

# All Souls Church, Unitarian

## Board of Trustees

*Thursday, June 11, 2009*

Eaton Room

### **Board Members in Attendance**

Goldia Hodgdon

Erika Landberg

Taylor Nuevelle

Mary Rojas

Fred Samuels

Joneis Thomas

Fred Tipson

Elizabeth "Libby" Turpen

### **Absent Board Members**

Josephine Nieves

### **Others in Attendance**

Julie Agarwal (Congregation)

David Banks (Nominating Committee)

Ralph Belton (Nominating Committee)

Cheranne Bennett (Nominating Committee)

Martha Castanada (Congregation)

Carrie Davidson (Congregation)

Tracy Davis (Congregation)

Latif Doman (Taylor Nuevelle's lawyer)

Gregg Edwards (Congregation)

Ruth Eisenberg (Church Lawyer)

Jody Feldman (Moderator)

Grace Garner (Congregation)

Gretchen Goodrich (Congregation)

Henry Guyot (Congregation)

Rob Hardies (Senior Minister)

Danielle Henry (Nominating Committee)

Meredith Higgins-Hargrave (Congregation)

Lynne Heltman (Membership Secretary)

Barry Johnson (Treasurer)

Eliza Klose (Secretary)

Walter Le Flore (Intern Minister)

Katie Loughary, (Executive Director)

David Reynolds (Assistant Treasurer)

Tina Richardson (Nominating Committee)

John Schuettinger (Congregation)

Craig Dylan Wyatt (Congregation)

Bill Yasnoff (Congregation)

Xan Young (Congregation)

## Opening

- Call to Order, Erika Landberg
- Rob Hardies read his Pastoral Letter during which time Taylar Nuevelle stepped out and returned
- Erika noted that the agenda would be changed to move up discussion about the June 19 Congregational meeting at an earlier time
- Taylar Nuevelle requested that the minutes from May 14 and 17 be removed from the Consent Agenda

## Reports

Rob Hardies, Senior Minister described recent and planned events:

- The gathering of a coalition of members of the clergy—over 150 ministers signed up—in support of gay marriage on Tuesday, June 9,
- The Pentecost service on Sunday, May 31, was very successful.
- The Weekend on the Bay included many from the congregation and was a great success.
- Rob and Gabrielle Farrell will be away for a long weekend in Boston with the Coming of Age group.
- Rob acknowledged David Reynolds' departure and thanked him for his service as Assistant Treasurer.

Katie Loughary, Executive Director, said this meeting was occurring before the May accounting was ready, so her report is short. (See Report)

- She announced that the pledge campaign had reached 99% of goal: \$1,184,778 from 685 families.
- Midyear pledge information to members will go out by email in July. ASC will do a midyear report in July.

Walter Le Flore reported that his year as intern minister had been a good one and thanked ASC for offering the internship, saying it was a wonderful Church to be in and he hoped the intern program would continue. He said it was nice to worship with many black people, not usual in Unitarian churches. The Internship Committee hopefully will present a report. He is here until June 21.

- Mary Rojas noted his participation in the Soulful Path.
- Rob Hardies said Walter has brought real life experience and thoughts on Multiracial Multicultural issues. We will honor him at service on June 21.
- Joneis Thomas mentioned that being a teaching institution has been one of the Board's goals. Nice to know this is happening through the intern program.

Barry Johnson, Treasurer, presented his report. (See report)

- Barry gave special thanks to David Reynolds and said he would take David's job of coordinating counters until we find him a replacement.
- Mentioned the need to look at the costs and effect of the Taylar Nuevelle lawsuit on the church budget.
- He would have appreciated being informed of the litigation. Stated that he thought bylaws and policy governance dictated involvement of officers in the deliberations concerning the lawsuit.

Jody Feldman, Moderator

- Described Council meeting on May 30 and its choice of priorities for 2009-10:  
1. Data Collection 2. Mentoring, welcoming, making connections 3. Leadership development, support and care. (There will be sessions on it again in Fall & Spring)  
4. Neighborhood outreach 5. Conflict Resolution 6. Adult spiritual development
- Described dates and events planned for next year  
Sunday, September 20, Mini-activity fair  
Saturday, October 3, Council Meeting  
Sunday, January 2010, Activity Fair

Goldia Hodgdon, Visioning Project

- Described the visioning process and noted the team is looking for facilitators from throughout the Church. The 60 minute module appears to work best for the facilitated sessions to gather ideas on the vision of the Church in 5-20 years.
- Project includes three teams: Design, which deals with process; Marketing, which has come up with the 20/20 Button & Logo; Outreach, which is responsible for finding groups throughout Church to discuss vision.
- The committee is discussing “What do we want?” By December a finished product or a progress report?
- Facilitation training on Sunday. All are welcome, especially board members and officers.

### **Minutes of the special meetings on May 14 and May 17**

Taylor asked that Eliza confirm that she wrote the minutes of May 14. Eliza said she did. Taylor asked that more information on the discussion be made public. Members of the Board responded that the meeting dealt with the private matters of many different people. The Board had thought hard about what should go into the public minutes and made the decision, relying on the legal advice to the Church.

Taylor said she got phone calls about what had been discussed, which led her to draft a four-page letter.

A motion was made to approve the minutes from May 14 as written. It passed with 7 ayes and one nay.

On the May 17 minutes, a meeting attendee noted that the board motion to go into Executive Session did not follow Roberts Rules of Order. The motion to go into Executive Session was made without debate and no vote of any kind although it was seconded by Joneis Thomas. The minutes need to reflect what actually happened, however illegal.

Fred Tipson responded that there was a vote. The motion was called and voted on, but could not be widely heard because pandemonium had broken out. Erika explained that she had served as the acting Secretary at the meeting. Joneis remembered a voice vote on the motion to hold the Executive Session and that Taylor had voted “Nay.”

The BOT said it needed to meet in executive session with Taylor. Some felt this was unfair while others said they had no problem with the group going into Executive Session but felt it

needed to allow people to express their feelings first. The way it was handled gave the appearance that the board wanted to avoid the public session. Another person stated that there should have been an agenda for the meeting.

Fred Samuels suggested the minutes be amended to say there was disagreement as to whether a vote had been taken.

Goldia made a motion that the minutes should show there was no debate on the motion and confusion as to whether or not a vote was taken. Mary Rojas seconded the motion. It passed with six “ayes” and two abstentions (Erika and Taylor).

### **Consent Agenda**

The motion to accept the minutes for the meetings of April 23 and May 28 was made, seconded and approved.

### **Comments:**

The question was raised about whether Officers can attend Executive Sessions. Two previous board members said the decision had been made to include only voting members—which the officers are not—since Executive Sessions are intended to deal only with personal or personnel issues. The question has never been fully addressed although the Board has tried hard to embrace officers.

Ruth Eisenberg, a lawyer with the law firm Harmon, Curran, Spielberg & Eisenberg which represents the Church, its staff and board, explained that she was Counsel not to the board, but to ASC as a whole. This is a dispute; one board member has sued the entity. Board members need counsel so she represents them as part of ASC as a whole. Anything we say has to be considered under conditions of the lawsuit.

### **The proposed June 19 Congregational Meeting**

Moderator, Jody Feldman made the following comments:

The role of the Moderator is to represent the entire congregation. Nothing good can come of the planned general meeting. You are causing distress, discomfort. I would encourage you to cancel the meeting. I have had phone calls from all over the country. If we have the meeting, we must adhere to the Fifth Principle and to due process.

The only way we can deal with removing an official as the Board has proposed is to suspend Robert’s Rules. Doing so requires prior notice of the meeting as of Monday (June 15) and the support of 2/3 of the quorum. (A quorum at this point would be 82 congregants, 2/3 of that would be 55 people.) Only if the vote to suspend is successful will the Moderator accept the Board’s motion to handle the issue in some way other than by Robert’s Rules. If the process is to move according to Robert’s Rules, Taylor must be given a trial as described by the Rules.

Discussion: Does Roberts Rules or DC Law apply in this case? There is disagreement on this point between the Moderator and the Church lawyer who is advising the board.

Moderator: If the suspension of Robert's Rules passes, then the procedures will be replaced with a Special Congregational Meeting to debate and decide on the Board's recommendation to remove Taylor Nuevelle from her position on the Board. The meeting will be closed, restricted to voting members and legal counsel to both parties. (See sections on "Rules of Evidence" and "What will happen if the Motion is heard".)

A number of people spoke about the situation:

- There were complaints that no specific charges have been made or documents provided, yet Taylor is being expected to respond at the meeting.
- Are we going to have a chance to express our opinions on the meeting rules? There should be time for people to object. There is clearly some division between the Board and the Moderator.
- Why does there need to be such an irremediable meeting, that will cause such harm? No imminent problem that cannot be resolved later. Possibility of great expense, bad press coverage. There's still a chance to stop and fix this.
- Why is the Church planning to go against a black person just as it is entering a new project on Multiracial Multiculturalism?
- Everyone will lose if we have a lawsuit. People are angry right now. We need to step back and do what's best for the Church.
- We must understand that everyone is different. Though we may not like another's personal issues, here at ASC we try to walk together with each other.
- If money goes to lawyers, not to social justice work, I'll be very upset.
- Stuff must be very bad, to take this step. This is an action we're taking and actions speak louder than words.
- Why is this community here? Because of issues of soul. This is not a question of soul. Why didn't the Committee on Ministry (COM) take this on?
- We need to have a congregational meeting. We need a chance to speak. We owe it to our members to come to a meeting when it is called. We are a congregational polity organization. This is a time when being a UU is tough.
- This situation is likely to be far-reaching in the UU Church. Everyone knows about ASC; it is a leading church, a Church that has done so much. Things will get lost in translation. It will affect the UU Church as a whole. Be careful what you do.

BOT Members responded:

- I hope people feel listened to at this meeting. While there are strong feelings, there are no villains here. People might see things differently. We have made every effort to be clear. There is more to the story. We are thinking about what is best for the Church. We want the staff to be able to do its work.
- You need to know how compassionate and open the board has tried to be. It became aware of the problem about two months ago when the COM made its recommendation.
- We have tried to keep things under wraps and have been put at a disadvantage by being under a gag rule at the advice of Counsel.
- We are told we are being secretive and biased, but I have observed only principle and process. I love this Church. I think your characterization is unfair.

- This came to the board last. Staff and COM have spent months on it. We have tried to be collaborative, have a long history of collaboration. It doesn't feel this is true tonight. It feels as though the Council is dictating.

Staff response: Rob Hardies—I respect the feeling in the room tonight even at this very fraught time. I encourage you to keep sending email. I'm very impressed by meeting tone.

Fred Tipson made a motion that the Board go into Executive Session with relevant Staff members and the Church lawyer. Mary seconded the motion. Discussion? No. The motion was passed unanimously.

The open portion of the Meeting concluded at 9:45 and the Board moved into Executive Session.

### **The results of the Executive Session:**

The Board came out of Executive Session and reported the following decisions which were moved, seconded and accepted unanimously:

- The Board, having considered Taylor Nuevelle's May 12 letter of complaint to the Board and the facts and issues contained therein, decided that no further action by the Board is necessary or appropriate.
- The Board decided to take steps to discipline member Taylor Nuevelle, as provided under our Policy Governance Framework by directing her: a) to refrain from further contacts or communications with the Staff, unless facilitated by the President of the Board, or until further notice from the Board, b) to refrain from email or phone conversations with any other Church member that was in some way inappropriate; and c) to provide regular up-dates to the Board on the status of her legal proceedings and any restrictions prescribed by a court. (The Board agreed to frame a more formal and precise motion for communication to Taylor Nuevelle in person at an appropriate time.)
- Because of the Board's concern for the health of the congregation, and our belief that a process fair to all involved cannot be accomplished, we will cancel the special congregational meeting scheduled for Friday, June 19.
- Instead, the Board will convene a Special Board Meeting, to be moderated by the Board of Trustees, on Friday, June 19 at 7:00PM.

The meeting was adjourned at 9:45 pm

Respectfully Submitted,  
Eliza Klose, Secretary