

Congregational Meeting

Unitarian Universalist Church of Jacksonville

December 9, 2018

12:15 PM

Present:

Confirmation of communications with Fernandina with 45 second delay. Notice of this to congregation and need to stay on issue while waiting for possible Fernandina responses.

Call for Vote of Confidence for Phillip Baber (straw vote). Overwhelming positive response. Photos taken to be sent to Phillip.

I. Call to Order: 12:35 pm by Mark Dickens

Going through the Administrative Agenda (Mark)

Question from audience member about asking whether there can be a discussion about church leadership. Mark noted that the only issues pertinent or legal per the bylaws are those issues on the agenda.

Town Hall not called due to violation of bylaws (need for advance notice). There will not be a Town Hall at this meeting (on this date).

Question about when Town Hall will be called. Mark responded that it will be under next administration if that administration so chooses.

Question from audience member: Can the bylaws be changed by a motion from the floor?

Tessie confirmed Bylaws rules, noted that we cannot speak to changing the bylaws at this meeting.

Max Story: Stated that since amendments are on agenda, we should be able to change bylaws. Proposed to suspend Roberts Rules of Order. Tessie claims that bylaws cannot be changed without advance notice to congregation. The congregation can vote to suspend Roberts Rules of Order.

Tessie Bond: Under Article 6 of Bylaws (reading).

Church Secretary with message from Fernandina. There is a vote on the proposed Bylaws amendment. Proposes to amend the amendment. Mark notes that we cannot amend the agenda.

Barbara Robinson: UUCJ Foundational Meeting following the Congregational Meeting.

Karen Smith Scott: Question/Comment: Is there any provision in bylaws for contingency of emergency? Congregation has been "harmed and damaged." Mark noted that the Bylaws must be followed. They were approved by the congregation last year.

Max Story: Repeated question above for clarification. Confirmation from Mark. Asked whether congregation can ask questions regarding the election of this next Board.

Chris Lippincott: threat to leave meeting if congregation is not allowed to disregard Bylaws. Asked others to follow.

Carlos Fraticelli: we cannot change bylaws “on the fly.” Violations of the bylaws got UUCJ into the current crisis. Continued choice to ignore bylaws will lead to chaos.

Tammy Tibbles: Administrative Question: What constitutes a quorum? Answer from Mark (50).

Virginia (Administrator) for Phillip Scanlon comment from Fernandina. There is a lot of focus on bylaws. We have a fifth principle that says we have a democratic process that might over-rule the bylaws. He called for a direct vote for contract for Phillip, either here or at another meeting after this one.

Tessie: Point of Order: We have to follow the agenda. The Board has already called for a vote (Nov 13th) to review contract at next Board meeting. Congregation voted 100% to approve the bylaws at the last congregational meeting. To disregard them is to break the law.

Carlos: Difference between a contract minister and a called minister. Called out of order as this is not on the agenda

Jake Mehrman: In light of recent events, there is an over-riding number of questions that supersede the agenda. Wishes to suspend meeting pending further investigation and “more proper” time and venue.

- Call the question about further debate on whether to continue discussion about motion above (Carlos): Second (Chris Lippincott).
 - o Jake Mehrman: we lack the facts to make a decision or discuss the current issue(s)

Vote on motion to suspend Congregational Meeting (Mark) due to lack of sufficient information

Laura TaVoularis: Question: are we suspending the meeting and thus ignoring all agenda items. Answer from Mark (yes).

Tessie: Point of Order. Motion on the floor. It is not debatable. Requires 2/3 vote.

Gloria (?): Promotes that we move to get through the agenda and meet later to change bylaws in future.

- Call the Question: 70 in favor (exceeds 2/3 vote). The question is called.

David Johnson: point of order: privileged motions. Motion to adjourn. There is no Roberts Rules of Order to suspend a meeting.

Jake Mehrman: Another motion to adjourn (suspend is not a legal action per Roberts Rules of Order).

Point of Order (Tessie). Per Roberts Rules of Order: Motion was made with specific language and seconded. That motion must be voted up or down, not amended.

Vote: $10+16+13= 39$ in favor of Jake’s motion (to suspend meeting). $27+30+0= 57$ against. Motion does not carry.

Chris Murphy: motion for a recess for discussions. Second (Lad Hawkins). Discussion. Then clarified need for a time for recess (20 minutes, then amended to one hour).

Alby (sp): Will Board be allowed to share information about the crisis. Too much innuendo and rumor rather than fact. Can that information be provided during recess?

Tessie Bond, speaking as a congregant, asks for people to vote no as we won't have a budget, bylaws, Board, because the 2018 Board's last day would be today. The information for the motion is not relevant to the agenda. We are allowed for one speaker at a time, not a separate meeting. No one who has spoken already can speak again excepting when everyone has spoken.

Barbara Robinson argued against motion stating that we need to get through the published agenda.

Karen Smith-Scott: If we are to vote on the budget, how are we to vote when we do not have a minister with the minister salary as part of that budget?

Tammy Tibbles: Did not know about minister resignation until ten minutes ago. Does not know if she feels that she can vote for a budget without sufficient information. Urges congregation to vote yes for recess.

Mark: today's discussion is what is on the agenda. If it is not on the agenda, we cannot discuss the issue. We must get through the agenda before we can do any other business.

Tom Larson: Question about budget. The entire raise proposed by Personnel Committee is within the budget.

Mark reminded congregation of motion for hour-long recess.

Jennifer Wolfe: for a congregation to have a reasonable discussion, they need a "container" for that. The Bylaws are that container. We would not "be at a loss" if we followed the agenda and, in the future, take steps beyond said agenda. The reason for Roberts Rules of Order is to create a democratic process. Ignoring it is to the church's detriment. Similar for Bylaws. Bylaws and Roberts Rules are not the problem. Not having an orderly way to engage democratically is the problem.

Carol Vogel: Knows nothing about the budget and does not have email. Does not feel that she needs to apologize for this. All she receives is mailed information. She cannot vote on issues without relevant information.

Mark Called the Vote. Approve $14+20+0 = 34$; Disapproved $27+26+13=66$

II. Reading of the Covenant (Mark)

III. Lighting of Chalice (Penny) – Laurie Mai lighted the chalice

IV. Minutes of December 10, 2017 Congregational Meeting: Motion to accept minutes from last year (John); Carlos (second); No discussion. Motion carries.

V. Proposed Bylaws Amendment (Tessie): Motion to accept bylaws as presented (Tessie). Second (Laurie).

- Mark noted that all changes to Bylaws were recommended by the Bylaws Task Force.
- Tessie noted changes to Bylaws. Section 1, clarifying Covenant. Moving of wording from Section 1 to Section 4.

- Section 2 (terms of membership of Board). Proposed move to eight members rather than seven. Rationale based upon number of portfolios; too much work. Eighth member would allow each portfolio to have a leader/Board member.

Questions:

Jeff Funderburk: with eight members of the board, would the President of the Board ever have a tie and thus vote. No answer.

Tammy Tibbles: Question about behavior of the Board. Section 4. Last sentence regarding expected Board conduct. Wants clarification

- Tessie Bond: wording used to be under Covenant, Section 1. Moved the language out of Section 1 and put it under Section 4. Further clarification about absences from Board meetings.

Max Story: The president is the only person who can remove Board members?

Tessie: the President with the consent of the Board can remove Board members who are out of UUCJ or Board Covenant or who miss a specific number of meetings.

Max Story: The bylaws do not state, specifically, how Board or covenant determines when/if someone is out of covenant. Does congregation have any say over removing Board members?

Tessie: We are not a direct democracy but a representative system. Board members can speak to any issue at a Board member. If there is disagreement or concern, the Board can and should discuss problems prior to judgment. Tessie noted that it is dangerous and onerous to create bylaws that are explicit in determining specific Board members' behavior. Tessie welcomed recommendation for how to engage in fair discussion and expectations of the Board.

Mark called the vote: Overwhelming support for motion.

VI. 2019 Mission Budget

Budget (Tom Larson, Finance Chair). Budget recommended by Finance Committee and presented at the Budget Workshop open to all congregants. Finance Committee made some recommended changes and found that it was \$32,000 short. Asked committees to use budgets from last year and asked that staff salaries remain as is. Had to cut from certain committees, namely from Buildings and Grounds. The Board approved the budget which the Finance Committee balanced.

- Move to approve Budget (Tom Larson); Second (Carlos F).
- Discussion

Liz Lippincott. Understood budget until yesterday. Feels she cannot vote on budget presented, noting that the salary on minister is no longer going to be part of budget. Feels it nor responsible to vote on budget as it stands.

Mark: The budget has the RE funding and minister salary (it is accounted for).

Laura T: A budget is a guideline, not a rule of law. Noted last year's budget line item for former in-house caretaker/custodian who left. Budget needs to be approved regardless of whether or not the line item is used (or is changed). It is critical that we have a budget.

Kathleen McKenzie: as past treasurer, she seconded what Laura T. said.

Tammy Tibbles: Understands implications of budget. She is on one of the committees (campus renewal committee) and they recommended that UUCJ bring back a caretaker. We need to take care of the sacred space and need that position.

Michael Aiken: appreciates treasurers' clarification. The budget is not a referendum on the minister. In the spirit of the budget, he does not see it that way. The budget has a raise for Phillip.

Question to President: Does the board have the power to accept or deny a resignation. Not for contract minister (Mark). Sees the budget as a representative on Phillip and will vote no.

Tom Larson: We have reserves thanks to gifts and budget surpluses. This money has not been voted on by the Board. Finance Committee sees that money as needed for church emergencies. Noted JEA sewer costs & required maintenance.

Bob Harmon: in favor of approving the budget. Saw the informal support of Phillip. Hopes that the Board will not accept resignation. Wants the raise to be used to bolster our support of Phillip.

Jennifer Tucker: money for proposed salary increase based upon UUA norms. Contract approved by the Personnel Committee. Wants to add more to salary.

Mark: Board required to create contract in August. Phillip's proposed salary was in low range for minister.

John White: The number Mark is citing is for a called minister, not a contract minister. Question from the floor as to whether Phillip is a called minister. Answer is no. He is a contract minister whose salary is not governed by UUA.

Mark: We should not be castigating people with false information.

Jennifer Wolfe: perspective from business: acknowledge human concern whose contract has not been renewed. Need to honor that. Even though it is difficult to move to business with human concern and fear and worry, we need to address the need to contract with minister. Hold the space for human concern and still make good financial decisions.

Max Story: Feels that board is not competent and should not be trusted with budget.

Tessie: Urges us to approve budget. UUCJ has financial needs that must be paid and we have to have a budget to do so. Minister pay is part of contract, but line items sometimes have to be moved and changed. Recognized the need for funding to pay for people like Tina, who has done an excellent job with communications.

Tom Larson: Budget included raises for Phillip and Tyler. Communications person had to be funded. Music director stipend increased. Administrator position changed and that budget item changed. Bookkeeper kept the same.

Rob McKinnon: Approves of budget. Questions if we vote down budget, what happens. The next Board would have to create a new budget and have it approved by congregation.

Penny Reid: Wants to clarify Jennifer's comments. The UUA publishes guidelines for official ministers. It is done by region and COL and it is divided into church levels. The Personnel Committee did not put Phillip at the lowest rank but moved him into a higher church category with higher pay. His proposed salary increase was 12%. The Personnel Committee felt he deserved more and offered more. He is on the low end of level 2 for called ministers.

Rosa Loeb: if we follow the Bylaws, how are we moving forward when Bylaws been violated.

Laura T: as treasurer, her name is on the agenda for the budget. Phillip did not resign, he stated that he will not seek a new contract.

Lois Hoelt: the budget is not created by the Board. It is put together by the Finance Committee. There is a budget workshop open to the congregation. This is the place for feedback on said budget.

Bud Emerson: Confused because... has Phillip not signed his contract over a dispute about money? We cannot make money other than what the congregation puts into the budget. Known all of the ministers UUCJ has ever had, we have the best minister we have ever had.

Jeannie Huebner: It is a long process to call a minister and it is expensive. Every time we've had a called minister, they have been our third choice and vice versa. Phillip wants to be here.

Mark: reminder that we need to discuss and pass budget.

Sunnie Baber: Asks congregation to vote no on budget. It is not a referendum on Phillip so much as on the Board itself. We lack details on a contract minister; budget should include monies for contract. We also lack a Director of Religious Education. We will not find another DRE without Tyler. We had a staff member resign this week (nursery) that we need to fill. The budget is false. Needs to go back and renegotiate.

Laura T: Surprised by Sunnie's comments. We did have a contract in place. It was signed before it went to the congregation. The process was flawed. The budget as presented is what Phillip asked for. Phillip never expressed to Committee that the funding was in any way inadequate. We need to act on budget because we are operating with deficit.

Elizabeth Anthony: affirms Sunnie's feelings. Reminds congregation of Tyler's passion for UUCJ and for children. Children are not represented at this meeting. Teens and young people may be hurt by loss of Tyler at UUCJ. UUCJ not likely to find person to work as hard as Tyler for the posted pay.

Virginia for Fernandina: Motion from Scott Kessler who wishes to Call the Question. Second (Paige Slade). $37+37+10 = 84$ Yeah. Motion Carries

Mark: Vote on Budget: $23+25+3 = 51$ Yeah; $22+15+5 = 42$ Nay

Budget is Approved

VII. Election of Board Members

Laurie Mai: congregation received slate and moves to approve. Second (Carlos). Introduction and discussion.

Introductions:

- Rebecca Wilcox (via Mark Dickens): Rebecca not present due to sick child. To be elected to complete term of Tina Ramey. Read biography.
- Tessie Bond: explained her biography here at UUCJ and committee work.
- Tom Larson: explained his biography here at UUCJ and committee work.

Discussion

Virginia for Liz Dion: What happens if congregation does not approve Board? Position would go unfilled at least for time being.

Jeannie Huebner: if these people elected, will the board be eight people.

- Tessie: No, there would be a position needing to be filled.

David Johnson: Motion: amendment to break the slate. Second (Karen Smith Scott). No Discussion. Vote called.

- $33 + 37 + 8 = 78$ Motion Carries; slate is broken.

Rebecca Wilcox (moved by Laurie Mai); Second (Henry Rogers). Discussion.

- Katie Dalby. There is vastly differing amounts of information in the group; information is from social media which is full of conjecture and innuendo. She needs more information on what led to Phillip's decision.
- Jennifer Tucker: COM Member. Explained task given to committee regarding Tyler and Rebecca. Noted that Rebecca threatened to sue. Feels that Board should not contain members who threaten to sue COM. "This person should not be in a position of making decisions on the welfare of the church."
- Lisa McLoughlin: Never seen someone wreak so much havoc on the church [as Rebecca]. Moves to vote against her. She "does not deserve this position at all"
- Karen Smith-Scott: our bylaws are important but our covenant is a promise we make to each other. We cannot trust someone who threatens the church with legal action.
- Helene Kamps Stewart. Ibid.
- Max Story: against the entire slate. They are the reason for the crisis.
- Terry Neal: Intends to vote no. The votes cast today represent our standing in the community. Phillip has done significant work for helping UUCJ.

Vote: Congregation voted Nay.

Tessie Bond: (moved by Laurie May); seconded (Chris Lippincott). Discussion.

- Karen Smith-Scott: Wholeheartedly endorses Tessie for Board
- Laura TaVoularis: Clarification: the new board takes effect immediately after this meeting. She also supports Tessie.
- Chris Lippincott: Supports Tessie without reservation.

Vote: Motion stands.

Tom Larson: (moved by Laurie Mai); seconded (David Shacter)

- Joe Adiutori: been friends with Tom for years. Full support for Tom.

Vote: Motion stands.

Mark: Two vacancies on the Board. The Board will be seeking two people to serve.

VIII. Motion to Adjourn (David Johnson). Second (Mike Beck). Motion Successful. 3:16 pm.