

**Aurora United Church**  
**Board of Trustees Report**  
June, 2020



*Board of Trustees signing documents on Wednesday May 27, 2020*

I am here to give you an update on the work of the Board of Trustees. As you know the Board of Trustees hold all property and investments in trust on behalf of the congregation and the United Church of Canada. Our assets include the church land, all items in storage retrieved after the fire including the five stained glass windows, insurance payments received for the building and contents, the Endowment Fund and Flower Fund. The AUC congregation elects members of the Board of Trustees. The current Board of Trustees members included: Blair Boyd, Karen Boyd, Bill Dies, Pat Innes (secretary), Denyse Slack (treasurer), Dave Snelgrove, Jamie Thompson and Rev. Andrew Comar (chair).

**Bell Canada:**

You will remember that we paid an invoice to Bell Canada in the amount of \$488,894.50 for the removal of the fibre optic cable from the church property in 2019. We knew that Bell would eventually send either a final invoice or refund cheque once the work was completed. On January 20, the Board of Trustees received a cheque from Bell in the amount of \$74,661.40.

**Litigation:**

Following the fire, the Trustees engaged the law firm of Thomas Gold Pettingill LLP to work on our behalf in our litigation with those responsible for the fire. The mediation process happened on April 2, 2019. We were very close to achieving our goal by the end of the day. The final settlement of \$7,000,000.00 was reached at the end of 2019. These funds were transferred into an interest-bearing account with TGP this past January. They will be held by TGP until the courts make a decision on the funds.

We did have a court date scheduled for June 19 to hear the application, but as we all know the courts have been closed due to the pandemic. Our lawyer from TGP, Nadine Nasr has related to us:

*Undoubtedly, the June application hearing date will be adjourned. I have no idea, under current circumstances, until when. In fact, until the courts re-open, I will not be able to know when the new date will be. Materials now being prepared which would then have to be sworn (not possible right now) and then responded to by Aviva (it would face the same challenges preparing the materials and swearing them), and challenged or tested through cross-examinations (also not possible right now).*

*My goal is to try to have the bulk of the materials drafted while we are isolated, which could then be quickly verified and then sworn, so we can then serve them as soon as things get back to somewhat normal.*

So as far as a legal date for the hearing – we are in limbo – waiting for the courts to re-open.

You will also remember that the the Board of Trustees agreed to make an offer to settle with Aviva in the amount of \$250,000, which remains open for acceptance until the commencement of the court hearing. Our lawyers, to date, have not had a response from Aviva.

### **Loan Application through Toronto United Church Council (TUCC) for building:**

At the Board of Trustees meeting in February we had decided not to apply to the Toronto United Church Council (TUCC) for a loan until we knew what would be the outcome of the June hearing. We knew at the end of February there would be time to apply if needed. With the cancellation of the June date for the application, an email from David Spencer needing confirmation of our funds to build (especially needing to know if the loan from TUCC is confirmed), and EDGE continuing to work ahead, it seemed like the time had come to apply for the loan.

The Board of Trustees met on Tuesday March 31 to discuss the situation and passed a motion to take to the AUC Council on Monday April 6:

*That the Board of Trustees ask Church Council to direct the Trustees to apply for a bridging loan through Toronto United Church Council.*

Council affirmed our request and made the motion directing us to apply to TUCC for a bridging loan. The loan application has been completed and submitted.

## **Signed Contract with Succession:**

As you heard Brian say, the reciprocal agreement, 99-year lease agreement as well as the fixed price construction contract for below surface structure with Succession Development was completed and signed by the Board of Trustees on Wednesday May 27 (see photo above). Part of the contract with Succession was that Aurora United Church would receive a cheque for \$3 million for the construction of the new building, with interest on \$250,000 that was invested with SR Law since 2016. We received a cheque for \$2,870,749.64. The hold back is for SR Law legal fees.

All outstanding debts to the Board of Trustees are to be paid back when the Trustees lease or sell property. What happens now is that \$400,000.00 is paid back to the Trustees and that loan is now taken off the books of the Aurora United Church General Fund. The balance will be invested for the rebuild. The repayment of the \$400,000.00 now brings the Endowment Fund back to \$800,000.00. We know that this fund might have to be used for the rebuild, especially if the funds are needed before a decision on the \$7 million dollars that are invested with TGP is made. It is only the congregation that can make a decision regarding the monies invested in the Endowment Fund.

As we continue in ministry, we know that each decision that we have made brings us one step closer to our new church building. Thank you for participating in this journey with us.

Rev. Andrew Comar  
Chair, Board of Trustees  
Aurora United Church