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Front Page story

RCSC board reconsiders quorum

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Sun City residents speak out

Sun City resident Larry Williams expresses his opposition to motions involving golf passes and quorum requirements during the Oct. 29 RCSC board meeting. The board withdrew the quorum requirement proposal but passed the nonresident golf pass measure.

Sun City residents went away from the Oct. 29 Recreation Centers of Sun City Board of Directors meeting satisfied they were able to stop a vote but still simmering over what they perceived as the board's refusal to consider their wishes.

RCSC board members proposed increasing the quorum requirement for quarterly membership meetings from 100 people to one-tenth of the eligible voting members of the corporation. With an estimated 35,000 voting members, the minimum would be 3,500 for a quorum if the measure was approved. But a packed house at Mountain View Recreation Center, 9746 N. 107th Ave., for the first evening board meeting persuaded the board to withdraw the motion for further consideration.

Throughout discussion on the quorum and other motions, the crowd voiced its displeasure with boos and catcalls and its agreement with applause, despite RCSC Board President Warren Hoffmann's request to refrain from such behavior. Resident Dave Mussaf directed an expletive toward resident Norm Dickson, but later apologized to him privately then to the entire crowd. But he insisted the board does not take seriously what members prefer.

"They were elected to represent the people," Mr. Mussaf said. "But they do not represent us."

Some residents believe setting the quorum requirement so high would eliminate the membership meetings because they believe 3,500 people would never show up for a meeting, even with the help of proxies.

Resident Karen Sharmon said the last time RCSC officials dealt with proxies there was difficulty in verifying all of them.

It was suggested by several residents the motion should be split, with one either retaining the 100-member minimum or a similar number and the other setting a higher minimum for board recall elections.

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"You should separate the quorum from the recall," said resident Ken Fold. "But I can understand raising the quorum a little bit to discourage small splinter groups from causing disruption."

Resident Bill Pearson suggested the board table the motion and return at a later date with something more reasonable.

"I am supportive of RCSC, some have described me as a cheerleader," he said. "But 3,500 is ridiculous."

Resident Elliott Engberg asked what problem the board was trying to solve with the motion. Board member Jim Bishop said the proposal came on the recommendation of

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RCSC's legal counsel based on Arizona Revised Statutes, particularly Title 10-3722.

"We were told this had to be changed because it was antiquated, it is so old it is ridiculous," he said. "It has slipped by the board for years."

However, resident Steve Mazar believes setting the membership meeting quorum at 100 people was no oversight, as Mr. Bishop described it.

"I think they (the bylaw authors) saw what could happen, and is happening now," he said.

Ms. Sharmon agreed, citing the removal by the board of Ann Ullman earlier this year.

"It doesn't make sense to require 3,500 for a membership meeting quorum when a simple majority of the board can remove a duly elected director," she said.

Mr. Dickson said the board was not obligated to set the quorum minimum at one 10th of the voting members simply because that is what is suggested in the statute. He said setting the bar that high would eliminate the membership meetings.

"Membership meetings were not an oversight," he said. "They were created to involve the members in the decision-making process."

He explained as structured members can present motions during membership meetings, which would then be brought to a vote at the next membership meeting. If denied by the board, members can then attempt a petition election and the bylaws require one-10th of voting members in such elections.

"So you already have what you think you are trying to do," he told board members.

Members got the support of Jan Ek, RCSC general manager, also suggested

reworking the motion for future consideration. Board member Gene Westemeier accomplished that by removing his second and board member Tom Loegering, who made the motion, concurred.

"I don't know if 10 percent is a good number, but I do know 100 people is not a good number," Mr. Westemeier said.

The quorum was not the only motion withdrawn in last week's meeting. A proposal to require the Sun City Foundation to pay its own legal fees was also taken from the table for further study. The move followed testimony by several residents, including an impassioned plea from resident Don Schordje, a Foundation board member, and a former RCSC board member.

"The Foundation is being ostracized and isolated," he said. "I urge and caution you to think about what you are doing."

Foundation legal fees were paid by RCSC, but RCSC officials claim their auditors warned it constituted more funds, which could endanger the corporation's nonprofit status. Mr. Bishop said the board prepared a letter assuring Foundation officials RCSC would reimburse the Foundation for the legal fees. But Mr. Schordje said that was not enough.

"That letter can be torn up by a future board," he said. "There needs to be some assurance, something in writing that carries more weight than a letter."

Ms. Ek suggested the motion be tabled until RCSC officials consulted legal counsel and came up with a written agreement that assured the reimbursement was permanent.

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