

**PRESBYTERY OF YUKON  
SPECIAL PRESBYTERY MEETING**

June 6, 2013

CONVENE

Moderator Rev. Duke Morrow convened a teleconference of the Presbytery of Yukon at 5:00 pm, with an opening prayer.

ESTABLISH ROLL

**Teaching Elder Members Present:** Piper Cartland, Ellen Johnson-Price, Britt Johnston, Dean Knapp, Susan Knight, Tammy Letts, Tom Letts, Duke Morrow, Israel Nelson, Henry Woodall

**Ruling Elders (RE) Present:** Lauri Kari (1<sup>st</sup> Wasilla), Jayson Smart (United Protestant); CREs Leah Hathaway and Marjorie Poggas (both from Jewel Lake Parish), and Leadership Team ruling elders Merle Apassingok (Gambell), Dennis Berry (First Anchorage PC), Donna Davidson (Eagle River), Arlayne Knox (University Community), Shirley Novak (1<sup>st</sup> Wasilla PC), and Mark Wartes (Utqiagvik PC); stated clerk Sharon Rayt

**Others Present:** presbytery treasurer Mary Kron; Rev. Matthew Schultz, and First Anchorage PC Pastor Nominating Committee (PNC) members Shoddy Angst and Scott Gruhn

Presbytery **VOTED** to grant voice to Rev. Matthew Schultz and First Anchorage PC pastor nominating committee members.

For special meetings, three ruling elders from three different churches and three teaching elders are needed for quorum. A quorum was present; all other members were excused.

AGENDA

The teleconference was called by moderator Rev. Duke Morrow with the concurrence of Rev. Piper Cartland, Rev. Israel Nelson, CRE Marjorie Poggas (Jewel Lake Parish) and CRE Sandra Wagenius (United Protestant) to act on the following business:

**Committee on Ministry recommendations:**

- Regarding matters concerning Rev. Matthew Schultz, called by First Anchorage Presbyterian Church to serve as pastor/head of staff, beginning June 27, 2013.
  - COM recommended that Presbytery approve Rev. Schultz's call. PNC members introduced Rev. Schultz and provided the committee's rationale for selecting Rev. Schultz as the final candidate. Presbytery **VOTED** to approve COM's request to examine. Matthew read his Statement of Faith (Appendix A) before the floor was opened for questions. Presbytery **VOTED** to arrest the examination; discussion on the terms of call ensued. Presbytery treasurer Mary Kron expressed her concern over the down payment. The down payment is taxable income and may possibly be considered excessive compensation. There are stiff consequences for nonprofits that pay unreasonable, excessive compensation. In regards to the non-interest loan, the amount of interest that could have been charged at the "applicable federal rate" is considered taxable income. The loan may actually not be a loan, if there is no intent to have it paid back unless Rev. Schultz leaves before the five years is up. Presbytery **VOTED** to approve Rev. Schultz's call, including the terms of call (Appendix B) on the condition that session consider these concerns and make the appropriate changes when reviewing Rev. Schultz's terms of call.
  - Presbytery **VOTED** to receive Rev. Schultz into membership, pending his transfer from New Brunswick Presbytery. Rev. Schultz will not be received as a member prior to the June 27, 2013 start date.

- Presbytery **VOTED** to authorize the Committee on Ministry to appoint an Administrative Commission to install and to finalize the installation date.
- Presbytery **VOTED** to appoint Rev. Schultz, moderator of First Anchorage PC.
- Regarding matters concerning Rev. Myung Han Kang:
  - Vote on Rev. Kang's request to dissolve the pastoral relationship with First Korean Presbyterian Church in Anchorage, as of April 30<sup>th</sup>, 2013. Presbytery **VOTED** to dissolve Rev. Myung Han Kang's pastoral relationship with First Korean Presbyterian Church in Anchorage, according to the terms of the dissolution agreement:
    - 2 months' salary (May and June of 2013) of \$3,191/month
    - In lieu of the use of the manse for the month of May, \$1,500 to be paid before June 30, 2013
    - Moving expenses not to exceed \$500 upon receipts of an itemized list of costs, to be paid before June 30, 2013.
    - Continuation of Board of Pension core benefits coverage through the end of June, 2013.
  - Remove Rev. Myung Han Kang from the roll of the Presbytery of Yukon and the PCUSA. Rev. Kang was instrumental in starting a new non-denominational church - Alaska Areumdaun Church. On the recommendation of COM, Presbytery **VOTED** to remove Rev. Kang from the roll of the PCUSA and Presbytery of Yukon, in accordance with provision G-2.0509, as of April 30, 2013.
- If the way be clear, change the status of interim Rev. Ellen Johnson-Price from 'engaged in a validated ministry' to 'member-at-large.' Ellen has served as interim at First Anchorage PC since January, 2012. She will be seeking work in a validated ministry after her June 28, 2013 termination date. Presbytery **VOTED** to concur with the committee's motion.
- Renew the commission of CRE Sandra Wagenius. The United Protestant Church session requests that Sandra be re-commissioned as a CRE within the context of the Kairos Prison Ministry. This commission includes voice and vote in meetings of presbytery, but does not include the administration of the sacraments of Baptism and the Lord's Supper. Presbytery **VOTED to** re-commission CRE Sandra Wagenius for a term of three years under the aforementioned commission.

### **Committee on Preparation for Ministry**

Appoint readers for the fall ordination exams. The Presbytery of Yukon has been asked to elect two principal readers (1 ruling elder, 1 teaching elder) and one alternate reader. Ordination exams move fully online this fall, both for administering exams to candidates and for reader evaluations of the candidates' responses. Presbytery **APPOINTED** Rev. Ellen Johnson-Price and Ruling Elder Ron Illingworth as principal readers, and CRE Sandra Wagenius as the alternate reader.

### **Stated Clerk's Report**

Concerning the remedial complaint R-2012-03 filed against the Presbytery of Yukon on November 9, 2012. On May 9, 2013, the Synod of Alaska/Northwest PJC (Permanent Judicial Commission) dismissed the case. Presbytery **VOTED** to receive the report and directed the Presbytery of Yukon stated clerk to include the full decision in the minutes. (Appendix C).

### ADJOURN

The meeting adjourned at 6.02 pm with Rev. Israel Nelson leading in the closing prayer.

Sharon Rayt  
Stated Clerk

Rev. Matthew Schultz  
Statement of Faith

I am hesitant to boil down my faith into a one-page statement. People have been trying for millennia and falling short. Faith is to be lived out, and expressed through decades of actions and relationships. However, here is an attempt: I believe in God, the Father, creator of all that is seen and unseen. I believe in Jesus Christ, God's one begotten Son, who came as God's incarnation and unique revelation. Christ showed us how to live the Kingdom of God. His crucifixion and resurrection defeated death, and redeemed us all from the grip of sin. Christ's life, death, and resurrection express to us God's unending, unconditional love. I believe in the Holy Spirit, who guides us and inspires us in our reading of the Holy Scriptures and in our daily lives. I believe that in response to God's unending love, we are called to show unending love to one another. The church is called to be a community of unconditional love, bringing good news to the poor, the imprisoned, and to all of the afflicted. I believe that the church, theology, and our beliefs are to be constantly growing. God is still active in the world, and we are blessed to be partners in creation.

First Presbyterian Church  
Pastor Nominating Committee  
Terms of Call for Rev. Matt Schultz  
May 12, 2013

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1. **Effective salary** – First Presbyterian Church will provide Reverend Matt Schultz an effective salary of \$76,000 divided appropriately between cash salary and housing allowance (Note: Amount designated after congregational meeting: \$41,000 cash salary, \$35,000 housing allowance.)
2. **Assistance with home purchase** – At the time Rev. Schultz begins work, the church will provide him with \$50,000 for the purchase of a home. Of this, \$10,000 will be a gift, and the remaining \$40,000 will be a loan. The loan will be a zero percent loan with zero monthly payments. Beginning in 2014, every October 1 that Rev. Schultz is pastor of First Presbyterian Church, \$5,715 of the loan will be forgiven, so the loan is scheduled to be completely forgiven on October 1, 2020. At the conclusion of Rev. Schultz's tenure, any portion not yet forgiven is to be repaid to the church upon the sale of the home.
3. **Medical/pension** – The church will provide medical/pension as a percent of effective salary as established annually by the Board of Pensions. Additionally, the church will reimburse the Schultz family for continuing their existing medical coverage from June 1 until employment begins.
4. **Vacation** – The church will provide 4 weeks of vacation leave annually (up to one week may carry over to the next year).
5. **Study leave benefits** – The church will award study leave at the rate of 2 weeks each year plus \$1,500.00 each year of reimbursable costs. Study leave may accumulate for a 3-year maximum of 6 weeks and \$4,500 reimbursable costs. Study leave is not to be used in conjunction with terminal leave.
6. **Sabbatical** – After completion of every fifth year of service, 8 weeks of sabbatical leave shall be awarded, along with \$6,000.00 of reimbursable costs. Sabbatical leave may carry over for up to 3 years before use. Sabbatical leave is not to be used in conjunction with terminal leave.
7. **Moving expenses** – The church will provide transportation for the Schultz family from their place of residence to Anchorage, plus up to \$17,000 for moving expenses of household goods and books moved at the most economical rate available (three quotes minimum). At the conclusion of the pastor's tenure, the church will provide transportation for the family, plus moving expenses for a 40-foot container of household goods and books, for a return trip as far as Seattle.
8. **Worker's Compensation** – The church will provide full workman's compensation coverage.
9. **Starting Date** - Reverend Schultz is to begin work on Thursday, June 27, 2013.

**PERMANENT JUDICIAL COMMISSION  
OF THE SYNOD OF ALASKA-NORTHWEST  
PRESBYTERIAN CHURCH (U.S.A.)**

|                                 |   |                                |
|---------------------------------|---|--------------------------------|
| DEAN KNAPP, Complainant         | ) |                                |
|                                 | ) |                                |
| v.                              | ) | <b>REMEDIAL CASE R-2012-03</b> |
|                                 | ) |                                |
| PRESBYTERY OF YUKON, Respondent | ) |                                |
|                                 | ) |                                |

**Arrival Statement**

This matter having come before the Permanent Judicial Commission Synod of Alaska-Northwest on the motion of the Respondent that the Complaint filed with this Commission, signed November 9, 2012, by Dean Knapp, is moot.

**Jurisdictional Statement**

This Commission finds it has jurisdiction, that the Complainant has standing, that the Complaint was properly and timely filed.

**History**

In a stated meeting October 13, 2012 the Presbytery approved a motion “That First Presbyterian Church Fairbanks, a member of the Presbytery of Yukon and the Presbyterian Church (U.S.A.), be dismissed to the Presbytery of the Pacific of the Evangelical Presbyterian Church, according to the Agreement of Dismissal. Dismissal will be effective upon reception of the church by the Evangelical Presbyterian Church, expected to take place February 8-9, 2013.”

In a Statement of Complaint, Knapp alleged a number of specifications of error by the Respondent in its processes and its resolution dismissing the First Presbyterian Church of Fairbanks (the "Church"). The Complainant alleged, in particular, that the Respondent did not adequately consider the trust interest of the Presbyterian Church (USA) in the Church property. The Statement of Complaint is dated November 9, 2012 and cites the General Assembly Permanent Judicial Commission Remedial Case 221-03, *Wilbur Tom et al v. Presbytery of San*

*Francisco, (October 28, 2012)*, although the resolution of the Respondent was approved on October 13, 2012.

Three members of the SPJC, pursuant to D-6.0102a(3)), signed a "Stay of Enforcement" on November 19, 2012, staying any action on the part of the Respondent, from the entry of the stay, relating to the dismissal including transfer of the Church property. The Stay of Enforcement was certified, mailed and electronically delivered to the parties by the Stated Clerk on November 21, 2012.

On November 20, 2012, the Evangelical Presbyterian Church, Presbytery of the Pacific, accepted the Church as a "Transitional Member", and stated in its December 10, 2012 letter to the Respondent that the Church was "... under the authority of the Evangelical Presbyterian Church Presbytery of the Pacific since November 20, 2012."

### **Decision**

The Respondent's *Motion to Dismiss for Mootness* provides that "...Dismissal will be effective upon reception of the church by the Evangelical Presbyterian Church, expected to take place February 8-9, 2013." Although the property of the Church was acknowledged to be held in trust for the Presbyterian Church (USA), the actual title to the Church real estate was in the name of the Church, and no other deed or documentation was required to transfer the property to the Church upon dismissal.

The Respondent also argues that the resolution [of October 13, 2012] of the Respondent cannot be overturned, and that, as of the date of the stay, the Respondent could take no more action regarding the property of the Church.

This Commission rejects the argument of the Respondent that the SPJC cannot overturn the resolution of Respondent.

This Commission concludes:

That all actions by the Respondent to dismiss the Church as a member of the Presbytery of Yukon and the Presbyterian Church (USA) that could be taken by the Respondent, were taken before the entry of the stay;

That any further action by the Respondent would not practically affect the property of the Church, and the matter is therefore moot;

That while the motion is decided on its technical merits, the importance and ministry of

Yukon Presbytery in its on-going mission work with the people of Fairbanks and the native villages of Northern Alaska is recognized, and the continuation of an atmosphere of disagreement and contention will only serve to damage this mission. This heart-wrenching resolution is rendered with great sorrow and reluctance.

### Order

THEREFORE ORDERED that the Respondent's *Motion to Dismiss for Mootness* is granted and the case is Dismissed.

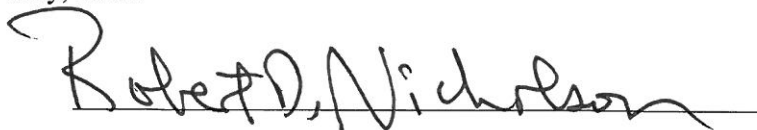
IT IS FURTHER ORDERED that the Stated Clerk of the Presbytery of the Yukon report this Decision to the Presbytery of the Yukon at its first meeting after receipt, that the Presbytery of the Yukon enter the full Decision upon its minutes, and that an excerpt from those minutes showing entry of the Decision be sent to the Stated Clerk of the Synod of Alaska-Northwest.

IT IS FURTHER ORDERED that the Stated Clerk of the Synod of Alaska Northwest report this Decision to the Synod of Alaska Northwest at its first meeting after receipt, that the Synod of Alaska Northwest enter the full Decision upon its minutes, and that an excerpt from those minutes showing entry of the Decision be sent to the Stated Clerk of the General Assembly.

### Certificate

We certify that the foregoing is a true and correct copy of the decision of the Permanent Judicial Commission of the Synod of Alaska Northwest in Remedial Case 2012-03, Dean Knapp, Complainant, v. Presbytery of the Yukon, Respondent, made and announced at Seattle, Washington, this 9<sup>th</sup> day of May, 2013.

Dated this 9<sup>th</sup> day of May, 2013.



Moderator  
Permanent Judicial Commission of the Synod of Alaska-Northwest



Clerk  
Permanent Judicial Commission of the Synod of Alaska-Northwest

I certify that I did transmit a certified copy of the foregoing to the following persons by electronic means and U.S. Mail, this 13<sup>th</sup> day of May, 2013.

Dean Knapp, Complainant

Dennis Berry, Chair, Committee of Counsel for Respondent

Sharon Rayt, Stated Clerk, Presbytery of the Yukon

I further certify that I did transmit a certified copy of the foregoing to the Stated Clerk of the Synod of Alaska-Northwest by delivering it to Dean Strong on the 9<sup>th</sup> day of May 2013.



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Clerk

Permanent Judicial Commission of the Synod of Alaska-Northwest

I certify that I received a certified copy of the foregoing, that it is a full and correct copy of the decision of the Permanent Judicial Commission of the Synod of Alaska-Northwest of the Presbyterian Church (U.S.A.), in Remedial case 2012-03, Dean Knapp, Complainant, v. Presbytery of the Yukon, Respondent, made and announced at Seattle, Washington, this 9<sup>th</sup> day of May, 2012, and that it is the final judgment of the Permanent Judicial Commission of the Synod of Alaska-Northwest.

Dated this 9<sup>th</sup> day of May, 2013



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Stated Clerk

The Synod of Alaska-Northwest