

Council Minutes, October 2024
Plymouth Congregational Church – United Church of Christ
Tuesday, October 22, 2024

1. Call to Order – Sonia Jordan, Moderator

Sonia called the meeting to order at 7:19 pm, following the Planning & Coordinating Session

Voting Members Present:

Sonia Jordan – Moderator

Rich Bireta – Moderator Elect

Scott Morgan – Immediate-Past Moderator

Stephen Carttar – Treasurer

Doug Eason – At Large Member

David Treviño – At Large Member

Norine Spears – At Large Member

Debbie Schmidt – At Large Member

Jeff Eriksen – At Large Member

Voting Members Not Present:

Christi Houston – At Large Member

Ex Officio Members Present:

Valerie Miller-Coleman – Senior Pastor

Caroline Lawson Dean – Associate Pastor

Ex Officio Members Not Present

Mark Reedy – Deputy Treasurer

Others Present:

Larissa Long – Clerk

Terry Schmidt – Director of Sanctuary and Organ Project Management Committee

Kim Manz, Minister of Music & Fine Arts

Devon Kim – Personnel Chair

Kathy Bowen – Music & Fine Arts

2. Invocation – Valerie Miller-Coleman

Valerie led attendees in prayer during the Planning & Coordinating Session.

3. Consent Agenda

3.1 Approve Agenda

3.2 Approve Minutes from September 23, 2024 Council Meeting

3.3 Receive Financial Reports

Sonia asked if the agenda should be amended to consider the Schoenstein & Co. proposed contract.

Scott moved to approve the Consent Agenda and add Item 5.2 - Review of Schoenstein & Co. Proposed Contract to the Agenda; Doug seconded; motion carried unanimously.

4. Church Treasurer's Report – Stephen Carttar, Treasurer

4.1 Financial Update

As of September 30, 2024, Plymouth was 9/12th or 75% of the way through 2024. Both revenue and pledges were at 74.4% of budget. Expenses lagged at 71% for which the favorable variance was not permanent. The expense variance arose primarily from timing differences with utilities, insurance and repair/maintenance payments.

5. Old Business

5.1 Review of Contract with Clark-Huesemann for the Sanctuary and Organ Project – Terry Schmidt, Director of Sanctuary and Organ Project Management Committee

Terry noted that many new members attended the meeting in which Steve Clark and Jane Heusemann introduced the proposed building plan. He pointed out the amount to be paid for their services and explained why there will be an additional expense for tax credit consultation which will be reflected as a subcontract within the Clark-Huesemann contract. The consultant, Stan Hernly, will collaborate with and report to Steve and Jane.

Terry said the proposed contract has undergone multiple reviews by leadership, and then asked for comments/questions.

Rich asked if there is adequate cash to make down payments to the architect and organ company. Stephen said there is \$530,000 available, of which \$200,000 is in a CD. Based on current assumptions, cash flow is adequate to cover expenses for a year. Rich then asked if a construction loan would be needed in the future. Stephen responded that it may depend on when some large pledge commitments are received. He added that Silver Lake Bank has indicated they would consider a bridge loan when needed.

Debbie asked if the schematic design is done? No, the Church still has input. The design plan is just beginning – the concept is based on the master plan. As we have clarity regarding historical tax credits and work with Schoenstein things will change.

Jeff said he believes the proposed platform height will greatly improve sight lines. Terry said it's important that our communications show we're listening to the congregation's concerns, which include sight lines. He then distributed a schedule of work which indicates that we may look for another place for worship within Plymouth in October 2025, but the schedule is obviously flexible.

David expressed his concerns regarding paragraph 9.3 – the architect’s termination language regarding project suspension by the owner. He also was surprised there was no force majeure language in the contract. Terry said that force majeure hadn’t been raised with the architects. Doug said the architects are comfortable with the proposed language and are probably not going to accept inclusion of that language.

Scott said the language David referenced is predicated on Plymouth stopping the project. He added that we will assume risks regardless, but he supports asking them to consider adding the language. Terry is willing to take the proposed language to them and expects to receive a yes or no. David said the language will protect the supplier as well as the receiver. He will accept what the majority wants but felt compelled to bring it up. When Valerie asked about the church’s relationship with the architects, Terry responded that it’s positive. They’ve been patient but do want to move forward. He feels it appropriate and fair to suggest adding the proposed language to the contract. Jeff said he feels Council needs to move forward.

Doug then moved to approve the Clark-Huesemann contract as included in the agenda; Jeff seconded; motion carried unanimously.

Council then directed Terry to present force majeure language to Clark-Huesemann for consideration as an amendment to the approved contract.

5.2 Review of Contract with Schoenstein & Co. for the Sanctuary and Organ Project – Terry Schmidt, Director of Sanctuary and Organ Project Management Committee

Terry asked Kim to give a brief overview of the organ committee’s work. Kim said the committee has spent around 15 years off and on researching organ sources and is very much in favor of working with the company. They have listened to two Schoenstein instruments and the organists were very happy with both the company and instruments. The committee strongly recommends accepting the proposal.

David & Doni have reviewed the contract and received clarification on areas they pointed out. David said Item 24 (This Agreement) would suggest that all oral (and he assumes email) agreements and understandings become part of the contract. His question is do we know who are included in these communications and what all of the communications are. Terry felt the PMC should gather all communications with Schoenstein and keep in one place. Scott suggested preparing a “Memo to File”, listing everything wanted or clarification needed and send to the company. Documentation of communications between Schoenstein and architect should be noted, as well as any communications with Kim.

David said Doni had concerns regarding payment for engineering work (Item 3.b), as the terms don't provide any idea of a time frame for production. Stephen and Terry, representing the PMC, shared the proposed timeline for engineering work.

David then voiced his concern with Item 21 (Title). There is no force majeure language or provision for binding arbitration or mediation. Valerie said she believed they consider force majeure covered with Item 4 (Estimated Installation and Completion Date).

Scott said Council has a fiduciary responsibility and if something occurred the first two payments could be lost, and Council would then need to make a decision as to whether to proceed with the project. However, there is also the risk of trying to build a faith community accustomed to a certain level of music, which will be different for a period of time. We may want to take a small risk with a highly recommended company that has strong relationships. He's willing to take the risk and move forward with the proposed contract.

David said a remedy could be financial or performance bond, if Schoenstein doesn't perform as expected. Terry asked if a performance bond would be appropriate.

Valerie asked Stephen his thoughts on the need for a performance bond based on his conversations with the company. Stephen couldn't comment on the need for a performance bond, but did say he contacted many vendors and suppliers. They all said they have a solid relationship with the company; that it pays on time and takes advantage of discounts when applicable.

Scott then moved to approve the contract the with Schoenstein & Company dated October 21, 2024; Doug seconded; motion carried unanimously.

Council directed the PMC to compile all written exchanges and develop a memo outlining formal understandings of the Contract. The PMC was also directed to request the addition of force majeure and binding arbitration or mediation language to the contract.

5.3 Disaster Response Planning Update – David Trevino, Director of Security

David provided background information on the process to apply for a 2025 grant, adding that if received the funds must be spent within 3 years.

David then made the following motion:

1. To have the Director of Security Motion complete the USDHS CISA Faith-Based Community Self-Assessment after consultation with Church leadership and staff by December 31, 2024.
2. Work with Church staff to implement recommendations and suggestions to improve safety and security at Plymouth that can be accomplished with little to no expense until adoption of a Disaster Preparedness Plan.
3. Draft for Council's consideration a proposal for an ad-hoc Safety and Security Committee, the purposes to include:
 - a. Drafting a Disaster Preparedness Plan for Council's consideration;
 - b. Working with the FEMA State Administrative Agency for Kansas to register and apply for a grant up to \$150,000 through the Nonprofit Security Grant Program for FY 2025, and
 - c. Implementing and updating a Disaster Preparedness Plan.

Doug seconded the motion; motion carried unanimously.

6. New Business

6.1 Contract for CYMT Ministry Leadership Certificate Program – Devon Kim, Personnel Chair

Devon is asking for approval of an agreement for Colton Pasquale to participate in a CYMT for Youth and Children's Ministry Leadership program. The \$15,000 fee will be paid as follows: \$1,000 now and then \$700/month until May 2026 when the program is completed.

Devon said the position was budgeted at \$50,000 but approximately \$8,333 will be pulled from that line as we are paying less than \$50,000 through May 2026. Funds will also be pulled from educational/training budget lines to make up the \$6,700. She added that the Personnel Committee will consider a contract for Colton Pasquale at its 11/6 meeting to consider the following wording:

In the event that the Employee voluntarily resigns or is terminated for cause within twenty-four (24) months following the Church's payment of educational expenses, the Employee agrees to reimburse the Church for a portion of those expenses according to the following schedule:

- a. If the Employee leaves the Church:
 - **Within the first six (6) months:** 100% of the educational expenses.
 - **Between seven (7) and twelve (12) months:** 75% of the educational expenses.
 - **Between thirteen (13) and eighteen (18) months:** 50% of the educational expenses.
 - **Between nineteen (19) and twenty-four (24) months:** 25% of the educational expenses.

b. The educational expenses covered under this clause include, but are not limited to, tuition, fees, books, and other related costs directly associated with the approved educational program.

c. The reimbursement shall be made within thirty (30) days of the Employee's last working day with the Church.

d. In the event of termination due to layoffs or other reasons beyond the Employee's control, this repayment obligation will be waived.

e. The Employee acknowledges that the Church invests in their professional development and that this repayment obligation is a condition of receiving such financial assistance.

Devon said that if approved, Colton will begin the course this week.

Doug moved to approve the CYMT Ministry Leadership Certificate Program agreement; Jeff seconded; motion carried unanimously.

6.2 Facilities Project Update and Approval – Doug Eason, Facilities Chair and Council at Large member

Doug said the following projects are expected to occur in 2025:

Mayflower Room

- Sound system; Fixed projector/screen; lighting/temporary camera mounts – Cost \$50,809.65 – Funding:
 - 3990300 KS/OK Technology Grant \$1,500
 - All funds in 3101010 Greater Plymouth Funds (semi-endowed) \$15,675.74 available and estimated additional \$5,106.49 in 2025
 - 3980210 Mayflower Room Furniture Fund - \$10,487.81
 - All funds in 3101100 General Memorials -16,473.93
 - Balance to be covered by 2025 Maintenance & Repair Budget
- Skylight replacement – 8 skylights to include remote darkening shades in Mayflower Room; 3 standard skylights in 2nd Floor North Hallway – Cost – up to \$24,200 – Funding:
 - 3801000 Operations (Stewardship) Endowment Funds

Debbie asked if there would be a hearing loop in the Mayflower room. Doug said with potentially using the Mayflower Room for worship services he believes it is better to wait to replace the carpet until after that time, as it impacts installation of the sound loop.

Doug then moved to approve the proposed project proposals as presented; Norine seconded; motion carried unanimously.

Rich then provided some information regarding possible rebates for lighting fixtures. He also enthusiastically supports using quasi-endowed funds for the sound system. Stephen asked if the sky lights would be flush with the dropped ceiling and Doug said they would be.

Doug then asked for Council's input regarding the Rose Window, as the wood is not in good shape. The options are

- Full wood replacement and covering the window - \$100,000
- Replacing all of the wood - \$70,000
- Caulk/repair/paint existing wood and cover - \$49,000

The Facilities Committee suggests repair and cover.

- Funding \$15,000 from a grant and a \$20 Rice Foundation outstanding grant request

Council supports the Facilities Committee's recommendation of \$49,000.

7. Moderator's Report – Sonia Jordan

No report.

8. Associate Pastor's Report – Caroline Lawson Dean

The children trick or treated to promote Plymouth and Just Food. One family was unable to provide non-perishable food but made a \$1,000 contribution today! Valarie added that a contribution for the organ fund was also received.

9. Pastor's Report – Valerie Miller-Coleman

Heather Coates has accepted a full-time position and is leaving in two weeks (Nov. 3). She will be missed! Heather has served as an assistant pastor and her replacement will be a direct hire. Valerie is currently looking for her replacement.

10. Board Chair Comments

11. Open Forum

12. Adjournment and Lord's Prayer

Doug moved to adjourn the meeting; Norine seconded; motion carried unanimously.

The meeting adjourned at 9:50 pm.