
147/09C

Recommendation No. 10

It was moved by G. Walford, duly seconded, and

AGREED, to recommend to the General Assembly:
that the audited financial statements for The Presbyterian Church in Canada – Pension Fund ending December 31, 2008 be received for information.

Signing PCC Statements
148/09C

Recommendation No. 11

It was moved by G. Walford, duly seconded, and

AGREED, that the convener of the Assembly Council and the convener of the Finance Committee be authorized to sign the financial statements ending December 31, 2008 for The Presbyterian Church in Canada.

**Signing Pension
Statements**
149/09C

Recommendation No. 12

It was moved by G. Walford, duly seconded, and

AGREED, that the convener of the Assembly Council and the convener of the Finance Committee and the convener of the Pension and Benefits Board be authorized to sign The Presbyterian Church in Canada – Pension Fund Statements of Net Assets.

Travel Allowance
150/09C

Recommendation No. 13

It was moved by G. Walford, duly seconded, and

that the recommended travel allowance remain at \$.40 per kilometre.

151/09C

Amendment

It was moved in amendment by J. Paterson, duly seconded, and

DEFEATED, that “\$.40” be changed to “\$.35”.

152/09C

Original Motion

The original motion being put to a vote was carried.

Report
153/09C

It was moved by G. Walford, duly seconded, and

AGREED, that the report as a whole be adopted.

LUNCH

The hour having arrived for lunch, J. Rawana offered grace.

MONDAY AFTERNOON

Prayer

L. Duncan opened the afternoon session with prayer.

**AUDIT COMMITTEE
Report**
154/09C

B. Bleakney presented the report of the Audit Committee.

It was moved by B. Bleakney, duly seconded, and

AGREED, that the report of the Audit Committee be received and considered.

Auditors, 2009
155/09C

Recommendation No. 1

It was moved by B. Bleakney, duly seconded, and

AGREED, that PriceWaterhouseCoopers be appointed as auditors for 2009 and that their remuneration be fixed by the Audit Committee.

Report
156/09C

It was moved by B. Bleakney, duly seconded, and
AGREED, that the report as a whole be adopted.

PERSONNEL POLICY
Report
157/09C

The convener welcomed M. Clarke, convener of the Personnel Policy Committee, to present the report.

It was moved by W. Wong, duly seconded, and

AGREED, that the report of the Personnel Policy Committee be received and considered.

Personnel Policy
Handbook
Contracts and Vacation
158/09C

Recommendation No. 1

It was moved by G. Jay, duly seconded, and

AGREED, that the following be deleted from section 9.2: "Contract positions shall include provision for vacation consistent with this policy" and add a new section 9.2.7: "Contracts with consultants and independent contractors shall not include provision for vacation time or pay. All other contract positions within the office shall include a provision for vacation of two weeks per year, pro-rated, or shall include a payment of 4% of earnings at the conclusion of the contract".

Termination Policy
159/09C

Recommendation No 2

It was moved by G. Jay, duly seconded, and

that section 5.1.2 of the Personnel Policy Handbook be revised to add the words:

"...which stipulates no payments are required during the first three months of employment."

160/09C

Amendment

It was moved in amendment by G. Walford, duly seconded, and

AGREED, that the words following that be replaced with " , except in the first three months of employment,".

161/09C

Amended Motion

The amended motion having been put to a vote carried.

Section 5.1.2 now reads:

When employment is terminated by decision of the employer, a minimum of two weeks notice or pay in lieu of notice will be provided for, except in the first three months of employment, in accordance with the Employment Standards Act of Ontario.

Executive Staff Stipends
162/09C

Additional Motion

It was moved by G. Jay, duly seconded, and

AGREED, that the discussion regarding the decision on executive staff stipends from the November meeting be revisited.

Staff Withdrew
163/09C

The staff withdrew from the meeting during this discussion.

(cont'd on p. 881)

BREAK

Following a break, the meeting resumed in open session.

**LIFE AND MISSION
AGENCY**
164/09C

D. Cho and R. Fee presented the report of the Life and Mission Agency Committee. As part of this report, D. Bryan spoke on the work of the WMS and A. Taylor spoke on the work of the AMS.

It was moved by D. Cho, duly seconded, and

AGREED, that the report of the Life and Mission Agency Committee be received for information.

**BIENNIAL
ASSEMBLIES
Report**
165/09C

B. Vancook presented the report on the Working Group re Biennial Assemblies (Overture No. 3, 2007).

It was moved by B. Vancook, duly seconded, and

AGREED, that the report of the Working Group re Biennial Assemblies be received and considered.

**Response – for study and
report**
166/09C

An overture from the session of Westmount Presbyterian Church, Edmonton, in the Presbytery of Edmonton-Lakeland, recommending a movement from annual to biennial General Assemblies, was referred to the Assembly Council, in consultation with the Clerks of Assembly. In responding to Overture No. 3, 2007, the Assembly Council circularized presbyteries and sessions, asking for suggestions as to what concerns would need to be addressed if the church were to move to a biennial pattern of General Assemblies. As was reported last year, the Assembly Council received replies from nineteen presbyteries and one session.

In 2008, the Assembly Council received the permission of the General Assembly to present model(s) of biennial Assemblies to the 2009 General Assembly.

A committee of the Assembly Council has studied the responses that came from the presbyteries and session in 2008. The committee has looked back over the past 32 years at six similar overtures requesting biennial Assemblies, and the responses that were given by the church. We have been in contact with churches of similar polity to ours (Presbyterian Church (USA) and the United Church of Canada) to ask what their experience has been functioning with a biennial or a triennial General Assembly.

The most significant arguments supporting biennial Assemblies have included a better stewardship of time and financial resources, the provision of opportunities for a longer planning and working cycle for committees of the Assembly, and to provide the opportunity for presbyteries and synods to claim their significant role in the life of the church.

Earlier arguments against biennial Assemblies focused on questions of power and authority. For instance, there was the worry that power would become concentrated in the hands of the national staff, as well as worries about changes in polity with regard to decision-making, including an even longer time necessary before changes under the Barrier Act could be processed. In more recent years, an argument against biennial Assemblies has been that it would lessen the 'connectedness' and fellowship among Canadian Presbyterians were we to meet nationally only every other year.

In this report, we will respond to the most recent overture by addressing the major concerns that would need to be addressed should The Presbyterian Church in Canada move to biennial Assemblies: the 'connectedness' that is called for, and the balance between getting business done expeditiously while continuing to maintain the General Assembly commissioners' control of reports, issues and decisions. We do not believe that financial reasons should be a primary cause for changing the present model of meeting annually. We note for information, that the present cost of a yearly General Assembly to *Presbyterians Sharing...* is approximately \$350,000.

A model that would improve the opportunity for national connections as well as the chance to make the 'business' of the church achievable would be to set up biennial Assemblies with a national conference to be established during the 'off' years. We believe that there would be a significant cost-saving in moving to biennial Assemblies, as well as other benefits. A biennial Assembly would likely minimize the number of overtures and reports that ask to report to the next Assembly. The national committees and staff now function on an effective 6-month year because of the need to respond to motions and overtures, to write and to publish reports on a deadline for the Acts and Proceedings. Quite a number of reports to General Assembly ask permission to report to a succeeding General Assembly because of the tight time frame. It would be far more efficient to give committees and staff a longer time to focus on their work and to respond to any referrals from the Assembly.

We would suggest that a biennial conference could be established to complement biennial Assemblies. Such a conference would blend the 'Congress' type of event organized in previous years (a mixture of speakers, workshops and worship opportunities) with the administrative pattern of the Canada Youth conferences, in which the national church hires someone to organize the conference, supplemented by an advisory committee chosen from across the church. For the biennial conference or Congress, although there would be some administrative and planning costs to the national church (the estimated cost of the present Canada Youth conference to the national church is \$65,000/yearly), registration fees would cover much of the cost. Participants would arrange their own travel. A national conference would also be more mobile, since the attendees would be paying their own travel costs. It could move around the country more frequently than does the General Assembly. Such a conference would enhance the fellowship and 'connectedness' of the church by welcoming not only ruling elders and teaching, but also members and adherents of our congregations.

There would have to be some legislative changes to allow for a biennial Assembly. For instance, the present Barrier Act means that changes to church law can only be made after a sequence that includes approval of an Assembly, approval of a majority of presbyteries and approval by another Assembly. One option would be to have necessary approval from an Assembly, followed by a process that states that approval by a certain percentage of presbyteries would make the remit law. If the approval rate is less than an agreed upon percentage then any change would have to wait for the approval of the next Assembly. If an agreed upon percentage of presbyteries disapproved of a remit, then it would be deemed defeated. We believe that in the vast majority of remits sent down under the Barrier Act, this would reflect the will of the church. Therefore it would not be necessary to wait two years for a remit to become the law of the church. Reports to presbytery for study could be enhanced. Instead of the courts of the church rushing to consider and formulate responses by the frequently chosen January 31 deadline, more time would be afforded for prayerful and thorough reflection on the issues facing the church, particularly in presbyteries that regularly meet less often than every one or two months.

Biennial Assemblies would require an appeal process that would be able to function between Assemblies. The committee has looked at several forms of standing judicial or appeal committees that operate in other churches and feel that there is some merit in having a pool of qualified people who have experience in mediation, in civil or criminal law and in church process and law, who could be called upon by the Clerks of Assembly or by the Assembly Council to respond to appeals as they come from the lower courts of the church. The members of such a standing commission could be nominated by presbyteries and approved by General Assembly for a period of time much like any other Assembly committee. They would have the authority of the Assembly, just as Assembly commissions have when named now. They would also report on their actions to the succeeding General Assembly. A pool of ten qualified

people would allow for a panel of three to five members to respond to each appeal.

The Committee on Education and Reception handles the cases of applicants to be received as ministers of the Presbyterian Church in Canada. This committee reports to each General Assembly regarding the cases before it. In order to avoid lengthy delays, a committee could be empowered to make decisions regarding applications. Appeals of decisions made by this committee could be handled by a judicial commission or by the next General Assembly.

Presently, the committees of General Assembly normally meet on a yearly or semi-annual schedule. It is anticipated that this schedule would continue unchanged. Committees presently operate on a system of three-year terms, with members only permitted to serve two consecutive terms for a total of six years. A simple way of dealing with this system would be to make a term last for two years and allowing for the committee member to be reappointed twice, for the same total of six years.

Some concern has been expressed about a potential doubled role for the Moderator in a system with biennial Assemblies. Presently, the Moderator spends about half the Sundays of the moderatorial year outside his or her congregation (if he or she is a working pastor). We would suggest that the Committee to Advise with the Moderator monitor the response to requests for the Moderator so that he or she would spend one quarter of each year outside his or her congregation for the two-year period.

Earlier responses to the idea of biennial Assemblies expressed concern that too much authority would be placed in the hands of few people to ensure that the work of the church was carried on between Assemblies. It is believed that there is sufficient accountability in place that the church would be assured that good work would be faithfully carried out.

Statistical reports from congregations could either be gathered annually or biennially. The budgeting process for the national church and *Presbyterians Sharing...* already includes a forecast for a three-year period. It would be relatively simple for a biennial Assembly to approve budgets for a two-year cycle, with a forecast for the next two years. If adjustments are necessary, they can be done as they are now at Assembly Council meetings.

The Assembly Council trusts that most of the larger issues in moving to a biennial Assembly are touched on in this report. We believe that a pattern of alternating General Assemblies with national conferences/congresses would address the need for enhanced fellowship and 'connectedness' that Canadian Presbyterians are asking for, as well as allowing the business and polity of the church to proceed in an efficient and faithful fashion.

Recommendation No. 1

It was moved by B. Vancook, duly seconded, and

AGREED, to recommend to the General Assembly:

that this document be sent to synods, presbyteries and sessions for study and report by January 31, 2010.

Biennial Assemblies /
Conferences
167/09C

Recommendation No. 2

It was moved by B. Vancook, duly seconded, and

to recommend to the General Assembly:

that each response include an indication whether the respective court is, in principle, supportive of or opposed to the concept of biennial Assemblies, with a national Presbyterian conference/congress event held during the 'off' years.

- 168/09C **Motion to Divide**
It was moved by H. Kouwenberg, duly seconded,

AGREED, that the above recommendation be divided into two parts:
1. that each response include an indication whether the respective court is, in principle, supportive of or opposed to the concept of biennial Assemblies.
2. that each response include an indication whether the respective court is, in principle, supportive of a national Presbyterian conference/congress event held during the 'off' years.
- 169/09C **Recommendation No. 2a**
It was moved by B. Vancook, duly seconded, and

AGREED, to recommend to the General Assembly:
that each response include an indication whether the respective court is, in principle, supportive of or opposed to the concept of biennial Assemblies.
- 170/09C **Recommendation No. 2b**
It was moved by B. Vancook, duly seconded, and

to recommend to the General Assembly:
that each response include an indication whether the respective court is, in principle, supportive of a national Presbyterian conference/congress event held during the 'off' years.
- 171/09C **Withdrawn**
The Council agreed to withdraw the above motion.
- Interim Report**
172/09C **Recommendation No. 3**
It was moved by B. Vancook, duly seconded, and

AGREED, to recommend to the General Assembly:
that based on the responses to this report, that the Assembly Council be granted permission to make a recommendation to the 2010 General Assembly regarding whether or not to adopt biennial Assemblies.
- Report**
173/09C It was moved by B. Bleakney, duly seconded, and

AGREED, that the report as a whole as amended be adopted.
- Third Part Contracts Report**
174/09C B. Bleakney presented the report of the Working Group re Third Party Contracts (Overture No. 10, 2007).

It was moved by B. Bleakney, duly seconded, and

AGREED, that the report of the Working Group re Third Party Contracts be received and considered.
- Response**
175/09C The ministries of the Church are an extension of our relationship with Jesus Christ, for all ministries are Christ's ministries given flesh. The Presbyterian Church in Canada affirms that God orders ministries by calling some to special tasks, such as institutional chaplaincies, through which the Word is proclaimed, people are nourished in faith and supported in the difficult times of life. This includes chaplaincies within federal and provincial correctional services. We affirm the calling to this kind of work, for our commission is found in Matthew 25:

...for I was hungry and you gave me food, I was thirsty and you gave me drink, I was a stranger and you welcomed me, I was naked and you gave me clothing, I was sick and you took care of me, I was in prison and you visited me.... as you do this to one of the least of these who are members of my family, you do it to me.

Chaplains are often engaged by institutions through an employment arrangement that is typical throughout our society: the chaplain is hired directly by the institution. In these cases the primary function of the presbytery is to provide oversight of and support for the chaplain. However, prison chaplaincies are often not like this. The correctional services in many Canadian jurisdictions employ what is called "third party employment contracts". The government contracts with a presbytery to provide chaplaincy services to an institution. The presbytery, in turn, calls, appoints and employs the chaplain. The presbytery receives from the government a fee for services rendered. The presbytery, in turn, provides the chaplain with stipend and allowances.

Overture No. 10, 2007 from the Presbytery of Kingston states that the presbytery was asked to enter a third party employment contract and, furthermore, it anticipates being asked to do so again. The prayer of the overture asks the General Assembly 1) to remind presbyteries and synods that the use of third party employment contracts is discouraged, and 2) to entreat governments to change this practice of extending third party employment contracts. The Assembly Council, in the preparation of this overture, established a working group with experience in contract law and third party contracts, and with representation from Ministry and Church Vocations and the Clerks of Assembly.

Concerns about Third Party Employment Contracts

In 1997, the conclusion of a third party employment contract that existed in our denomination brought a number of surprises and new appreciation for the true burden borne by the church in such relationships. Essentially the institution retains virtually all control of the employment relationship, while the church assumes all the risk.

A case in point is the example of one presbytery that currently is in a third party relationship with their province for the placement of a prison chaplain. The contract between the government and the presbytery stipulates that: the government can end the contractual relationship at any time, the government can reduce the contract fee at any time, and the government will not be held legally liable for anything arising out of "the negligence or wilful acts" of either the presbytery or the chaplain. Conversely, the presbytery is responsible for the chaplain's benefits (civil and ecclesial) and liability insurance, for dealing with any potential legal action taken against the chaplain as well as for any severance payments that may need to be extended if the government lets the chaplain go for any reason. Additionally, while the chaplain is employed by the presbytery, the institution is substantially in control of performance review, employment relations and, potentially, the chaplain's dismissal. While the government provides a fee for this service, it may not be sufficient to cover the cost borne by presbyteries for stipend, housing allowance, benefits and employment costs. In this particular example, the presbytery makes up the \$10,000 difference between what it receives from the government and what is prescribed by The Presbyterian Church in Canada. It is for reasons such as these that the General Assembly decided that the national church would decline to enter into third party employment contracts and urged presbyteries and synods to do the same (A&P 1998, p. 217).

This is not an easy recommendation to make. We affirm Christ's calling to the Church to care for those in prison. We sympathize with presbyteries that wish to extend such ministry within their bounds. We recognize that ministers of Word and Sacrament can feel an authentic call to this work. However, it seems unwise for presbyteries and synods to engage in relationships where they will have so little control and must assume all the risk.

Communication with the Federal Government

The Presbyterian Church in Canada has in the past and continues to discuss these matters with the federal government. This communication has taken place through our

membership in the Interfaith Committee on Chaplaincy in the Correctional Service of Canada – the interfaith consortium through which the corrections department of the federal government relates to faith communities in Canada. In this forum, national staff persons of The Presbyterian Church in Canada have expressed the concerns of the General Assembly about the contracting model of chaplaincy by means of written submissions and participation in consultations with senior government officials. Representatives of several other faith communities have expressed similar concerns.

The result to-date has been a number of new sections inserted into the Memorandum of Agreement that represents the shared understanding of the Correctional Service of Canada and the faith communities. In these, the Correctional Service of Canada acknowledges that liability remains a major concern for contractors and chaplains. On the basis of its consultations with the Interfaith Committee, the faith communities and chaplains, the government states its commitment to explore options available within the contracting model to address the concerns and, where options available in the contract model are not adequate for the resolution of the issues being identified, to consider other models of providing chaplaincy. The presence of these new clauses in the Memorandum of Understanding, signed by the Interfaith Committee and the corrections department of the federal government in 2007, signals their shared intention to continue to focus on these matters.

When Considering Third Party Employment Contracts

While third party employment contracts are not recommended, there is no prohibition from entering into them. A presbytery or a synod may believe that the risk is worth bearing given the importance of prison ministry to them. The key risk appears when the chaplain is terminated, with the correctional service usually initiating this process, and the question then arises as to whether the presbytery or the synod are liable to provide the requisite pay in lieu of notice. In this case, the following should be understood and considered:

1. The church body should do all it can to encourage the correctional service to employ the chaplain directly. This way the correctional service not only maintains managerial control but also assumes all the potential risks that come with it. We understand that some jurisdictions actually use a mix of third party contracts and direct employment relationships, even though it may be offering the church body the contract route only. It would be prudent for the church body to find out if this is the case within the correctional service with which they are dealing.
2. Read the contract carefully. It is recommended that the church body employ the services of a lawyer to help them understand every aspect of the relationship and the responsibilities to be borne by the church. When this is done, it is also necessary to consider one's provincial jurisdiction, for the labour rules and other relevant legislation, including human rights and occupational health and safety legislation, will vary from one province to another.
3. The Presbyterian Church in Canada annually adopts minimum stipend rates and prescribes certain allowances and benefits.
4. *The Policy for the Dissolution of Pastoral Ties*, adopted by the General Assembly in 1998, sets out the terms and conditions under which The Presbyterian Church in Canada employers must continue to provide ministers with stipend and allowances at the termination of employment (A&P 1998, p. 355-69). If the terms of a contract are at a variance with this policy it must be clearly understood which terms will apply.
5. The church body may wish to consider the creation of a covenant that stipulates the role and duties of the chaplain and the relationship that will exist between the chaplain and the church body. The General Assembly Office has an example on file. It is important to note that a covenant

would assist but should not be viewed as an absolute or certain bar to a future claim. For example, it is unlikely that a covenant provision can prevent a chaplain from making a human rights complaint, for any such a provision would likely be deemed invalid.

6. The church body should consider a prison chaplaincy to be like any other ministry within its bounds. Subsequently the church body should conduct periodic visitations to the chaplain and the place of his or her ministry.

Conclusion

Through its membership on the Interfaith Committee on Chaplaincy in the Correctional Service of Canada, The Presbyterian Church in Canada is already engaged in ongoing discussions with the federal government about the contracting model for chaplaincy. Moreover the concerns about this model have been outlined briefly here. For this reason, the following recommendation is presented.

Recommendation No. 1

It was moved by B. Bleakney, duly seconded, and

AGREED, to recommend to the General Assembly:
that the prayer of Overture No. 10, 2007 be answered in terms of the preceding report.

Report 176/09C

It was moved by B. Bleakney, duly seconded, and

AGREED, that the report as a whole be adopted.

DINNER

The hour having arrived for dinner, Geof Jay offered grace for the evening meal.

MONDAY EVENING

PRAYER

L. Duncan opened the evening session with prayer.

PERSONNEL POLICY **Executive Staff Stipends** (cont'd. from p. 874) Reconsideration of Decision 177/09C

The Council resumed the report of the Personnel Policy Committee with the staff not present.

Additional Motion

It was moved by J. Paterson, duly seconded, and

AGREED, that the decision taken at the November 2008 meeting regarding executive staff compensation be reconsidered.

178/09C

Additional Motion

It was moved by J. Paterson, duly seconded, and

that the executive staff compensation be increased by 6.9% retroactive to January 1, 2009.

179/09C

Amendment

It was moved in amendment by H. Kouwenberg, duly seconded, and

DEFEATED, that the implementation of the 6.9% increase be deferred until January 1, 2010.

180/09C

Amendment

It was moved in amendment by N. Mathers, duly seconded, and

DEFEATED, that Management Team compensation be increased by 2.3% plus COLA in each of the next three years retroactive to January 1, 2009.

181/09C

Amendment

It was moved in amendment by G. Walford, duly seconded, and

DEFEATED, that Assembly Council reconsider the Mercer report and report to the 2010 General Assembly.

182/09C

Orginal Motion

The original motion, when put to a vote was adopted as follows:

that the executive compensation be increased by 6.9% retroactive to January 1, 2009

Report
183/09C

It was moved by D. Maxwell, duly seconded, and

AGREED, that the report as a whole as amended be adopted.

BREAK

Following a break the meeting resumed with staff present.

**EDUCATIONAL
OPPORTUNITIES AT
GA**

T. Smit presented the report of the Working Group re Educational Opportunities at the General Assembly (Overture No 11, 2008)

Report
184/09C

It was moved by T. Smit, duly seconded, and

AGREED, that the report be received and considered.

Response
185/09C

Overture No. 11, 2008 was submitted by the Session of Westmount Presbyterian Church, London, Ontario with the support of the Presbytery of London and was referred by the General Assembly to Assembly Council. A working group consisting of members from Assembly Council, the Committee on Theological Education and the Elders' Institute was asked to respond. This working group consisted of Mr. Brent Ellis (Committee on Theological Education), The Rev. Dr. Roberta Clare (St. Andrew's Hall), The Rev. Don Muir (Deputy Clerk of the General Assembly) and Ms. Tori Smit, convener (Assembly Council).

The overture asks the Clerks of the Assembly to study the possibility of making training opportunities to enhance the faith and calling of all commissioners an integral part of the 136th General Assembly and a permanent part of all future General Assemblies (A&P, 2008, p. 534).

Pre-Assembly Workshops

Within the body of the overture the Pre-Assembly Workshops (PAW) organized and carried out by the Elders' Institute are spoken of positively for their dynamic training sessions aiding the participants in becoming more effective leaders and stronger Christians able to fulfill their callings. It is noted that St. Andrew's Hall was asked to organize these events (PAW) for a period of five years, and that this five year period will end in 2011.

The working group understands that the Pre-Assembly workshops have been successful with an average of 80-100 participants in attendance. The first PAW had 25 participants with the largest PAW held in Edmonton prior to the 2005 General Assembly with 165 participants. The participants at the Pre-Assembly Workshops have been equally divided between General Assembly commissioners who arrive early to attend and ruling elders who come from the local area. The workshops are specifically designed for ruling elders and the registrants generally reflect that intention. These workshops are meeting a need in our denomination and the ability to piggy-back the General Assembly and draw in participants from across the country without undue financial burden is a benefit to all.

The decision to recommend the continuation of the Pre-Assembly Workshops lies with

the Committee on Theological Education. This working group encourages this committee to recommend that PAW workshops for elder's training continue to be held in conjunction with General Assemblies for as long as the Elders' Institute chooses to offer them.

Educational Opportunities Within the General Assembly

The overture also asks that training opportunities for all commissioners be made an integral part of all future General Assemblies.

The working group notes that there are a variety of educational opportunities available during General Assemblies. Commissioner orientation is not only an opportunity to reflect on the reports coming before the Assembly, but an opportunity to hear a great deal about the work of the church and have questions answered. Displays are evident throughout the time of the Assembly, set-up for commissioners to learn about the many ministries of our church. Ecumenical, international and interfaith visitors to the Assembly are often mentioned as a highlight of each Assembly by the commissioners in their evaluations. In recent years the business on the Tuesday evening has been brief, lending the Assembly the opportunity to participate in discussion, reflection and education on specific issues close to the heart of the church. Subjects such as the *Sabbath Moments: Created By God For Us* (2006) and *Healing And Reconciliation* (2008) have been intentional times set apart by the Assembly for learning. Commissioners have been moved and educated through these times set apart. The working group notes that while the purpose of the General Assembly is primarily business, the opportunities already present at the Assembly for education and fellowship are a valuable part of the proceedings for all in attendance.

The working group sees no great value formalizing the use of the Tuesday evening sederunt primarily for intentional learning for all commissioners. We encourage the Clerks of Assembly to seek out themes and issues close to the heart of the church which could be presented, studied and discussed during this sederunt. We would also encourage committees and agencies to submit proposals for presentation and study to the Clerks of the Assembly for consideration for the Tuesday evening sederunt. Having said this, we would not want the business of the Assembly to be hindered in anyway, as that is its primary purpose; we must allow for a complete discussion of the issues which come before the Assembly. The Clerks of the Assembly are responsible for the agenda of each General Assembly and attempt to predict whether the Assembly will need the Tuesday evening for business alone. Rather than mandate the Clerks to set aside Tuesday evening for education, regardless of the business before it, we would encourage the Clerks, when appropriate, to set aside this time.

Recommendation No 1

It was moved by T. Smit, duly seconded, and

AGREED, to recommend to the General Assembly:
that the above be the response to Overture No. 11, 2008.

Report 186/09C

It was moved by T. Smit, duly seconded, and

AGREED, that the report as a whole as amended by adopted.

OVERTURE NO. 1, 2009 MOVING EXPENSES Report 187/09C

J. Hamalainen presented the report of the Ad hoc Committee re Recouping Moving Expenses after a Short Ministry.

It was moved by J. Hamalainen, duly seconded, and

AGREED, that the report be received and considered.

Draft Response 188/09C

The ad hoc committee was established to research information and prepare a response for the Assembly Council on Overture No. 1, 2009 brought forward by the Presbytery of Cape Breton. The ad hoc committee was charged with consulting with the Life and Mission Agency, Ministry and Church Vocations.

To help us understand the situation which precipitated this overture, the ad hoc committee called the Clerk of Presbytery for the Presbytery of Cape Breton, The Rev. Shirley Murdock to get the background of this overture. The Clerk of Presbytery reported four cases where ministers have left their charges in under three years. In one instance the minister left after 14 months. In two cases the minister left after two years and in one case the minister left after three years. Most of these cases were rural charges and in some cases they were multi-charges. The congregations in this presbytery feel that paying for a major move and then being vacant again within three years was not acceptable. Moving costs frequently range from \$12,000-\$15,000. From the A&P 2008 it was noted that the Presbytery reported 9 out of 15 charges were vacant, a very high vacancy rate.

The ad hoc committee consulted The Rev. Susan Shaffer, Ministry and Church Vocations. Ms. Shaffer advised that the Presbytery of Pictou made a similar overture in 1999 (A&P 1999, p. 341). The overture requested that presbyteries be instructed to set up a permanent fund to assist congregations in meeting moving costs where there has been a short-term ministry. This overture was referred to Ministry and Church Vocations. In their response Ministry and Church Vocations pointed out three reasons why there may be a short-term ministry (defined in the report as being under two years): chronic illness or death of the minister, the early assessment by the minister, congregation and presbytery of a 'bad fit' which no amount of intervention would resolve, and the decision of the minister to seek another call that was preferable to them for any number of reasons. This response pointed out that in the first two instances, it would be impossible or unwise to continue the minister/congregational relationship. In the last instance it was stressed that ministers should remember that ministry is a calling not a job and that ministers, in responding to a call, have an obligation to serve the congregation as long as the relationship is healthy and positive (A&P 2000, p. 369, 25).

The prayer of this overture was denied, because it was felt that this allocation of funds would unnecessarily tie up presbytery funds for a purpose that was infrequent. Ms. Shaffer advised that most congregations save the required cost of moving over the duration of the vacancy. She also advised that at this time there is no data on the frequency or location of ministries that last under three years. It would be possible to get this information, but this investigation would require a lot of hours. She did say that if we feel it was necessary, she would allocate resources to complete such a study.

The ad hoc committee consulted with Canada Ministries in order to determine if they had any information re average moving costs or any policy on reimbursement if a called minister stays in the charge for under three years. The Rev. Gordon Haynes advised that they have no policy about recovering the cost of moving expenses. Although Canada Ministries does assist congregations that are not self-supporting, the congregations pay the cost of moving a called minister directly with no involvement from Canada Ministries. Canada Ministries does not track the costs of moving, so there is no information on the average costs of moving an ordained minister to a new charge.

The Clerks of General Assembly were consulted to determine if a presbytery had any legal right within our current polity to add a clause stipulating a means of reimbursement for short term ministries in the call documents. In consultation with The Rev. Don Muir, Deputy Clerk of General Assembly we were advised that presbyteries could not add a clause to a call document regarding even a partial reimbursement of moving expenses, since that would violate the current Book of Forms under which we are governed. The Guarantee of Stipend (Appendix A-32, 2007 edition) states "In addition, we will pay the necessary moving expenses to settle (name) as minister in this congregation." If there is to be any change made in our current procedure as stipulated in the Book of Forms, it would need to be presented to and voted upon at the General Assembly level.

The ad hoc committee did research the system in place for the United Church in Canada. In the United Church, when an ordained minister is settled in a charge or is called to a charge it is stipulated in the employment agreement that if the ordained minister leaves in under three years they are to reimburse a portion of the cost of moving, prorated according to the length of their service. When we considered this alternative, we wondered if this stipulation may be counterproductive. Ordained ministers may not choose to relocate across the country if they know they have pay back moving costs when they remain in the charge under three years. This requirement does not take into consideration those situations where the minister, congregation and presbytery realize that there is a 'bad fit' and ending the relationship sooner rather than later would be best for all concerned.

When we considered the overture we noted that the overture does not establish what is meant by 'recouping losses'; we wondered what criteria was used to determine when a congregation reconsidered they had recovered the cost of moving. Is the problem one of high vacancy and short-term ministries rather than the actual cost of the move? If so, this overture speaks more to the frustration congregations feel when a minister leaves in less than three years rather than to the actual monetary burden. In a presbytery with a chronic high vacancy rate, the overture may be intended to keep a minister in place for three years rather than recovering money.

We recognize that in our changing society ordained ministers feel limited in their mobility for a number of reasons. These reasons include working spouses and family location. If a minister chooses to move to a location where work for their spouse is not available or family lives at a distance, they may return to their home location if the opportunity presents itself. This is difficult for the congregations.

We are suggesting that a committee be established to research the inclusion of a "termination clause" in to the call documents which would stipulate the recovery of moving costs from ministry personnel in the event of a short-term ministry. The scope of the study is to include all major denominations; the United Church of Canada, the Anglican Church of Canada, the Evangelical Lutheran Church, the Federation of Baptist Churches and the Presbyterian Church (USA). We do note that the information from the Presbyterian Church (USA) and the United Church of Canada may be most relevant because their call procedure is similar to our own. The result of this study and a recommendation will be brought to the 2010 meeting of General Assembly.

Call Documents
189/09C

Recommendation No. 1

It was moved by J. Hamalainen, duly seconded, and

that the ad hoc committee be empowered to research the inclusion of a "termination clause" in the call documents which would stipulate the recovery of moving costs from ministry personnel in the event of a short-term ministry to report back to the Assembly Council by March 2010 for reporting to the General Assembly.

190/09C

Amendment

It was moved in amendment by B. Bleakney, duly seconded, and

AGREED, that the word 'termination' and 'short-term' be removed and insert 'three years or less except in the case of illness of death'.

191/09C

Amended Motion

The amended motion being put to a vote was carried and reads as:

that the ad hoc committee be empowered to research the inclusion of a "clause" in the call documents which would stipulate the recovery of moving costs from ministry personnel in the event of a ministry three years

or less except in the case of illness or death to report back to the Assembly Council by March 2010 for reporting to the General Assembly.

Interim Report
192/09C

Recommendation No. 2

It was moved by J. Hamalainen, duly seconded, and

AGREED, to recommend to the General Assembly:

that the above be received as an interim report on Overture No. 1, 2009 and permission be granted to present a final report to the 2010 General Assembly.

193/09C

Amendment

It was moved in amendment by H. Kouwenberg, duly seconded, and

AGREED, that the following words be struck: ‘and permission be granted to present a final report to the 2010 General Assembly.’”

194/09C

Amended Motion

The amended motion being put to a vote was carried and reads as:

AGREED, to recommend to the General Assembly:

that the above be received as an interim report on Overture No. 1, 2009.

Report
195/09C

It was moved by J. Hamalainen, duly seconded, and

AGREED, that the report as a whole as amended by adopted.

**RESIDENTIAL
SCHOOLS**
196/09C

S. Kendall presented the report on Residential Schools.

It was moved by D. Cho, duly seconded, and

AGREED, that the report be received for information.

**EVENING
ADJOURNMENT**

The hour having arrived for evening adjournment, L. Duncan closed with prayer.

TUESDAY MORNING

WORSHIP

T. Hamilton led the Council in morning worship.

**CHURCH
ARCHITECTURE**

S. Kendall presented the report of the Church Architecture Committee.

Report
197/09C

It was moved by J. Paterson, duly seconded, and

AGREED, that the report be received and considered.

Terms of Reference
198/09C

Recommendation No. 1

It was moved by J. Paterson, duly seconded, and

AGREED, that the following changes be made to the terms of reference:

1. That "...at least 1 of which must be a licensed or retired architect..." be added to the line under Membership that says, "The Committee is made up of: 7 members nominated by the Committee and approved by the Assembly Council."
2. That the line saying, "Staff members are permitted to participate, but are not entitled to vote..." should be deleted.
3. That a new section, "Quorum" be added, with the addition of the line saying, "Meetings of the committee will require a quorum of 3 members, at least one of which is an architect member of the committee."

Report
199/09C

It was moved by J. Paterson, duly seconded, and
AGREED, that the report as a whole be adopted.

**NOMINATING
COMMITTEE**

Report
200/09C

The Nominating Committee report was presented by M. Repchuck.
It was moved by M. Repchuck, duly seconded, and
AGREED, that the report of the Nominating Committee be received and considered.

Committee Appointments
201/09C

It was moved by F. Wilkinson, duly seconded, and
AGREED, that the following be appointed to Council committees:

- Executive Bert Vancook (convenor)
John Wilson
- Archives/Records Darlene Springsteen (member at large)
- Audit Blair Bleakney (member at large)
Cam Steele and George Smith (co-convenors)
- Finance Paul Tysdal (Assembly Council)
Elaine Heath (Assembly Council, if re-
appointed)
Marilyn Repchuck (member at large)
- Personnel Policy Bill MacLellan (convenor)

202/09C

NOTED, that other vacancies will be filled by the Executive or by the Council in the fall.

**Protected GA
Nomination**

203/09C

It was moved by M. Repchuck, duly seconded, and
AGREED, to recommend to the Committee to Nominate Standing Committees:
that B. Vancook be protected, because the Council would like him to serve
as convener.

Re-nomination for GA
204/09C

There will be a vacancy in the one year with the resignation of L. Duncan as a member of the Council.

It was moved by M. Repchuck, duly seconded, and

AGREED, to recommend to the Committee to Nominate Standing Committees:
that E. Heath be re-nominated for one year to fill the vacancy and that her
work on the Finance Committee and Council would provide continuity.

Appreciation

Members
205/09C

The committee noted appreciation for the following members whose terms end this year: William J. Middleton, Warren Wong, Douglas W. Maxwell, Kimberly Barlow, Elaine Heath, Robbin D. Congram, Jeff Rawana, Janice Hamalainen, Marilyn Repchuck, Bert Vancook, Blair Bleakney, Laurence DeWolfe and Hans Kouwenberg.

Convener
206/09C

A special word of appreciation was extended to Lisbeth Duncan for her service to the Council as convener over the past three years and as a member for the past five years.

Report
207/09C

It was moved by M. Repchuck, duly seconded, and
AGREED, that the report as a whole be adopted.

EXECUTIVE
(cont.d from p. 867)

Report
208/09C

It was moved by M. Repchuck, duly seconded, and
AGREED, that the report of the Executive as a whole as amended be adopted.

**THE REV. DR. J.A.
JOHNSTON
MEMORIAL FUND
Report
209/09C**

The convener welcomed, Angus Sutherland, convener of the History Committee to present a special report regarding the establishment of The Rev. Dr. John A. Johnston Memorial Fund.

It was moved by B. Flude, duly seconded, and

AGREED, that the report be received and considered.

**Establishment of Fund
210/09C**

Background

The Rev. Dr. John A. Johnston Memorial Fund is a named fund established with gifts given in memory of The Rev. Dr. John A. Johnston and in support of the National Presbyterian Museum established through the initiative and inspiration of Dr. Johnston.

A Permanent Fund

The fund is intended as a permanent fund which will generate a steady stream of annual income for the purposes of the fund. The capital will be invested in The Presbyterian Church in Canada's Consolidated Portfolio, a professionally managed balanced portfolio of high quality bonds and equities. For accounting and investment purposes, fund monies will be placed in the same account as the previously established account for the museum, which is also invested in The Presbyterian Church in Canada's Consolidated Portfolio. Funds may be withdrawn from this account as needed (both income and capital if necessary) to meet the annual disbursement objectives of the fund and to pay for the annual operating expenses of the museum.

Purpose of the Fund

The purpose of the fund is to sustain the long-term viability of the National Presbyterian Museum for The Presbyterian Church in Canada (presently housed in St. John's Presbyterian Church, Toronto) and to keep Dr. Johnston's original vision for the museum alive for future generations. Some of the ways the fund could be used include (but are not limited to) the following:

- providing stipend/remuneration for a part-time curator
- promoting of the museum
- preparing educational resources highlighting items in the museum (e.g. communion tokens)
- purchasing equipment and supplies needed to run the museum
- purchasing new acquisitions for the museum
- supplementing the funds needed for the annual operating expenses of the museum (e.g. hydro, insurance, postage, etc.)
- offering an annual prize awarded in memory of Dr. Johnston

The fund will supplement annual gifts made to the museum (expected to total a minimum of \$5,000 per year) and provide additional funding for unexpected opportunities or emergencies.

Oversight of the Fund

Upon recommendations from the National Museum Committee, the Committee on History will approve and determine how the available funds are disbursed each year. Changes made to the fund's disbursement formula or to these terms of reference will be made by the Committee on History. The curator of the museum will be an ex-officio member of both the Museum Committee and the Committee on History.

Source of Contributions to the Fund

The money to establish the fund will come from the following sources:

1. Money given in memory of Dr. Johnston shortly after his death (approximately \$13,000).

2. \$37,000 provided as seed money from the National Museum operating budget account.
3. The \$50,000 total from 1 and 2 above will be used to match contributions made to The Rev. Dr. John A Johnston Memorial Fund during its initial fundraising campaign with an initial goal of \$100,000.
4. After the initial fundraising campaign, the fund will remain open to receiving additional gifts from those who would like to make further donations in memory of Dr. Johnston or who support the long-term viability of the museum. The fund encourages both cash gifts and planned gifts through bequests, gift annuities, publicly traded securities, etc. Additional gifts given to the fund will be added to the fund's investment account. It is hoped that over time the capital in the fund would grow to a minimum of \$300,000 to provide an income stream of approximately \$15,000 per year for the work of the museum.
5. The fund will continue to be promoted through the Committee on History and National Museum websites, through mailings to supporters of the museum, through brochures available at the museum, etc. Any additional fundraising campaigns for the museum will need approval of the Committee on History and the General Assembly of The Presbyterian Church in Canada.

Dissolution of the Fund

In the event of the dissolution of the National Presbyterian Museum, the money in the fund will be made available to The Presbyterian Church in Canada to promote the heritage and history of The Presbyterian Church in Canada.

Recommendation No. 1

It was moved by W. Denyer, duly seconded, and

AGREED, to recommend to the General Assembly:
that The Rev. Dr. John A. Johnston Memorial Fund be established and the above terms of reference be adopted.

Financial Campaign 211/09C

The Management Team, which has responsibility to deal with requests for national fund raising, has approved the financial campaign for this fund. This will be reported to the General Assembly.

Report 212/09C

It was moved by J. Paterson, duly seconded, and

AGREED, that the report as a whole be adopted.

GENERAL ASSEMBLY **Meeting at** 213/09C

It was moved by H. Kouwenberg, duly seconded, and

AGREED, that the Council be authorized to meet, if need be, during the General Assembly.

Report for 214/09C

It was moved by J. Rawana, duly seconded, and

AGREED, that the convener and secretary be given power to prepare the report to the General Assembly.

MEETINGS 215/09C

The future meetings of the Council will be November 22-24, 2009 and March 21-23, 2010. The Executive will meet on May 6, 2009.

ADJOURNMENT

There being no further business the council adjourned. J. Wilson closed with the benediction.