

Resolutions

Received On Or Before
September 24, 2010

Resolution #1 – Constitution Change – Second Reading

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RESOLUTION #1

Title: Constitutional Change, Second Reading

Resolved, that Article VIII of the Constitution of the Diocese of West Missouri be amended as follows:

ARTICLE VIII MEMBERS OF THE DIOCESAN CONVENTION

SECTION 1. The members of the Convention shall be the Bishop, the Bishop Coadjutor, the Suffragan Bishop, and Archdeacons, when there be such, every cleric in good standing in the Church who is canonically resident in this Diocese; also the Treasurer and the Associate Treasurer of the Diocese; also the Secretary of the Diocese; also the Chancellor and the Associate Chancellor of the Diocese; also the Registrar of the Diocese, and also lay delegates from every Parish and Congregation in union with the Diocese duly chosen and entitled to seats, *and youth delegates*, as hereinafter provided.

SECTION 2. Canonical residence of a cleric shall date from the cleric's ordination within the Diocese, or from the date of the acceptance of Letters Dimissory by the Ecclesiastical Authority of the Diocese.

SECTION 3. Every parish and congregation in union with the Diocese shall be entitled to be represented in the Convention by one Lay Delegate; and in addition thereto, by one Lay Delegate for each 100 communicants or major fraction thereof, up to 500; and in addition thereto, parishes having more than 500 communicants shall be entitled to one Lay Delegate for each 250 communicants or major fraction thereof, up to 1,000 communicants; furthermore, in addition thereto, parishes having more than 1,000 communicants shall be entitled to one Lay Delegate for each 500 communicants or major fraction thereof, in excess of 1,000. For the purpose of determining the number of Lay Delegates to which a parish or congregation is entitled, the number of communicants of such parish or congregation shall be the number of communicants reported by such parish or congregation in its Parochial report immediately preceding that date on which its Lay Delegates are chosen. ***In addition to the Lay Delegates for parishes and congregations, there shall be up to four Youth Delegates selected from the Diocese who shall be at least 16 years of age and no more than 19 years of age and have not matriculated at a college or university at the time of the Diocesan Convention to which they are elected.***

SECTION 4. Lay Delegates representing a Parish shall be chosen by its Vestry. Lay Delegates representing a Congregation shall be chosen by its Committee. ***Youth Delegates will be selected in a manner designated in the Canons of the diocese.***

SECTION 5. The Lay Delegates chosen as above shall be adult communicants of the Church in good standing, who shall have been for six months preceding worshipers in the Parish or Congregation which they severally represent, and who shall be canonically entitled to vote for

Vestry persons. ***The Youth Delegates chosen as above shall be adult communicants of the Church in good standing, who shall have been for six month preceding worshipers in a Parish or Congregation in union with this Diocese, and who shall be canonically entitled to vote for Vestry persons.*** No Postulant or Candidate for Holy Orders shall be admitted as a Lay Delegate to the Convention.

SECTION 6. No Lay Delegate shall be entitled to a seat in the Convention or take any part in the deliberations thereof until the parish or congregation which the Delegate represents has paid in full all assessments duly levied against such parish or congregation for the current year through the last calendar quarter prior to the opening date of Convention, unless the Convention then in session shall remit or extend the time of payment for such delinquent assessments.

SECTION 7. No person under ecclesiastical censure or process, whether Cleric or Member of the Laity, or who has not conformed to the decisions of the Convention, or who disclaims or refuses conformity to the Constitution and Canons of the General Convention, and of this Diocese, as the same now exist or may be hereafter adopted, or who does not accede to recognize and accept unqualifiedly the doctrine, discipline, and worship of the Church, shall be allowed a seat in the Convention, or take part in the deliberation thereof.

SECTION 8. Lay ***and Youth*** Delegates shall serve as such at the annual Convention to which they are elected, and also at all adjourned meetings thereof.

SECTION 9. Lay ***and Youth*** Delegates to every special meeting of the Convention shall be chosen to serve as such for that meeting and adjournments thereof.

SECTION 10. In all other articles of this constitution, the Youth Delegates elected under this article shall be deemed to be part of the lay order.

Submitted by:

Cynthia Carter Howard, Sidney Breese, Douglas Johnson, Mark McGuire, Marty Byer, Jose Palma, Frank Sierra, Leslie Hoover, Jerry Grabher, Al Jewson, Susan Sommer, Beck Schubert, Peisha Roumas, Mary Cay Armer, Marshall Scott, Kenneth Chumley, Tom Punzo, Lawrence Lewis, Mimi Savidge, Sam Mason, Barbara Beam, Todd Bruce, Steven Wilson, Bill Fasel, Stan Runnels, Jason Lewis, Kent McCall, Russ Johnson, Gordon Mesley, Larry Allen, Jon Egger, Mike Kyle, Suzy Lynch, Christine Gilson, Anne Hutcherson, John Spicer, Margaret Kay Pumphrey, Frederick Mann, Susan McCann, John McCann, Joe Behen, David Myers, Jim Moon, and Bill Lusk.

RESOLUTION # 2

Title: Explore Merger of Dioceses

Resolved that 121st Diocesan Convention authorize Diocesan Council to appoint a committee to consider and explore possible mergers with our neighboring Dioceses, be it further

Resolved, that this committee would be composed, equally, of lay and clergy from the four Deaneries. The committee would consider the pros and cons of mergers with the various Dioceses of our vicinity, and execute conversations with those Dioceses deemed most appropriate, and be it further

Resolved, that the committee shall make periodic reports to the Bishop and Diocesan Council and report to Diocesan Convention one year from now with possible proposals, and be it further

Resolved, that the proposed committee agenda include:

1. Develop criteria for successful merger partners.
2. Examine demographic profiles to consider for such an undertaking.
3. Initiate contacts with various Diocesan neighbors.
4. Keep the Bishop and Diocesan Council informed of any progress and proposals.

Proposers:

Robert J. McElwain, St. Andrew's, KC
The Reverend Gary Gilbertson
Margaret Heckendorn, St. Andrew's, KC
Robert Schubert, St. Andrew's, KC
The Reverend John Spicer
The Reverend Anne Hutcherson

Explanation:

It is well known that the membership in The Episcopal Church, USA, like all other mainline denominations is shrinking. We now have what has been estimated to be at least twice as many Dioceses (110 Dioceses) as is needed to minister to our approximate 2,000,000 members. Most of the Dioceses in the Midwest have rather low density and small budgets. Merging of Dioceses would enable the Church to more effectively utilize its limited financial resources in its ministry to the community.

RESOLUTION # 3

Title: Adopt new Canon XXI

Resolved, that Canon XXI of the Constitution and Canons of the Diocese of West Missouri be replaced in its entirety by the following:

CANON XXI ECCLESIASTICAL DISCIPLINE

SECTION 1. Title IV of General Canons. Those provisions of Title IV of the General Canons which are applicable to the Diocese are hereby incorporated as part of this Title. To the extent, if any, that any of the provisions of this Title are in conflict or inconsistent with the provisions of Title IV, the provisions of Title IV shall govern.

SECTION 2. Discipline Structure.

Section 2.01 Disciplinary Board. The Board shall consist of seven persons, four of whom are members of the Clergy and three of whom are Laity.

Section 2.02 Clergy Members. The Clergy members of the Board must be canonically and geographically resident within the Diocese.

Section 2.03 Lay Members. The lay members of the Board shall be Adult Communicants in Good Standing, and geographically resident in the Diocese.

Section 2.04 Election. The members of the Board shall be nominated by the Bishop and elected by the Convention. Each member shall be elected for a three (3)-year term; except, if a member is elected to fill a vacancy, the term of such member shall be the unexpired term of the member being replaced. The term of the member shall commence on the first (1st) day of the year following election.

The terms of office of the Board shall be staggered and arranged into three classes. The first Board elected shall, in whatever manner the members determine, form the initial terms of office as follows: two (2) clergy and one (1) lay to three year terms; one (1) clergy and one (1) lay to two year terms; and one (1) clergy and one (1) lay to one year terms.

Members may serve no more than two consecutive terms on the Board.

Section 2.05 Vacancies. Vacancies on the Board shall be filled as follows:

- (a) Upon the determination that a vacancy exists, the President of the Board shall notify the Bishop of the vacancy and request appointment of a replacement member of the same order as the member to be replaced.

- (b) The Bishop shall appoint a replacement Board member with the advice and consent of the Standing Committee.
- (c) Persons appointed to fill vacancies on the Board shall meet the same eligibility requirements as apply to elected Board members.
- (d) With respect to a vacancy created for any reason other than pursuant to a challenge as provided below, the term of any person selected as a replacement Board member shall be until the next annual Convention. With respect to a vacancy resulting from a challenge, the replacement Board member shall serve only for the proceedings for which the elected Board member is not serving as a result of the challenge.

Section 2.06 Preserving Impartiality. In any proceeding under this Title, if any member of a Conference Panel or Hearing Panel of the Board shall become aware of a personal conflict of interest or undue bias, that member shall immediately notify the President of the Board and request a replacement member of the Panel. Respondent's Counsel and the Church Attorney shall have the right to challenge any member of a Panel for conflict of interest or undue bias by motion to the Panel for disqualification of the challenged member. The members of the Panel not the subjects of the challenge shall promptly consider the motion and determine whether the challenged Panel member shall be disqualified from participating in that proceeding.

Section 2.07 President. Within sixty (60) days following the annual Convention, the Board shall convene to elect a President to serve for the following calendar year.

Section 2.08 Intake Officer. The Intake Officer shall be appointed from time to time by the Bishop after consultation with the Board. The Bishop may appoint one or more Intake Officers according to the needs of the Diocese. The Bishop shall publish the name(s) and contact information of the Intake Officer(s) throughout the Diocese.

Section 2.09 Investigator. The Bishop shall appoint an Investigator in consultation with the President of the Board. The Investigator may, but need not, be a Member of the Church.

Section 2.10 Church Attorney. Within sixty (60) days following each annual Convention, the Bishop, in consultation with the Standing Committee shall appoint an attorney to serve as Church Attorney to serve for the following calendar year. The person so selected must be a Member of the Church and a duly licensed attorney, but need not reside within the Diocese.

Section 2.11 Pastoral Response Coordinator. The Bishop may appoint a Pastoral Response Coordinator, to serve at the will of the Bishop in coordinating the delivery of appropriate pastoral responses provided for in Title IV.8 of the General Canons and this Title. The Pastoral Response Coordinator may be the Intake Officer, but shall not be a person serving in any other appointed or elected capacity under this Title.

Section 2.12 Advisors. In each proceeding under this Title, the Bishop shall appoint an Advisor for the Complainant and an Advisor for the Respondent. Persons serving as Advisors shall hold no other appointed or elected position provided for under this Title, and shall not include chancellors or vice chancellors of this Diocese or any person likely to be called as a witness in the proceeding.

Section 2.13 Clerk. The Board shall appoint a Board Clerk to assist the Board with records management and administrative support. The Clerk may be a member of the Board.

SECTION 3 Costs and Expenses.

Section 3.01 Costs Incurred by the Church. The reasonable costs and expenses of the Board, the Intake Officer, the Investigator, the Church Attorney, the Board Clerk and the Pastoral Response Coordinator shall be the obligation of the Diocese, subject to budgetary constraints as may be established by the Diocesan Council.

Section 3.02 Costs Incurred by the Respondent. In the event of a final Order dismissing the complaint, or by provisions of a Covenant approved by the Bishop, the reasonable defense fees and costs incurred by the Respondent may be paid or reimbursed by the [respective] Diocese, subject to budgetary constraints as may be established by [named budget authority].

SECTION 4. Records.

Section 4.01 Records of Proceedings. Records of active proceedings before the Board, including the period of any pending appeal, shall be preserved and maintained in the custody of the Clerk, if there be one, otherwise by the Diocesan Office.

Section 4.02 Permanent Records. The Bishop shall make provision for the permanent storage of records of all proceedings under this Title at the Diocesan Offices and the Archives of the Episcopal Church, as prescribed in Title IV of the Canons of the Episcopal Church.

Proposers: Archdeacon John McCann and Chancellor Richard Wagstaff

Explanation:

The proposed new canon XXI brings diocesan canons into conformity with Title IV of the Constitution and Canons of the Episcopal Church as adopted by the 2009 General Convention.

RESOLUTION # 4

Title: Youth Delegates – How Chosen

Resolved, that Canon II of the Canons of the Diocese of West Missouri be amended by adding Section 5 as follows:

Section 5. Youth Delegates – How Chosen

(a) At the Annual Convention, the Ecclesiastical Authority will appoint a person or persons to oversee the process in the Youth Ministries Program for choosing Youth Delegates and Alternates to the following year's Annual Convention of the Diocese.

(b) No more than one Youth Delegate and Youth Alternate may be chosen from each deanery. If there is no choice of a Youth Delegate or Alternate from a deanery as herein provided, then no Youth Delegate or Alternate may be appointed from that deanery.

(c) The youth in each deanery shall choose one youth from their deanery as a Youth Delegate and one youth from their deanery as a Youth Alternate. The time and place of such selection shall be announced at least 30 days before such selection takes place, and shall take place before July 1. All youth who shall select the Youth Delegates and Alternates must be communicants in good standing, at least 14 years of age and no more than 19 years of age and have not matriculated at a college or university at the time of the selection of the youth delegates.

(d) The names and addresses of the Youth Delegates and Alternates and any other information required shall be sent to the Secretary of the Diocese no later than the July 8th of each year preceding the annual meeting of the Convention. The Rector or Senior Warden of the Parish or the Minister or Warden of the Congregation of which the selected Youth Delegates and Alternates are communicants of good standing shall certify to the Secretary of the Convention that the Youth Delegate or Alternate meets the requirements of the Constitution and Canons of the Diocese to be delegates to the convention. Youth delegates duly chosen and certified according to this canon have seat, voice, vote, and all other privileges afforded delegates to the Annual Convention of the Episcopal Diocese of West Missouri.

(e) If any Youth Delegate chosen die, resign, remove from a Parish or Congregation within the deanery from which they were chosen, or is otherwise unable to serve, the Youth Alternate from that deanery will become the Youth Delegate from that deanery. Upon the vacancy of the Youth Alternate position, the Dean of the Deanery, upon nomination from the person or persons designated by the Ecclesiastical Authority in paragraph (a) of this section, shall have the power to fill the vacancy so created, by the appointment of a suitable person, canonically qualified to act as delegate, which appointment shall be certified to the Secretary of the Diocese, as soon as possible before the meeting of the Convention.

Proposers: The Rev. Cindy Howard, The Rev. Stan Runnels, The Rev. Steven Wilson, Kerry Maas, Robert Maynard

Explanation:

This resolution sets out the process by which Youth Delegates and Alternates will be chosen for the Annual Convention of the Diocese.

Paragraph (a)-While there is currently a Diocesan Youth Ministries Coordinator, this may not always be the case. This section would allow the Bishop or Standing Committee to appoint someone to oversee the process of choosing youth delegates. The date for certifying the Youth Delegates and Alternates is later than that for delegates from congregations, but it allows for more flexibility in the timing of the selection.

Paragraph (b)-The Constitutional change does not specify the makeup of the youth delegates. This Canon envisions that no more than one youth from each deanery may be a Youth Delegate or Alternate. If for some reason no selection is made by the youth for a deanery, there will be no Youth Delegate from that Deanery.

Paragraph (c)-This allows for youth (generally) the ages of persons in 8th through 12th grade to be involved in the choosing of delegates. This section also requires that notice of the election be given.

Paragraph (d)-The clergy or warden of a parish or congregation are responsible for determining that their delegates are constitutionally and canonically eligible to serve. This provision asks that they also certify that the Youth Delegates and Alternates chosen are also eligible, as they are in the best position to do so.

Paragraph (e)-The clergy or warden of a parish or congregation can fill vacancies in their deputations. Since Youth Delegates are chosen based on deanery, it makes sense for the dean to be empowered to fill a Youth Alternate position (if there is to be provision for such a vacancy to be filled).

RESOLUTION # 5

Title: Assessment Revision

Resolved, That each Parish or Congregation's assessment for the next ensuing budget year, effective beginning in budget year 2011, be based upon either the average of the two most recent years' normal operating income or the normal operating income of the last year (as reported as Line A of the Parochial Report of each parish or congregation), whichever is less. And, that the assessment be set as follows:

- 14% on the first \$50,000;
- 15% on \$50,000 - \$100,000;
- 16% on \$100,000 – 150,000;
- 18% over \$150,000

Resolved, That the Diocesan Council review the assessment system at least every five (5) years.

Resolved, That the Convention create an Ad hoc committee to include two elected members from each Deanery plus such appointed members as the Bishop may appoint to meet with the new Bishop to Formulate how her/his vision for our Diocesan ministry would impact financial needs. The evaluation by the committee to include consideration of the interplay between the level of mission and ministry expenditures and the ongoing assessment levels for the Diocese.

Proposers: DIOCESAN ASSESSMENT AD HOC REVIEW COMMITTEE

Rev. Jonathan Frazier	Lyle Shaver
Tom Lanio, Chairman	Robert Smart
Rev. Jason Lewis	Richard Wagstaff, III
Rev. Mark McGuire	Rev. Steve Wilson

Explanation:

Following the 123rd Convention of the Diocese of West Missouri in 2009 Bishop Howe appointed the "Diocesan Assessment Ad Hoc Review Committee". The committee has met several times and considered the information available to support a recommendation for action at our convention in 2010. The Committees evaluation is organized around the following points

- Review of Our Current System
- Evaluation of Assessment Systems in Comparable Dioceses
- Impact of the election of the Eighth Bishop of the Diocese of West Missouri
- Impact of Economic Downturn
- Creation of Committee

Review of Our Current System

We reviewed the current assessment system of the Diocese. The system, adopted in 2005, is a progressive schedule based on averaging the two (2) most recent year's normal operating

income as reported on line A of the Parochial Report of each congregation. Line A of the Parochial Report is the sum of the Plate Offering, Pledge Payments and Regular Support, plus Money from Investments used for Operations plus Other Operating Income including, Unrestricted Gifts plus Restricted Gifts used for Operations and contributions from Congregation's Organizations. The assessment is calculated as follows:

- 14% on the first \$50,000
- 15% on the amount from \$50,000 - \$100,000
- 16% on the amount from \$100,000 - \$150,000
- 18% on the amount over \$150,000

Evaluation of Assessment Systems in Comparable Dioceses

The Committee has reviewed available information regarding assessment and funding practices for numerous Dioceses. We observed that many Dioceses use similar assessment methods compared to our current assessment system. There is considerable diversity in the practices of other Dioceses reflecting such factors as their level of endowment or other sources of income. The committee also noted that several Dioceses had not updated their assessment system for decades while ours has been updated within the last five years. Our assessment system, based on line A of the Parochial Report, our current rates, and use of multiple years' parochial reports appear reasonable compared to systems in use by other Dioceses.

Impact of the election of the Eighth Bishop of the Diocese of West Missouri

Our deliberation included recognition that with the election of our next Bishop in 2010, the priorities of the Diocese might change to reflect the areas most emphasized in the profile process as well as the priorities of our new Bishop. Those changes may impact the assessment requirements of the diocese in the future. Since we do not know what those changes will be, it is not possible for us to include them in our recommendation.

Impact of Economic Downturn

After reviewing the 2009 parochial reports the committee observed that the impact of the economic downturn is less than a 5% decrease in the overall total for the parishes and congregations of the Diocese. There are many congregations where normal operating income continues to increase, but the committee is concerned about the number of congregations where decreases in normal operating income are reported. Based upon this review, the committee included in its recommendation a provision to base the assessment on the lower of the reported net operating income of the last year or the average of the last two years normal operating income.

Creation of Committee

The Ad-hoc Committee, formed to consider the Diocesan Assessment in 2010, strongly recommends that a committee be appointed to meet with the new Bishop in 2011 to formulate how her/his vision for our Diocesan ministry would impact financial needs. Evaluation should include the interplay between the level of mission and ministry expenditures and the ongoing assessment levels for the Diocese. The committee further recommends that the committee include two members selected by each Deanery as well as appointed members, as appropriate.

RESOLUTION # 6

Title: Annual Parochial Assessment

Resolved, the following standards, meanings, and formula be used for calculating the annual parochial assessment:

Line subA (**note a**), Subtotal of Operational Income = Line A minus line 13 (see under B below)

Line subA would be the new total used for annual parochial assessment calculations.

Proposer: Metropolitan Deanery

Explanation and descriptions included in the resolution:

A) Currently, the annual parochial assessment is calculated using line A of the Annual Parochial Report (all line references in this document refer to the 2009 Parochial Report form).

1) Line A is the sum of pledged income, plate income, regular support income, investment income from investments designated for operational expenses, and other income used for operational purposes (unrestricted/restricted gifts, bequests, congregational organizations contributions—as used for the operating budget of the parish).

B) Operating Expenses are divided, for parochial reporting purposes, into three categories: 1) diocese assessment/apportionment/fair share (line 12), 2) Outreach from operating budget (line 13) (**note b**), and 3) All other operating expenses (line 14).

C) Outreach is a fundamental aspect of the mission and ministry of the Church. The term, “outreach,” reflects work of the church as it exercises its baptismal vows seeking to serve Christ in all persons, striving for justice, and respecting the dignity of every human being. Scriptural warrants for this “outreach” ministry of the church abound. Operating Outreach expenditures (Line 13) could include such ministries as food, housing, clothing, emergency assistance, work with the disadvantaged, etc. It would not include such things as seminary support, diocesan assessment, etc.

D) For purposes of encouraging the ministry of the Diocese through the local congregations, the diocesan assessment will not assess parishes for monies spent for direct (**note c**) ministries of outreach. Therefore, the resolution is to reduce the amount used for assessment calculations by the amount of operating income used for outreach ministries.

Note a—This is a proposed new line designation for the purposes of assessment calculation in the Diocese of West Missouri.

Note b—Non-operating Outreach expenditures resulting from special fund-raising projects, appeals, events, or activities would be reported as income in line 10 of the parochial report and as expense in line 16. Consequently, neither the income nor expenses for such non-operating Outreach would be reflected in the calculations for annual parochial assessment. This **does not** represent a change in current practices.

Note c-- direct outreach expenditures **would not include** prorated shares of employee time, utilities, facility costs, operations costs etc.

RESOLUTION # 7

Title: Health Insurance Committee

Resolved, the 121st Convention of the Diocese of West Missouri instructs the Diocesan Council and the Bishop to make appointment, by a method of their mutual agreement, of a permanent committee of no less than six lay and clergy representatives (equally divided by order, rotating and staggered terms) to investigate, evaluate, and recommend choices regarding health insurance as it applies to clergy and lay employees in our diocese. This committee will report officially to the Bishop and Diocesan Council at a regular meeting of Council in a timely way prior to the annual insurance contract renewal date.

Proposers: The Rev. Stan Runnels and the Very Rev. Lauren Lyon