

Minutes of the Special Session of the Arkansas Annual Conference January 11, 2022

1. Call to Order: Bishop Gary Mueller, Resident Bishop of Arkansas

Bishop Gary Mueller, Resident Bishop of Arkansas called the meeting to order at 7:00 PM CST.

Bishop Mueller called upon Ms. Kathy Conley, Arkansas Conference Lay Leader to open this special session of the Arkansas Annual Conference in prayer.

2. Opening Prayer: Kathy Conley, Arkansas Conference Lay Leader

3. Statement of Purpose: Bishop Gary Mueller

With concurrence of the District Superintendents, and in accordance with ¶603.5 of *The Book of Discipline of the United Methodist Church*, I called a Special Session of the Arkansas Annual Conference to be held online as authorized by Arkansas State Law at **7:00 pm tonight, January 11, 2022.**

I want to be as open as possible and share with you why the Superintendents and I decided to hold a Special Session of Annual Conference to address matters related to United Methodist Settlement as part of the Boy Scouts of America Bankruptcy Reorganization, when virtually every other annual conference has decided to not hold a special session, but to act on behalf of the Annual Conference through only a few leaders and administrative bodies.

First, survivors of sexual abuse have had to deal with trauma that has scarred them, in many instances, for decades. We can never forget this reality that, sadly, often is lost in all the machinations involving the legal process. We as an Appointive Cabinet are proud that the United Methodist Church has made the care and healing of survivors a priority during the entire negotiating process with those representing the victims and the BSA. We believe it is important for the entire Annual Conference to have the opportunity to speak a strong and public word to those who were sexually abused while participating in scouting ministries chartered by United Methodist congregations - rather than a small group speaking on behalf of the Annual Conference.

Second, We believe decisions about important issues need to be made by the entire Arkansas Conference that has access to as much information as possible, instead of just a few individuals speaking on behalf of the Annual Conference. This is especially important when it comes to any commitment about money. After all, any money the Arkansas Conference has is money that comes from local congregations.

Third, we believe it is essential that the Arkansas Conference make a visible commitment to keep all children in our care safe by evaluating and updating policies and protocols related to the well-being of children, instead of just a few people initiating such action on behalf of the Annual Conference.

In sum, this is the work of the Annual Conference, and not just a few individuals. And that is the work you have before you tonight.

I want to thank several people who have invested time and heart in addressing this matter: Danielle Adkisson, Sara Andrews, Todd Burris, Amy Ezell, Rev. Brittany Watson, Rev. Tony Griffin and in particular, the Assistant to the Bishop, Rev. Jim Polk and, of course, our Conference Chancellor, Michelle McGee Ator.

At this time I am going to call on our conference secretary, Rev. Clark Atkins, to walk us through organizing tonight's special session.

4. Organizational Matters: Rev. Clark Atkins, Arkansas Conference Secretary

Thank you Bishop. Good evening! My name is Clark Atkins, and I am happy to serve as your Conference Secretary.

a. Organization of the Conference

We are thankful for Sara Andrews for taking the minutes during this session and it should also be noted that the following Arkansas Conference staff are providing technical support for members attending online and may be present during the meeting: Danielle Atkins, Todd Burris, Day Davis, Amy Ezell, Palmer Lee, Jim Polk, Melissa Sanders, and Jacob Turner.

Further, I'd like to advise you that the meeting is being live streamed.

At this time, I call upon Amy Ezell, Director of the Center for Communication to explain the use of the Q&A feature of the Zoom platform for the purpose of this special session.

b. Use of Q&A: Ms. Amy Ezell, Director of the Center for Communication.

The Q & A feature will serve as the equivalent of the microphone on the floor of the bar of the conference. If you want to ask a question for clarification, ask the question in the Q & A. The question may be answered online or in the meeting. The Q&A will be used for the Bishop to recognize. Name, Designation, and Local Church needs to be included in all submissions.

Secretary Atkins then called upon Todd Burris, Director of the Center for Administrative Services to provide voting instructions for this special session.

c. Voting Instructions and Practice: Mr. Todd Burris, Director of the Center for Administrative Services

Voting will be handled through the Zoom polling platform. Once a vote is called, a pop up box will appear and you can cast your vote. The vote will remain open until the bishop has a sense that all have had the opportunity to vote at which time he will call for the poll to close.

The vote tally will then be displayed on screen and announced.

d. Session Rules of Order: Rev. Clark Atkins, Arkansas Conference Secretary

I invite you now to turn your attention to the 2022 Special Called Arkansas Annual Conference Rules of Order which were emailed out on January 6, 2022 and again on January 10, 2022.

They are also accessible from the arumc.org website: <https://arumc.org/ac2022/>

The Rules of Order are written to help give order to our business over the course of this special session.

Given the virtual nature of this meeting, our Rules of Order have been adapted to help us conduct business in this online fashion.

RULES OF ORDER January 11, 2022 Special Session of The Arkansas Annual Conference

The Online Meeting of the Special Session of the Arkansas Conference

1. The Rules of Order for the January 11, 2022, called Special Session of the Annual Conference will be adopted by majority vote.
2. The called Special Session of the Arkansas Annual Conference “shall have only such powers as are stated in the call.” (§603.5, Book of Discipline of the United Methodist Church).
3. For all purposes, this online meeting is deemed to be the equivalent of an in-person meeting.
4. The Bar of the Conference shall be all eligible lay and clergy members of the Arkansas Annual Conference who log in through the Zoom login information provided by the Arkansas Conference office.

5. Members of the Annual Conference, with the right to vote, will include:
 - a. clergy members in full connection;
 - b. provisional, associate and affiliate clergy members;
 - c. full and part-time local pastors under appointment;
 - d. elders or ordained clergy from other denominations serving under appointment within the Arkansas Conference;
 - e. lay members or alternate lay members of the Arkansas Annual Conference who were last seated (par.602.5) either online or in-person at the 2021 Session of the Arkansas Annual Conference, along with lay members of the Arkansas Annual Conference by virtue of the *Book of Discipline* or Conference Standing Rules, youth members and those designated to serve as lay-clergy equalization at-large members at the 2021 Session of the Arkansas Annual Conference;
 - f. alternate lay members when seated in place of the lay member. Any lay member unable to attend because of death, serious illness or cessation of membership who cannot be replaced by an alternate to the 2021 Annual Conference Session, may be replaced by a duly elected lay member to the 2022 Annual Conference Session.
6. Arkansas Conference staff who are providing technical support for members attending online may be present during the meeting. The names of chat room monitors, vote counters and other facilitators needed to monitor and facilitate online participation for the conference will be recorded in the minutes of the Special Session of the Annual Conference.
7. Members of the Annual Conference attending online are responsible for ensuring that all necessary technology on the member's side of the meeting is in proper working order prior to the meeting. Those present virtually will be counted by electronic log-in and are deemed to be present for the meeting for purposes of meeting a quorum.
8. All votes taken shall be conducted in accordance with The *2016 Book of Discipline of the United Methodist Church* and the January 2022 Arkansas Conference Special Session Rules. Poll logs will be maintained for all online votes.
9. The meeting will be conducted in a manner such that all members are afforded a reasonable opportunity to simultaneously hear discussion. All members will have the right and afforded the opportunity to speak and address those in attendance. All those who have the right to vote will be able to vote on all matters submitted during the meeting.
10. To facilitate online participation, the online Q&A feature will serve as the equivalent of a floor microphone in the bar of the conference. The Q&A feature may not be used for personal comments or unauthorized speeches. Q&A submissions will not be considered for recognition unless they are properly formatted and clearly identified as a motion, amendment, point of order, speech for or against, or other parliamentary procedure properly before the body.

11. To maintain an open meeting, the Annual Conference meeting will be livestreamed but will not be available for playback.

Consideration of Conference Matters

1. Robert's Rules of Order (12th Edition) shall be the procedural authority for the business session of the Annual Conference when not in conflict with Arkansas Conference Session Rules, *The Book of Discipline of the United Methodist Church* or the Arkansas Conference Standing Rules.
2. Rules of Order for Motions, Legislation and Reports:
 - a. Debate shall be limited to four (4) two-minute speeches for the motion, legislation or report and four (4) two-minute speeches against. This excludes persons inquiring about points of order or asking questions of clarification. A timer shall be used to measure debate at the discretion of the Chair.
 - b. The presenter of the motion, legislation, or report may offer a one minute concluding remark at the end of debate, before the matter is put to a vote.
 - c. The presentation of the motion, legislation or report by a Conference Agency shall not be considered a speech in favor.
3. Rules of Order for Petitions and Resolutions
 - a. Debate on each resolution or petition shall be limited to four (4) two-minute speeches for the motion or resolution and four (4) two-minute speeches against. This excludes persons inquiring about points of order or asking questions of clarification. A timer shall be used to measure debate at the discretion of the Chair.
 - b. The presentation of the resolution may last four (4) minutes and shall be considered a speech in favor.
 - c. The presenter of the resolution may offer a one minute concluding remark at the end of debate, before the matter is put to a vote.
 - d. Amendments and substitutions to resolutions will not be considered by the Annual Conference.
 - e. During debate of resolutions, other incidental and subsidiary motions will not be considered, with the exceptions of motions to suspend the rules, inquiries about points of order, and questions for clarification.
4. All motions shall be typed into the Q&A feature and read by the Conference Secretary or Presiding Officer before any action or vote can be taken by the members of the conference.
5. Points of Order may be raised by any member of the annual conference, who must first cite the Standing or Session Rule, *The Book of Discipline*, or Robert's Rules of Order (12th Edition) involved and then state the point as briefly and concisely as possible.

Bishop Mueller, I move the adoption of these Rules of Order and for the Organization of this Special Session of the Arkansas Annual Conference.

Bishop Mueller opened the floor for Questions and Discussion.

Seeing no questions, Bishop Mueller called for a vote. A vote of Yes to adopt and a vote of No to Not Adopt these Rules of Order.

Session Rules of Order ADOPTED Yes: 421 No: 1

**5. United Methodist Church Settlement in the Boy Scouts of America
Bankruptcy Reorganization**

a. Overview of Settlement: Ms. Michelle Ator, Arkansas Conference Chancellor.

Lawyers suing the Boy Scouts made it clear that they would be suing the chartering organizations for the uninsured claims (pre-1976 claims of sexual abuse in the BSA). Since 2020 an *Ad Hoc* Committee composed of lawyers, UM conference chancellors, and bishops have been meeting to bring about inclusion of local UM churches, conferences, and agencies in this settlement. After intense negotiations on 12/21/21 mediation ended with a proposed agreement.

As a part of the settlement agreement which is spelled out in its entirety in the Eighth Mediator's Report The annual conferences of The United Methodist Church will contribute \$30-million dollars to the Settlement Fund. Additionally, the UM Church will help raise an additional \$100M (not contractual, and participate in specified efforts to help victims and prevent future abuse. In exchange, The United Methodist Church, its conferences, local churches, and agencies will receive full releases for all claims - insured, uninsured, pre and post 1976. Included in this \$30-million dollar settlement is a holdback amount of \$2.5 million to move erroneously filed suits to the settlement trust.

The *Ad Hoc* Committee and settlement board determined that the fairest way to allocate the settlement was on a claims made model. The Committee removed all post 1976 claims, claims that involved BSA Staff members, occurred on BSA premises, duplicates, and errors. All annual conferences are going to pay. Some will sell property, take out loans, fundraising efforts, etc.

The *Ad Hoc* committee can only make recommendations. They cannot commit to a settlement for us. All conferences need to acknowledge commitment to plan. On February 22, 2022 a trial date has been scheduled to determine if judge approves of this settlement plan.

Commitment forms will be provided to court to show good faith. If the plan is not approved or fulfilled, amounts pledged/paid will be returned. We are in this together. The proposed plan is an all or nothing resolution.

b. Recommendations from United Methodist Church *Ad Hoc* Committee: Ms. Ator

Ms. Ator explained that she sees both sides of this issue. 1. Given all considerations, the amount that our conference has been asked to pay and the steps that we have been asked to take is in the best interest of our conference and local churches to accept the settlements before us. 2.

Settlements are to achieve peace. Trials of this kind are not in the best interest of the mission of our church. This settlement is fair from a legal standpoint. It also sends a message that ARUMC is working collectively towards justice and healing in our communities.

c. Financial Allocation: Mr. Burris, Director of Center for Administrative Services

Total claims in AR - 74

Pre-1976 claims - 32

Claims after eliminating duplicates - 15

Claims after eliminating BSA basis - 12

AR commitment request is \$312,144

Trustees already paid \$20,000 for legal fees

Remaining Amount: \$292,144

d. Future Relationship with BSA: Rev. Jim Polk, Assistant to the Bishop

While we are here tonight primarily to focus on the sad reality of numerous past instances of sexual abuse with children involved in scouting, I also want to share with you our deep interest as United Methodists in maintaining a strong relationship with the BSA going forward. The United Methodist Church has had a long and close history with scouting, and we hope that relationship will be able to continue stronger and safer than ever.

Many churches in the Arkansas Conference have proudly chartered scouting units for years. They have seen firsthand the value of scouting and its ability to strengthen young people's lives, today for both boys and girls, young men and young women. I myself look to my own rank as an Eagle Scout as one of the proudest achievements of my life, and I still see scouting as one of the most formative structures in my life. I believe in the value of Scouting!

This evening I want to share with you that along with all the work that is being done to properly respond to past issues there is a United Methodist sub-committee that is even now working with BSA leaders and the General Commission on United Methodist Men to develop new options for ongoing relationships between the BSA and United Methodist organizations, options that will be both safe and supportive for all involved. Efforts are underway to create a new “affiliation agreement” that could eventually replace the current charter agreement, provide more clarity on insurance coverage for sponsoring groups and place greater responsibility on local BSA Councils for the recruitment, vetting and training of scout leaders, as well as developing a facilities use agreement that will be acceptable to both local United Methodist churches and local BSA Councils.

While nothing has been finalized, the BSA has extended the deadline to March 31 for churches to recharter in order to give more time for these conversations to reach a conclusion. The sub-committee working on these new relationships is well aware of this extension and is working to provide information and options for all to consider well before this date. In the meantime, we encourage churches with current charters as well as those considering future charters to keep things as they are for now and to wait just a little longer for final recommendations to come to us from the General Commission on United Methodist Men.

Friends, just as we have had strong relationships with the BSA in the past and up until now, I am confident that with the new options being developed those relationships will continue, perhaps in slightly changed forms, but stronger and safer than ever.

Questions and Discussion

Bishop Mueller opened the floor for questions and discussion with answers coming from Michelle Ator, Todd Burris, and Jim Polk.

Q: Sarah Argue: Will the insurance and settlement apply to churches that are not paying their tithe and/or leaving the UMC?

A: Todd Burris: We have contacted our insurance company. We have asked our local churches to contact their insurance. Any church that is part of the UMC at the time of the settlement will be included in the settlement. Michelle Ator: All the local churches

Q: Karon Mann: What is the time frame for paying our portion?

A: Todd Burris: We have 3 years to pay our portion. The *Ad Hoc* committee is trying to pay it as quickly as possible.

Q: Angie Gage: According to the documents sent, the amount to be paid will come from the undesignated reserve funds. Are the undesignated reserve funds the same as Net Assets without Donor Restrictions? If not, what is the total in the undesignated reserve funds where the amount is to come from?

A: Todd Burris: Yes, they are the same. This is our operating reserve which at the moment is \$1.6 million dollars.

Q: Allen Crum: Question for clarification: Will the payment by the greater UMC of \$30 Million give all UMC's protection regardless if proof of claim was filed back in 2020?

A: Michelle Ator: Yes. All churches will be included regardless of proof of claim.

Q: Kathy McKinney, Lay At Large NED: Why do UMCs need to charter scout units?

A: Jim Polk: Currently and in the past, any organization that wants to be a part of the scouting program has done so through a charter. If the local church sees value in scouting ministries, they have to charter through their local church.

Q: Mary Meier: Didn't the UMC have insurance to cover this type of situation pre 1976?

A: Michelle Ator: This issue is disputed in the bankruptcy case. It was not assured that coverage would be there. It's not known, so we are assuming that it is not there.

Q: Doug Walker: How can a church which does not host a troop be named as a defendant in the settlement?

A: Michelle Ator: The conferences are being named as defendants in addition to the local church, thereby impacting us all.

Q: Ron Newberry: When we were urged to vote "no" a few weeks ago, did the local church need to change that vote to a "yes"?

A: Michelle Ator: The voting period has passed.

Q: Vikki Hamilton: Are churches of other denominations that sponsored BSA troops also responsible to pay?

A: Michelle Ator: Many denominations don't have a big enough voice to be included. This settlement will handle all of the chartering organizations.

Q: Jerry Linebarger: If the court does not approve the proposed settlement, would the individual Arkansas churches potentially have lawsuits against them instead of all Arkansas UM churches

A: Michelle Ator: If this settlement is not accepted, we can expect local churches to have lawsuits against them.

Q: Alvin Mason: How was the \$312k calculated? It seems high for only 12 out of 80,000 cases.

A: Todd Burris: This is low on a per case basis.

Michelle: This also includes the 8% of the *Ad Hoc* committee lawyer's fees.

Q: Olen K Pearson: Are the plaintiffs and their attorneys supportive of this proposed settlement?

Doyle Young: Do Victims have a say in the acceptance of this settlement?

A: Michelle Ator: Some victims are in agreement. Victims have been able to vote on the settlement.

Q: Angie Gage: If the court does not approve the proposed settlement and one of our local churches is sued, how will the Arkansas Conference give assistance to the local churches?

A: Bishop Mueller: This is a hypothetical question.

Michelle Ator: We don't know how these lawsuits will play out because they haven't been brought before the court.

Bishop Mueller, seeing there were no additional questions in the queue called on Ms. Kathy Conley, Conference Lay Leader and Rev. Rashim Merriwether, Special Assistant to the Bishop on Ethnic Concerns and Initiatives to present the first resolution.

6. Resolution #1: Cabinet: Ms. Conley, Conference Lay Leader, and Rev. Rashim Merriwether, Special Assistant to the Bishop on Ethnic Concerns and Initiatives

Resolution of the Arkansas Annual Conference to Support the Healing of Survivors Affected by the Boy Scouts of America

Whereas, the sexual abuse of children through the Boy Scouts of America is a tragic legacy that demands justice and healing; and

Whereas, some of this abuse has occurred through Boy Scout troops chartered by United Methodist congregations in the Arkansas Annual Conference and adult leaders associated with those congregations; and

Whereas, the Arkansas Annual Conference is committed to seeking justice and healing for those who have experienced sexual abuse through scouting;

Therefore, Be It Resolved, that the Arkansas Annual Conference of the United Methodist Church:

1. Is deeply sorry and apologizes for any harm that has been caused to individuals through scouting in troops chartered by United Methodist congregations and by any adult leaders associated with those congregations.
2. Will pray for the survivors and their families who were sexually abused while participating in scouting.
3. Will provide opportunities for those who were sexually abused through scouting to share their experiences with leaders in the annual conference as a means of healing, upon the approval of the final bankruptcy plan.
4. Will work with appropriate partners to draw attention to the sin of sexual abuse of children as a means of eliminating it.
5. Will remain vigilant in working to prevent sexual abuse for all children in our care.

Prepared Tuesday, December 29, 2021

Submitted by Bishop Gary Mueller, Kathy Conley, Rev. Jim Polk, Rev. Dr. Blake Bradford, Todd Burris, Amy Ezell, Rev. Rashim Merriwether, Rev. John Fleming, Rev. Edna Morgan, Rev. Dr. Ulysses Washington and Rev. Dr. Ann Ferris

Bishop calls for questions and discussion regarding the resolution from the cabinet.

There were no questions. If you vote to support the resolution submitted by the cabinet, vote Yes. If not, vote No.

Resolution #1 ADOPTED Yes: 425 (97%) No: 14 (3%)

Bishop Mueller called on Rev. Brittany Watson, Arkansas Conference Council on Finance and Administration Chairperson to present legislation on how to pay our conference's share of the settlement.

7. Legislation #1: CF&A: Rev. Brittany Watson, CFA Chairperson

CF&A passed the following legislative item as a recommendation to the Arkansas Conference special session:

In response to the request from the United Methodist BSA Leadership Team to contribute to the "Survivor Trust Fund" resulting from the United Methodist Settlement as part of the Boy Scouts of America Bankruptcy reorganization, the Arkansas Conference Council on Finance & Administration makes the following recommendations to the January 11th, 2022 special session of the Arkansas Annual Conference:

- The Arkansas Conference commits to paying \$292,144.00 for its share of the "Survivor Trust Fund."
- In order to assist the denomination in reaching the full \$30 million, the Conference shall pay its share in full to the fund established to fulfill this purpose immediately following final court approved legal settlement.
- Money used to pay the Conference's share of the fund shall be paid from undesignated reserve funds.

Undesignated reserved funds are listed as Net Assets without Donor Restrictions. We currently have \$1.6 million in this fund. We can pay our part without impacting our budget.

Bishop Mueller opened the floor for questions and discussion.

Q: Jay Stephen Simpson: How was the amount of \$292,144 calculated? This was not answered earlier.

A: Todd Burris: The Leadership Team of the *Ad Hoc* Committee didn't give us specifics...just that it was determined on a per claim basis. Contributions range from \$200,000 to \$1.6 million.

Q: Mary Meier: How will this amount be divided among the individual churches in the conference?

A: Bishop Mueller: Since it's coming from reserves, local congregations won't have to pay any more.

Seeing no additional questions the Bishop called for a vote. If you support the proposal from CF&A, vote yes. If not, vote no.

Legislation #1 ADOPTED Yes: 435 (97%) No: 13 (3%)

Bishop Mueller called on Rev. Dr. Blake Bradford, Dean of the Cabinet to present Resolution #2

8. Resolution #2: Appointive Cabinet: Rev. Dr. Blake Bradford, Dean of the Cabinet

A Resolution Regarding the Formation of a Task Force to Look Into Our Policies Concerning the Safety of Children, Youth, and At-Risk Adults

Whereas, there is always a need to ensure that children, youth, and at-risk adults are safe in ministries of the United Methodist Church; and

Whereas, the bankruptcy case of the Boy Scouts of America Bankruptcy Reorganization has heightened our awareness of the responsibility United Methodist congregations have to keep children, youth, and at-risk adults safe; and

Whereas, one of the terms of the United Methodist Church settlement as part of the proposed bankruptcy reorganization agreement is that denominational leaders will intensify efforts to prevent and raise awareness of child sexual abuse;

Therefore, be it resolved, that the Arkansas Annual Conference will create a task force to review the Conference Safe Sanctuary policy and recommendations, and other policies to safeguard young people from sexual abuse, update policies as appropriate, and provide appropriate training and resources. The task force shall be appointed by Bishop Gary Mueller and will report its recommendations to the regular session of the Arkansas Annual Conference, scheduled June 1-4, 2022 in Hot Springs, Arkansas.

Submitted by members of the Appointive Cabinet: Rev. John Fleming, Dr. Ann Ferris, Dr. Blake Bradford, Dr. Ulysses Washington, Rev. Edna Morgan, and Rev. Jim Polk

Bishop Mueller opened the floor for questions and discussion.

Q: Regina Norwood: Why do we need a special task group? Aren't the Trustees liable?

A: Blake Bradford: We are wanting to include people from many different places to have input here, including law enforcement, DHS, church childcare, etc. We want a better set of resources for the Conference.

Seeing no additional questions Bishop Mueller called for a vote. If you support the resolution to create a task force, vote Yes. If not, vote No.

Resolution #2 ADOPTED Yes: 410 (95%) No: 21 (5%)

Bishop Mueller announced that we had reached the end of our business in this special session and called upon Rev. Clark Atkins, Conference Secretary for any announcements.

9. Announcements

Secretary Atkins shared that minutes from this meeting will be posted online as soon as possible.

Bishop Mueller thanked everyone for their attendance and participation and shared that at one point over 480 people were participating in the conference. He then called upon Rev. U.C. Washington, Central District Superintendent to close us out in prayer.

10. Closing Prayer: Rev. U. C. Washington, Central District Superintendent

11. Adjournment: Bishop Mueller Meeting Adjourned at 8:27 pm CST.