

Community leaders accentuate the positive at SCWOOG meeting

Brief talks focus on healing, trust and working together

By Jack Hawn

In one of the most positive, non-controversial civic meetings this year, Sun City West leaders addressed a crowd reported as 225 Monday at the Foundation building, hosted by Sun City West Owners for Open Government.

Members of the Recreation Centers' Governing Board, newly hired interim Gen. Mgr. Mike Ingersoll and others spoke of healing, trust and maintaining a harmonious relationship among

residents, employees and elected officials.

SCWOOG Pres. Carl Elitz opened the 50-minute meeting by stressing the importance of "working together for the betterment of our community."

"Let's make this meeting the first step in achieving that goal," he added.

SCWOOG board member Carl Fischer reminded the audience that the nine elected Rec Board members have "no power over you or you or you," that they are

in office to "carry out *our* wishes, not *their* wishes—*our* wishes," he emphasized.

Fischer also stressed openness, comparing elected officials to a marriage: "The more secrets you've got," he said, "the more trouble you're in."

Barbara James, the assistant general manager, thanked volunteers and said she was "looking forward to working with all of you."

PORA Pres. Randy Fuller reminded the group of the coming

PORA election next month, urging members to exercise their right to vote. Elitz said the candidates were discussed and "all are fine with us."

Rec Board director Carolyn Jennings, reading from a prepared speech, compared community problems and the healing process with "an old doctor's adage that an apple a day keeps the doctor away."

"I think some of our apples should be: work in concert, with respect and consideration for each other.... Change what needs to be changed; keep what has worked well for 25 years...."

She noted that "no major

changes (should) be made to our accounting system" nor to the organization of the recreation, bowling and golf divisions.

When Board Vice Pres. Cher Petersen stepped to the microphone minutes later, she drew a burst of laughter from the audience with her opening remark:

"Carolyn," she said, looking at her with a smile, "I agree with your adage about eating an apple a day, but don't you think after 25 years, it might be just a little rotten?"

Petersen also noted that "it's been a long four months. We've gone through a lot. Trust us. We're going down a good road. It's going to get better and better and better."

Petersen, who heads the Golf Committee, added that "we would like to go back to the K. card.... Maybe we can adjust to the tier (rate) system and maybe it can work for us."

Other speakers:

—Director Bob Finn: "Open government and free-and open access to records was what I (stressed) in my campaign and that will remain until I go off the Board. We have turned the corner.

"It's been a long year an a half without all the support... Keep the e-mails coming. We need to serve you and nobody else."

—Ed Curry (who read a statement from director Ray Caldwell, who was in Las Vegas): Caldwell praised SCWOOG for its "ethics ad integrity," saying had it not been for that organization, to which he belongs, "we would not be eagerly awaiting next year."

—Board Secretary Barbara DuPonte: "I had a little trouble being positive in August," but with the help of her Public Relations Committee and residents,

See **LEADERS**, Page 2

LEADERS: accentuate the positive, *from Page 1*

the outlook has brightened.

"I ask for your trust" that the Board will make good decisions and not be "wasting your money," she added, "in working, planning... not acting on the spur of the moment."

—Ingersoll: "I was astonished at (the community's) beauty. It's truly wonderful. You should be very proud of it.... I was surprised at the scope of services and what is provided."

After a week on the job, he is still in the learning process, he said. An example: He couldn't understand why there were so few golf cart rentals available when he visited a course, then learned most golfers have their own.

As a temporary manager, Ingersoll said his role is to serve

the Board and his staff and be a "bridge builder."

Tom Cook, Board president: He admitted the last few months have been "stressful," but that "we're beginning to get back on a more even keel."

Cook proposed "starting fresh" on a new set of bylaws, "from the ground up," and encouraged residents to "put only positive things on your website. We can come together in good shape," he concluded.

Besides Caldwell, other directors not present were Elaine McCraith and Bob Beaupre, both of whom reportedly had other commitments.

Elitz asked for a \$1 donation per person to cover the expense of renting the facility.

A government lost in Sun City West

As you drive toward the West Valley on Bell Road, you might get a whiff of a distinctly offensive odor. After you pass through Sun City and cross the Agua Fria River bridge, the stench gets stronger. And suddenly, there it is: a black and noxious battle cloud hanging over Sun City West, heavy with the debris of accusation, skepticism and mistrust.

Outsiders may well scratch their heads over the source of this conflict that pits neighbor against neighbor, friend against friend, in this retirement enclave of about 30,000 people.

The last time Sun City West made headlines was about two years ago when a community official publicly accused some seniors of having sex in the swimming pools and parking lots. So what's going on now? Is the community's mayor accused of malfeasance? Are elected officials falling down on the job?

Neither. Sun City West has no mayor because it is not an incorporated municipality. It is governed by the Maricopa Board of Supervisors, which controls its roads, police, zoning and traffic. The Recreation Centers of Sun City West is a nine-member resident board, like a park district board, which runs the community's recreation facilities for the benefit of the dues-paying retirees. This is the board that is at the center of the fight.

Nobody has accused the board members of breaking the law. And nobody is saying the board isn't doing its job. The golf courses are well-manicured; the swimming pools are clean; the tennis courts are properly maintained; and the club's 150 or so craft and hobby clubs are functioning smoothly.

So what's the problem? A small group of residents thinks that the board isn't open enough in its deliberations and that it also has made some poor judgments about how to spend the residents' mandated yearly fees of \$170 per person.

The dissident residents have formed Sun City West Owners for Open Government and have proposed changing eight of the RCSCW's bylaws. They have forced the board to hold a resident election to vote on the changes. For the changes to become effective, two-thirds of voters must approve them.

The unsavory substance hit the fan last spring when people discovered that two former RCSCW general managers had been given what appeared to some to be overly generous severance packages. To compound the problem, the board had voted to do this in *secret*. It is legal to make personnel decisions in executive session, but some residents thought the public should have been consulted first, or at least informed of the package afterward, which Arizona law does not require.

Also, the hastily formed SCWOOG claimed the board had sometimes met in executive session to discuss issues not al-



ELEANOR NELSON

Special for The Republic

lowed under the exemptions in the Arizona Open Meetings Act and the board did not allow for sufficient resident input before making important decisions. It also claimed the board should open its records to wider resident inspection. The proposed bylaw changes are designed to address these issues.

Naturally there are two sides to the conflict. But one of the basic problems is misinformation. Many residents believe that RCSCW is a public body subject to the same Arizona Open Meetings Act as a municipality or a school board. Not true. RCSCW is a homeowners association and a public corporation and therefore is required to act under statutes governing those two types of entities. The open-meetings and open-records requirements for those two entities are less stringent than those governing other public bodies.

SCWOOG grudgingly acknowledges this but says the bylaws should be changed to force the RCSCW to follow the more restrictive open-meeting laws governing municipalities and school districts.

If the bylaws were changed, the RCSCW board would be required to operate in violation of state laws that now govern it. This could lead to lawsuits by disgruntled residents.

The basic problem is SCWOOG doesn't trust the RCSCW to do what's best for the community. And there is some justification for that. In spite of recently spending about \$1,500 for a "consultant" to advise it how to communicate better with residents, the RCSCW board continues to project a public image of autocratic arrogance.

While it might be obeying the open-meetings law, and that's debatable, the board began to take positive steps to reach out to residents, like scheduling community workshops, only after SCWOOG rattled its cage.

Trying to solve a human-relations problem by changing an association's bylaws is a little like using a hammer to kill a fly. What's needed here is not a change of bylaws, but a change of attitude. Whether the bylaw revisions are approved or defeated, the community will not heal until both sides display good will. The RCSCW board must take action to convince residents it really wants their input, and SCWOOG must be willing to meet it halfway.

Eleanor Nelson is a freelance writer and former journalist. Her first book, *Retirement Is a Game: Insider Tips on How to Play*, has just been released. She can be reached at BNelson698@aol.com. The views expressed are those of the author.

Proposal peeves directors

Editors Note: This is the fifth in a series examining proposed bylaw changes Sun City West residents will vote on in the next few weeks. Residents will vote on the changes as a bloc, but the Daily News-Sun is examining each of the major changes separately.

MICHAEL MARESH
DAILY NEWS-SUN

A proposed bylaw change that would drastically alter the power and authority of the RCSCW governing board has come under fire from directors in recent months.

The proposed "bylaw amendment process and authority" of provision 7.1 retains the authority of both the governing board and the owner-members to amend the bylaws. Sun City West Owners for Open Government officials have said the proposed change would provide a more reasonable, simplified and orderly manner by which the owner-members may veto amendments enacted by the governing board.

According to SCWOOG, the proposal also would provide for a more reasonable and efficient owner-member notification process.

Lastly, in the event owners veto an amendment, the proposed bylaw change would preclude the governing board but not the owner-members from reintroducing the same or a like amendment for a specific period of time.

The proposed bylaw change is vastly different from the current provision detailing what must be done to implement change.

Bylaws may be changed either by a unanimous vote of the governing board or by a two-thirds vote of the owner-members in person or by proxy at a special meeting called for the purpose of changing the bylaws.

Amendments to the bylaws by the residents now also require a petition signed by at least 5 percent of all members in the community.

Most of the governing board members have said the bylaw change amendment is absurd.

"First of all it means the members do not trust the people they elected, period," said RCSCW Director John Orr. "It handcuffs the board and makes it difficult to make tough decisions."

Orr said the nine governing board directors were elected by the people and should be allowed the authority to carry out their responsibilities.

"It gives members veto power," Orr said. "Why don't we just go to a dictatorship and abandon the board? If you don't trust anybody, why elect anyone?"

SCWOOG — when they decided to implement a bylaw change drive — wanted to try to give members more authority over bylaws after directors approved some bylaws in June that SCWOOG disagreed with.

Severance: policy or bylaw?

Editors Note: This is the third in a series examining eight proposed bylaw changes Sun City West residents will vote on in the next few weeks. Residents will vote on the changes as a bloc, but the Daily News-Sun is examining each of the eight changes separately.

MICHAEL MARESH
DAILY NEWS-SUN

Sun City West Owners for Open Government wants to implement a bylaw to decrease severance-package amounts approved by the RCSCW governing board in 1999.

Severance-pay restrictions became an issue to members when the governing board of the

Recreation Centers of Sun City West awarded former General Manager R.G. Andersen-Wyckoff a \$93,000 severance package after he worked for the centers for nearly three years.

The proposed amendment of bylaw provision 4b.4 would limit the governing board's authority to awarding severance pay or compensation of one week of pay for each full year of service rendered, not to exceed eight weeks' pay.

SCWOOG Director Richard Ahlgren said the policy statement approved in 1993 in which employees would get one week of pay for each year worked up to eight weeks was fair.

In 1999, the policy was changed

to allow former employees to receive up to 12 months of severance pay. If an employee was earning more than \$80,000 a year, he or she would be entitled to six months' severance pay after one year of service, and an age restriction was implemented to add additional money to some packages.

The policy change was implemented two months after Andersen-Wyckoff was hired, and Ahlgren believes the change was specifically for the former general manager.

Recreation Centers of Sun City West Director John Orr said severance pay is a policy issue, not a bylaw issue. Orr, chairman of the board's human-resources committee, is recommending to the rest of



the governing board to reduce management severance-pay packages as well as eliminate additional funds for which employees are eligible due to advanced age.

Orr said if the board approves the policy change, this bylaw change would be moot, though the mail-in bylaw vote will end Dec. 13, well before the next governing-board meeting on Dec. 19.

"No organization puts things like that in the bylaws," Orr said.

Michael Mares can be reached at 876-2513 or mmares@aztrib.com.

Bylaw change could alter method of filling RCSCW board vacancies

Editors note: This is the second in a series examining eight proposed bylaw changes Sun City West residents will vote on in the next few weeks. Residents will vote on the changes as a bloc, but the Daily New-Sun is examining each of the eight categories separately.

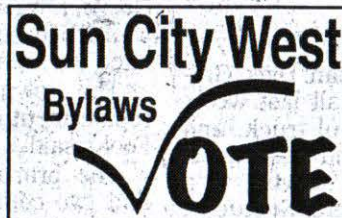
MICHAEL MARESH
DAILY NEWS-SUN

The Recreation Centers of Sun City West governing board and the Sun City West Owners for Open Government have different views on how future governing board vacancies should be filled.

The proposed bylaw change reads: The amendment of bylaw provisions 1.9, 2.2, 4A.1, 4A.7, 4A.13 and 4C.2 would eliminate the governing board's authority to fill vacancies on the board by appointment, requiring directors instead be elected to office by owner members.

The proposed bylaw change includes the opportunity for special elections if multiple vacancies occur and, in limited circumstances, when a single vacancy occurs.

The governing board is in the midst of a process to put



all directors on a fiscal-year cycle from July 1 to June 30. Because of this change, six-month vacancies will occur when current terms expire Dec. 31. The directors want to appoint three interim commissioners, to serve six-month terms, in each of the next two years.

SCWOOG wants to change that practice.

Under SCWOOG's proposal, the date directors take office would be moved up to eliminate the need for the six-month appointments.

SCWOOG Director Richard Ahlgren said the proposed bylaw change would keep the governing board election date in March, but those elected would take office April 1, not July 1.

However, this change requires an amendment as terms of service are currently three years. The amendment would allow those elected to serve three years and three months to eliminate

vacancies on the board.

The amendment would only be required until all directors are on the same fiscal year cycle.

Ahlgren said SCWOOG also does not want the board to have the power to appoint a director in the event of a vacancy. The seat, he said, should remain vacant until the next election — unless another vacancy occurs. If there are two vacancies on the board, the proposed bylaw changes say a special election could be called.

RCSCW, in a document sent to members with the mail-in ballots, stated the proposed changes would prevent the board from filling vacancies that occur in the next two years, and could leave the board with only six persons for half of the year.

The document also states illness, death or a resignation of one of the remaining six directors would leave the governing board without enough members for a quorum, threaten the board's legal existence, and leave the remaining governing board members unable to act.

Michael Maresch can be reached at 876-2513 or mmaresch@aztrib.com.

Reject RCSCW bylaw changes

JOHN ORR

DIRECTOR, RECREATION CENTERS OF SUN CITY WEST

To my knowledge, nobody has put forward the case against the bylaw changes proposed by Sun City West Owners for Open Government for the Recreation Centers of Sun City West. This is an individual and very personal attempt to do so.

Let's start by considering where SCWOOG and its proposals for changing the bylaws came from. The legal-affairs committee that I chaired in 2000 believed that the governing board didn't consult it enough before making important decisions.

Then, this year, controversy arose over a pair of related board decisions — the retiring of R.G. Andersen-Wyckoff with a severance package and his replacement by Jon Cannon as general manager. These decisions were made while three appointed directors, all past presidents, were serving as directors.

I would make four general arguments against the bylaw revisions proposed by SCWOOG. First and foremost, the bylaws have served the community well for over two decades. There is no need for a major overhaul. Second, it is the ultimate folly and arrogance to have a small group of dissidents, none of whom has ever served on the board or worked on the bylaws, propose a comprehensive revision to overthrow the existing system of governance. Third, what these dissidents propose is to make Sun City West more like Sun City, where the board is made impotent and micromanagement becomes the norm.

Now, let's look at the eight specific areas of change proposed by SCWOOG. The first relates to open meetings, adding elaborate posting requirements, making committee meetings open to the entire membership, and all board voting to be done in open meetings. I have three criticisms:

- The suggested posting requirements are far too extensive and will be expensive to implement.

- I would like to know where SCWOOG would suggest that open committee meetings be held in our very limited space.

- There are certain legal and personnel matters that cannot be voted on in public.

The second area of change requires open records. Such a requirement already exists in the bylaws for any member with good reason, but what SCWOOG really wants is for management salaries to be made public. It is unfortunate that such private personnel information is privileged, and disclosure would be illegal.

The third set of changes has to do with filling vacancies on the board. There are to be no appointments to fill openings under any condition. Unsuccessful candidates in the previous election can be moved up to serve until the next election. Special elections will be held to fill multiple vacancies in the middle of the year. Of all the SCWOOG proposals, this bothers me the most, for several reasons.

- It says that the members don't trust their own elected representatives to make decisions for them.

- It could require every director to take on multiple committee assignments.

- It ignores the fact that special elections take a lot of time and money.

- It fails to deal with what would happen this coming January through March, when three of us end our terms. In my opinion, we should not and cannot reasonably function with only six directors.

Fourth is a restriction on severance pay, limiting payments to one week's pay per year of service for up to eight weeks. This is a direct outgrowth of the R.G. incident and is best handled through our policies, where it already exists.

The fifth area relates to amending the bylaws. In essence, it makes it more difficult for the board to amend the bylaws and easier for the members not only to initiate revisions but also to veto board amendments. This is the essence of town-hall democracy, which isn't effective in modern societies with larger populations.

The sixth enables the membership to recall directors in their last year of service. Outside of the expense and political turmoil recalls can generate, there is not too much that one can say against this proposal.

The seventh merely seeks to deal with the transition period during which the association is moving election dates from December to March and terms of office from the calendar year to the fiscal year. The purpose was to include more winter residents in the voting process, but doing so required that the board appoint directors for six months during the transition.

SCWOOG wants to eliminate appointed directors and have elected directors take office as soon as possible. There is nothing wrong with how directors have been appointed in the past, but SCWOOG seems to distrust having the board make meaningful decisions, preferring the town-hall approach.

One problem with this thinking has to do with the need for continuity during the budget process, which runs from January through May. Having new directors make key budget decisions is not in the best interests of the membership; experience is a pretty good teacher.

The eighth proposal limits the ability of the board to increase membership dues more than 10 percent per annum, lowering the upper limit from 15 percent. This will have little effect, because now that we are in a steady state without membership growth and little demand for additional facilities, there will be no need for large dues increases.

Let me close by reminding the membership that revising the bylaws in this manner will not add anything to our recreation facilities or improve our recreation services. In short, it will not make life better for a single resident of this community. It is all about the process.

Thursday, March 31, 2005 THE WESTER

SCWOOG 'sunsets' itself out of existence

Organization's goal of open government in SCW achieved

By Marianne Sikler

Tom Metzger, president of the Sun City West Owners for Open Government (SCWOOG) announced the organization will disincorporate as of April 22, 2005. The group's remaining operating funds will be donated evenly to the Sun City West Posse, and PRIDES organizations.

In reflecting on the group's founding and history, Metzger said its accomplishments have been many. SCWOOG's inception grew from a small group of owners who met in 2002 to discuss the general unrest in the community, faced with lawsuits, questionable management, and a lack of communication with residents. The name "Sun City West Owners for Open Government," or SCWOOG, was chosen by the group to best describe its objectives.

The group then developed a web site where owners could post their comments, freely communicate with each other, and keep apprised of how elected Board members were carrying out the responsibility of running the community. It provided owners a public voice to contribute their views on issues, which had been denied them in the past.

SCWOOG clearly stated its mission and purpose. It demanded accountability, and access to public records from the Association's governing board. It wanted every owner informed of how the annual assessment fee was being spent. It wanted every document carrying out the business of Sun City West to be made available for inspection by owners upon request.

It wanted a written Contract of Employment for every top level employee, to be made available for inspection by owners upon request. It wanted an annual accounting made to owners describing where and how every penny was being spent. It wanted every meeting to be open to every owner, except those of a highly sensitive nature which federal or state law dictates will be closed.

Metzger said SCWOOG's stated goal of open government has now been achieved. He credits

the SCWOOG founders for "superb leadership, planning and action that influenced necessary changes in our Sun City West government that has completely turned our community into a vastly better and more peaceful place to retire." He added that amended Arizona State Statutes have since fortified the same basic owner rights that the SCWOOG movement has espoused and fought hard for in Sun City West.

Metzger said the reason SCWOOG had to incorporate and elect a Board of Directors and officers was because of State laws, since it had acquired many contributions that required a non-profit status as an organized group.

Metzger emphasized that from the onset, SCWOOG was never intended to be a permanent organization or a political force in the community, and planned to disband once its goals of open government had been accomplished.

"Open government is and always has been our only goal," he said.

Metzger maintains the current Governing Board is competent and has been working hard to put the Association in good order. He feels confident that the three Directors elected in the March 22 election will work well with the present Board to continue the progress that has been made in effecting responsible, open government.

In discussing the future of open government in Sun City West, Metzger believes its spirit should live on now that the residents of the community have experienced its benefits. "It falls upon the property owners to keep up the momentum of open government by supporting and electing good, qualified candidates to the Board who are dedicated to its concept, and I trust that's just what they'll do," he said.

Note: See Tom Metzger's Letter to the Editor.

WEDNESDAY, MARCH 30, 2005

SCWOOG disbands

Group gives funds to Posse, PRIDES

STAFF REPORT

The organization responsible for an overhaul of the Recreation Centers of Sun City West governing board is disbanding.

Sun City West Owners for Open Government has been mostly silent for many months, and will officially dissolve April 22, said SCWOOG President Tom Metzger. The group, which formed in 2002, will give its remaining funds to the Sun City West Posse and the Sun City West PRIDES during a presentation at 9 a.m. Thursday.

Metzger said SCWOOG accomplished what it set out to do — to promote open government in the recreation centers.

"Open government is and always has been our only goal," Metzger said in a press release. "Now that its goal has been met, it's time, as an organization, to stand down."

Metzger also applauded SCWOOG's founders for "superb leadership, planning and action that influenced necessary changes in our Sun City West government that has completely turned our community into a vastly better and more peaceful place to retire," the press release said.

Current RCSCW Director Carl Elitz is SCWOOG's former president. Many of the other eight directors also were SCWOOG supporters or were backed by the organization during their election campaigns.