



Minutes of the 2010 Spring Session of the Metropolitan Council Meeting

Wednesday, March 3 - Thursday, March 5, 2010

East Norwich Inn, East Norwich, NY

These minutes were blessed for release during the Spring Session of the Holy Synod on March 18, 2010

PARTICIPANTS

LESSER SYNOD

His Beatitude, Metropolitan Jonah
His Eminence, Archbishop Nathaniel
His Eminence, Archbishop Seraphim

His Grace, Bishop Tikhon
His Grace, Bishop Benjamin

METROPOLITAN COUNCIL

Church Officers

Archpriest Alexander Garklavs, Chancellor
Archpriest Eric Tosi, Secretary

Melanie Ringa, Treasurer

Members elected by the All-American Council

Archpriest Theodore Boback
Priest David Garretson
Archpriest Theodore Bobosh

Eleana Silk (Wednesday, March 3 only)
Dr. Faith Skordinski
Protodeacon Peter Danilchick

Diocesan Representatives

Diocese of Alaska

Archpriest Michael Oleksa

Anna Cheryl Andrew

Albanian Archdiocese

Archpriest Joseph Gallick

Bulgarian Diocese

Archpriest Andrew Moulton

Protodeacon Michael Myers

Archdiocese of Canada

Archpriest Cyprian Hutcheon

David Grier

Diocese of Eastern Pennsylvania

Archpriest David Mahaffey

David Yeosock

Diocese of the Midwest

Mark Stokoe

Diocese of New England

Archpriest Robert Arida

Deacon John Zarras

Diocese of New York New Jersey

Archpriest Alexis Vinogradov

John Kozey

Diocese of the South

Priest Gleb McFatter

Judge Ray Lanier

Diocese of Washington

Priest John Vitko

Rosalie Luster

Diocese of the West

Archpriest Matthew Tate

Dr. Dmitri Solodow

Diocese of Western Pennsylvania

Archpriest John Reeves

Gregory J. Nescott

Absent

William Peters (Albanian Archdiocese), Archpriest Michael Matsko (Diocese of the Midwest)

Guests (for all sessions)

Priest Thomas Moore (Alternate member elected by the All-American Council)

Alexis Liberovsky (recording secretary for this meeting)

Other guests in attendance for individual sessions as indicated in the minutes

His Grace, Bishop Nikon

John Sedor

Archpriest Leonid Kishkovsky

Maureen Ahearn

Archpriest Mark Sherman

Thaddeus Wojcik (OCA General Counsel)

Archpriest Dennis Swencki

Jon Ward, Esq.

Priest Stephen Vernak

Wednesday, March 3

Joint Session with Lesser Synod

Following the celebration of the Liturgy of the Presanctified Gifts at Saint Sergius Chapel, the meeting was opened with prayer led by His Beatitude, Metropolitan Jonah at the East Norwich Inn at 10:47 AM.

A. Introduction

A.1 Approval of Recording Secretary

Fr. Alexander Garklavs requested approval of the OCA Archivist, Alexis Liberovsky as recording secretary for this meeting.

A.1. MOTION SKORDINSKI/GALLICK - To approve Alexis Liberovsky as recording secretary. CARRIED.

A.2 Approval of Co-chair

Fr. Alexander Garklavs requested approval, with His Beatitude's blessing, of John Kozey to co-chair parts of the meeting along with the Chancellor.

A.2. MOTION GARKLAVS/SKORDINSKI – To approve John Kozey as co-chair. CARRIED.

A.3 Saint Tikhon's Investigative Committee Report

His Grace Bishop Nikon, Chairman of the Synodal Saint Tikhon's Investigative Committee, provided explanation concerning the confidential nature of the Committee's report and the process of its distribution to Metropolitan Council members for discussion at the afternoon session.

A.4 Agenda

Fr. Alexander Garklavs presented the Agenda for this meeting (attached).

A.4 MOTION GALLICK/MAHAFFEY – To approve the agenda as presented. CARRIED.

A.5 Roll Call

Fr. Eric G. Tosi (OCA Secretary) conducted the roll call.

B. Approval of Minutes of Previous Meeting

Fr. Alexander Garklavs presented the draft minutes of the previous meeting of the Metropolitan Council on September 22-25, 2009 for approval.

B. MOTION BOBACK/OLEKSA – To accept the previous minutes as presented. CARRIED.

C. Opening Remarks: Metropolitan Jonah

Metropolitan Jonah expressed gratitude for the spirit of consensus at the previous day's workshop on the Strategic Plan and for the healing that has replaced a previous sense of animosity. He called for transparency in dealing with the residue of the past in the legal issues and St. Tikhon's Investigation report. The Holy Synod will review the report at its meeting but it is important for the Metropolitan Council to see it and ask questions. The report should be received in a spirit of dispassion and also with compassion and sobriety. Legal steps may need to be taken as a result of the report and this will avoid scandal. The shipwreck of souls is sad and tragic. Prayerful deliberation will bring healing. We must think of consequences for both church institutions and the individuals involved. He spoke of the smooth processes in the Dioceses of Alaska, the Midwest and the South moving towards the nomination of new bishops. Concerning the decisions at Chambesy, he expressed the hope of resultant church unity, which has been our vision and mission expressed by St. Tikhon, in our Tomos of Autocephaly and elsewhere, but ultimately the OCA may cease to exist in the context of unity. Otherwise, there will be isolation and schism, which are contrary to Orthodoxy. We must develop cooperation through the protocols given by the Chambesy process. In the context of such unity, what we have to offer is our vision of conciliarity, with clergy and laity in decision-making process and our mission to bring North America to Orthodoxy.

Strategic Planning currently undertaken is to be commended. We are looking at the future of a united North American Orthodoxy. This echoes our vision and hope and can be extremely fruitful. We must discern God's will and do it and be His instruments to manifest Christ.

D. Officers' Reports

D.1 Chancellor – see attached

The report of Fr. Alexander Garklavs was discussed.

D.2 Secretary – see attached

In additional comments to his prepared report, Fr. Eric Tosi spoke of organizational issues concerning the Metropolitan Council and the need for new members to volunteer for work in committees. He also reminded Council members to sign and submit their annual conflict of interest, ethics and whistleblower statements and new members to sign their Council oath. He spoke of possible additional staffing in the area of communications following the departure of Fr. Andrew Jarmus. He spoke of the need for funds to renovate the chancery building including painting and repair of stairs. If the budget passes, asbestos abatement in the basement, which will be a complicated process, can proceed. He outlined new communications procedures including the joint work of Fr. John Matusiak and himself with assistance from Jessica Linke.

In discussion of asbestos abatement, Fr. Vinogradov stressed the need to also address proper air circulation and ventilation in the basement. Protodeacon Danilchick stressed the necessity for radon testing. Fr. Tosi was asked to have this done. In response to a further question, Fr. Tosi stated that all fire and safety inspections and notices in the building are up-to-date. Fr. Tosi was asked to include completed and projected building repairs in his future reports as he had previously done. In response to a question from Dr. Skordinski, Fr. Tosi and Melanie Ringa provided details of a small pay increase for Fr. John Matusiak for the additional responsibilities he has now assumed.

D.3 Pension Plan Report (added on agenda)

Bishop Nikon, Pension Board Episcopal Moderator, John Sedor, Pension Board Chairman, and Maureen Ahearn, Pension Plan Administrator, presented a Pension Plan amendment. (see attached)

The amendment to the Pension Plan that requires approval of the Metropolitan Council, which was inadvertently omitted from the recent approved restatement of the Pension Plan. The purpose of the amendment is to provide further clarification in the restated Pension Plan.

D.3 MOTION SOLODOW/GALLICK – To accept the Pension Plan Amendment as presented. CARRIED.

Bishop Nikon, Mr. Sedor and Ms. Ahearn answered questions from the Metropolitan Council. The need for greater participation in the Plan among OCA clergy and lay workers, currently only 50%, was stressed. The Metropolitan Council thanked the Pension Board for its work on the Pension Plan.

D.4 External Affairs Report

Archpriest Leonid Kishkovsky, Director of External Affairs and Interchurch Relations, delivered an oral report highlighting four main issues: the upcoming Episcopal Assembly mandated by Chambesy last June, relations with the Antiochian Archdiocese, the possibility of a visit to America this year by the

Georgian Patriarch and the positive development of relations with ROCOR. Bishop Tikhon reported on the visit to Saint Tikhon's Monastery the previous day of Metropolitan Hilarion and some 75 participants in a ROCOR clergy convocation taking place nearby in Mayfield, PA. Coincidentally, a clergy retreat of the Diocese of Eastern Pennsylvania, with Bishop Melchisedek as speaker, was held that day at the monastery. There was wonderful fellowship among all present during this remarkable historic event.

On behalf of the Metropolitan Council, Fr. Alexander Garklavs expressed gratitude to Fr. Kishkovsky for his ongoing tireless work and his informative report.

Following a short recess, the afternoon session was called to order at 1:18 pm. Due to the availability of the people involved in the legal issues, the report was moved to this session. Committee reports were moved to Thursday morning.

F. Legal Issues

F.1 Saint Tikhon's Investigative Committee Report

F.1 MOTION DANILCHICK/MYERS – To move into executive session. CARRIED.

In executive session, Bishop Nikon, Chairman, Archpriest Mark Sherman and Priest Stephen Vernak, members of the Saint Tikhon's Investigative Committee, presented the Committee's report followed by questions and discussion.

F.1.1 MOTION NEScott/LANIER – To move out of executive session. CARRIED.

Following a short recess, the session resumed at 3:17 pm.

F.1.2 MOTION NEScott/LANIER – To commend the Saint Tikhon's Investigative Committee (Bishop Nikon, Chairman, Archpriests Michael Matsko, John Steffaro, Mark Sherman, Priest Steven Vernak, Mr. Larry Skvir, Committee members, Mr. Sergei Givotovsky, legal advisor) for their excellent preparation of the report. CARRIED.

F.2 Legal Matters

F.2 MOTION TATE/NEScott – To move into executive session. CARRIED.

In executive session, Gregory Nescott, Chairman of the MC Legal Committee, with attorneys Thaddeus Wojcik (OCA General Counsel) and Jon Ward presented reports on various legal matters confronting the Church followed by questions and discussion.

F.2.1 MOTION GALLICK/TATE – To move out of executive session. CARRIED.

Following a recess for dinner, the evening session was called to order at 7:40 pm.

F.2.2 MOTION NEScott/SKORDINSKI – To move into executive session. CARRIED.

In executive session, the discussion of legal matters continued.

F.2.3 MOTION TATE/REEVES – To move out of executive session. CARRIED.

The evening session adjourned at 9:35 pm.

Thursday, March 4 Metropolitan Council

The Lesser Synod meeting separately, the session of the Metropolitan Council was called to order at 8:46 am, following prayer led by Fr. Alexander Garklavs. John Kozey chaired the session.

E. Metropolitan Council Business

E.1 Report of Charity Committee – see attached

Fr. John Reeves presented the report of the Charity Committee. He recounted the history of the Committee. A discussion took place concerning procedures and policies for disbursement of charity funds. Melanie Ringa stated that some recent disbursements were mistakenly classified as charity and will be reclassified.

E.1 MOTION SOLODOW/NESCOTT – The Metropolitan Council reminds the Metropolitan and the Central Administration that the administrative policies and procedures in place are to be followed scrupulously. Specifically that the procedure for awarding charity funds is that these funds are to be awarded by the Metropolitan Council Charity Committee. CARRIED (14-10).

E.1.2 MOTION DANILCHICK/SOLODOW – That the funds that had been misclassified as charity funds be restored to charity. CARRIED.

E.2 Report of Council Development Committee – see attached

Protodeacon Peter Danilchick highlighted the report. The Metropolitan Council Members' Handbook, Expertise Skills/Matrix and Assessment Summary were discussed. Those MC members who have not submitted their questionnaires were strongly urged to submit them. A discussion took place on the usefulness of the survey and assessment survey. Protodeacon Danilchick pointed out that it is a means of asking questions and self-analysis in order to strengthen the MC as a body. It was agreed that a retreat or other team building activities should be incorporated into the format of future Metropolitan Council meetings.

Following a short recess, the session resumed at 10:35 am.

E.3 Report of Crisis Management Committee

Dr. Dmitri Solodow presented the consultant's findings and work plan to develop a Crisis Management Plan. The Committee consultant, Bernard J. Wilson prepared the report. Due to the sensitive nature of the discussion, the report and discussion were in a confidential session. A discussion of the report took place. Fr. Eric Tosi was asked to investigate media training for chancery staff.

E.3 MOTION GRIER/STOKOE – To authorize the committee and consultant to proceed as specified in the Crisis Management Plan. CARRIED.

E.4 Report of Ethics Committee – see attached

Archpriest Theodore Bobosh highlighted the report. A discussion took place on policies and procedures for ethics violations and the exact nature of what constitutes an ethics violation. The committee was reminded that policies and procedures were previously defined and approved under its previous chairman, that ethics violations are defined in the approved Best Practices document, and that these should guide the work of the Committee.

E.5 Report of Strategic Plan Committee – see attached

Priest John Vitko, a member Strategic Plan Committee, highlighted the report. He stated that revisions to the Plan would be made in accordance with the ideas expressed at the full-day Strategic Plan workshop conducted on Tuesday.

E.5.1 Washington, DC Relocation Task Force Report – see attached

Deacon John Zarras stated that the task force functioned as a subcommittee of the Strategic Plan Committee and highlighted the report. In discussion, the need for improved communication between the Metropolitan and his staff as well as with the Metropolitan Council was stressed. It was proposed that this issue should be addressed under new business. It was the opinion of the Metropolitan Council that relocation is not financially or practically feasible.

M.5.2. MOTION GARRETSON/REEVES – To receive the Relocation Task Force report with thanks and to disband for now the Task Force that composed the preliminary relocation study proposal. CARRIED UNANIMOUSLY.

Following a lunch recess, the meeting resumed at 12:52 pm.

G. Metropolitan Council Business Continued

G.1 Report of Human Resources Committee – see attached

Priest David Garretson summarized the report and pointed to the inadequacies of the current Human Resources Manual. He stated fair treatment of employees is the focus of the committee.

G.1 MOTION GARRETSON/NECOTT – The Metropolitan Council receives the report and affirms that there is no Human Resources Manual in force and effect and that the Human Resources Committee continues its work to draft an appropriate human resources manual for use by the OCA as a not-for-profit religious organization operating in New York State. WITHDRAWN.

Following discussion in which it was suggested that the current Human Resources Manual remain in effect and that the Human Resources Committee work to revise it as necessary, the motion was withdrawn by Fr. Garretson.

G.2 Internal Governance Committee – see attached

G.2 MOTION STOKOE/SKORDINSKI – That the written report of the internal auditors be presented to the Internal Governance Committee, who are responsible for submitting that to the Metropolitan Council for its review. CARRIED.

Mark Stokoe reported that two issues previously submitted to the Ethics Committee for its review would now be retracted and reviewed by the Internal Governance Committee as they concern policy and

procedure rather than ethics, per discussion earlier today. The Internal Governance Committee will select an external auditor for 2010 and submit a recommendation for hiring at the next Metropolitan Council meeting. Melanie Ringa stated that an external auditor has not yet been hired for 2009 and suggested that Lambrides, Lamos, Taylor LLP be hired.

G.2.1 MOTION STOKOE/TATE – that Lambrides, Lamos, Taylor LLP be contracted as the external auditors for the 2009 audit. CARRIED.

G.3 Special Investigating Committee (SIC) implementation update.

Fr. Eric Tosi stated that all of the recommendations of the SIC Report have either already been accomplished or are currently undertaken by other Metropolitan Council committees.

G.3 MOTION TOSI/OLEKSA – To disband the SIC Implementation Committee with the understanding that the still uncompleted recommendations have been assigned to the appropriate existing committees for continued implementation. CARRIED UNANIMOUSLY.

H. Finances

The Lesser Synod rejoined the meeting.

Archpriest Dennis Swencki, Assistant to the Treasurer and Appeals Coordinator, was in attendance for the session on finances.

H.1, I.1, J.1 Treasurer's Report – see attached

Melanie Ringa highlighted the report. She noted that she is withdrawing her recommendation to approve the 2008 audit report as errors were found in it today and she provided explanation of the errors made by Lambrides, Lamos, Taylor LLP. Once the errors are corrected, the 2008 and 2009 audit reports will be presented for approval to the Metropolitan Council in September. Melanie and Fr. Matthew Tate answered many questions on the details of the draft 2009 financial statements. They then presented a report on 2009 investment results. Fr. Matthew announced that John Kozey would be assisting in formulating investment policies, which the OCA does not currently have.

K.1 2010 Budget – see attached

Melanie Ringa and Fr. Matthew Tate introduced the budget with changes mandated by the Metropolitan Council during its September 2009 meeting and a few other necessary revisions. They provided clarification on many details in response to questions. In particular, much discussion centered on SECA tax benefits for clergy employees. As this issue requires further study with regard to OCA Chancery clergy employees, decisions on this matter were postponed to the next meeting of the Metropolitan Council with any changes taking effect in 2011. A discussion focused on FOS and the need for a development person working in the church administration. Protodeacon Peter Danilchick suggested that the Metropolitan Council establish a development Committee.

K.1 MOTION OLEKSA/VITKO - to approve the 2010 budget with adjustments and revisions as presented. CARRIED.

Following a short recess, the meeting resumed at 3:37 pm

Father Matthew Tate provided an update on the Honesdale Bank Loan and the need to investigate a better interest rate. He mentioned that the issue of Alaska lands requires resolution for the Church to have a clean audit.

G.4 Alaska Land Report

Bishop Benjamin and Fr. Michael Oleksa provided historical background on the issue of church lands in Alaska. After discussion and clarifications, it was preliminarily agreed that any land income should be entirely for the Diocese Alaska. The consensus of the MC was that comprehensive information should be provided to the Legal Committee within the next 60 days, who will present an informed opinion to the Metropolitan Council well in advance of its next meeting for final consideration of this issue at that meeting.

K.2 Finances (continued)

Fr. Matthew Tate suggested that any proposal of new staff or shifting of job responsibilities be considered by the Human Resources Committee before being forwarded to the Finance Committee for consideration of budgetary aspects of such changes.

Fr. Matthew informed the Council that the Finance Committee would soon begin, in dialogue with dioceses who are interested, consideration, in compliance with a decision of the last All-American Council, of ways to generate additional income streams for the Church.

K.2 MOTION TATE/DANILCHICK – To establish a Metropolitan Council Development Committee. CARRIED.

L. 16th All-American Council – see attached

Fr. Eric Tosi presented a PowerPoint summary of his report.

L.1 MOTION TOSI/SKORDINSKI - To approve the Preconciliar Commission membership as presented consisting of Bishop Benjamin as Episcopal Moderator, the Church officers: Archpriest Alexander Garklavs, Chancellor, Archpriest Eric Tosi, Secretary, Melanie Ringa, Treasurer, as well as Archpriest Myron Manzuk, Council Manager, Archpriest John Pierce, Local Committee Chairman, Priest John Vitko (for coordination with the Strategic Planning Committee), David Drillock, Lisa Mikhalevsky, Valerie Zahirsky, Priests Alexander Rentel and Victor Gorodenchuk as Commission members, with Archpriest Leonid Kishkovsky and Peter Ilchuk (Logistics Manager) as consultants, and to submit these names to the Holy Synod for confirmation and appointment. CARRIED.

L.2 MOTION TOSI/SKORDINSKI – To approve the Hyatt Regency Hotel in Bellevue, WA as the venue of the 16th All-American Council. CARRIED.

N. Other Business

N.1 Protection of the Most Holy Theotokos Monastery, Weaverville, NC

Dr. Faith Skordinski stated that she would soon complete her report on the monastery, which she plans to submit to Metropolitan Jonah before providing to the Metropolitan Council. A discussion on the monastery took place.

N.2 Washington DC relocation information

Deacon John Zarras provided information to the Metropolitan, as the Lesser Synod was not present during that discussion, concerning the Metropolitan Council's decision to disband for now any action on the Washington DC relocation proposal.

N.3 Holy Synod/Metropolitan Council Retreat

N.3 MOTION OLEKSA/GRIER – That a two-day retreat for the Holy Synod and Metropolitan Council precede their joint meeting, with the retreat and meeting taking place on September 21-24, 2010 at a mutually convenient location to be determined. CARRIED.

N.4 Stavropegial Institutions

N.4 MOTION TATE/REEVES – That the Office of the Metropolitan form a committee to draft an amendment to the Statute of Orthodox Church in America to be submitted for consideration at the 16th All-American Council in 2011 to clarify the legal and canonical relationship of the Metropolitan, the Holy Synod and the Metropolitan Council with the various stavropegial institutions of the OCA and that such committee report back its initial draft at the next regular meeting of the Metropolitan Council for review. CARRIED.

Adjournment

MOTION REEVES/KOZEY – To adjourn the meeting. CARRIED.

The meeting was adjourned with prayer at 5:07 pm