

Petitioners Comments
On The Torrey Pines Mens Golf Club Past President's Council Report
Term Limits Proposal

May 17, 2015

General Comments

TMPGC bylaws give membership the right to petition a vote for change to the TPMGC bylaws so long as 10% or more of the membership support the petition.

For unknown reasons, the Past Presidents Council (PPC) was summoned by President Mike Berg and directed to generate a report on Term Limits.

The board e-blasted the PPC Report to the membership. When the petitioners requested President Berg to e-blast their comments on the PPC Report to the membership, he refused. The reason given was he didn't have a vested interest in the PPC Report so it was sent to the membership as an "information only" document. The petitioners then asked President Berg to send its comments as an "interest only document", but he refused again - no reason given.

Further, a club member has been in email communication with President Berg discussing the PPC report. He gave President Berg permission on May 12 to publish their discourse on the TPMGC website Forum. It remains unpublished.

Further, during the May 12 General Meeting President Berg as the TPMGC leadership representative presented his point of view against term limits. President Berg's presentation was not listed on the meeting agenda and as a consequence the Petitioners didn't get a chance to speak. The manner in which President Berg's presentation was handled by the BOD was underhanded and inappropriate.

Comments on the PPC Term Limit Petition Analysis

The only meaningful comments that can be made regarding the PPC Term Limit Petition Report is that it is filled with many inaccuracies and is the product of a group consisting of members sitting on the current board causing a conflict of interest.

Petition signature numbers were mentioned in the PPC Report.

To put the petition signature numbers into perspective in terms of voting:

TPMGC members who signed the Term Limit Petition = 198 or about 15% of the total membership;

TPMGC members who voted in the 2014 BOD elections = 117 or about 9% of the total membership;

TPMGC members who voted in the 2013 BOD elections = 116 or about 9% of the total membership;

TPMGC members who voted in the 2012 BOD elections = 0, the BOD was seated by acclamation.

There were around 50 members at that voting meeting or about 4% of the total membership.

ONE HUNDRED AND NINETY EIGHT (198) members feel it's reasonable and necessary to have term limits if we are to have a vibrant, active board. The 198 number represents the highest turnout of membership in decades.

Comments on PPC Term Limit Report Recommendations

There were no conclusions stated in the PPC Term Limit Report. Without conclusions, the PPC's recommendations had to be based on unfounded opinion - not a very good foundation.

1. First PPC recommendation – *“The PPC is opposed to the petition as written.”*

The petitioners **disagree** with this PPC recommendation. All of the rules were followed during formulation and processing the Term Limit Petition. The intent of the petition couldn't be clearer – no tricky or ambiguous wording in the text. There were 198 qualified signatures collected, 15% of the total membership at that time; more than enough to cause a vote.

2. Second PPC recommendation – *“The PPC opines a revision to the Bylaws requiring term limits in general are not necessary as the membership can vote for incumbents or new candidates under the existing Bylaws.”*

The petitioners **disagree** with this PPC recommendation. ONE HUNDRED AND NINETY EIGHT (198) members feel it's reasonable and necessary to have term limits if we are to have a vibrant, active board. Revised bylaws with term limits will give more of the membership a better chance to serve at a higher level.

3. Third PPC recommendation – *“The PPC opines that the petition (as written) should not be submitted for a vote at the General Membership Meeting in May 2015. However, the board should seriously consider the fact that 198 members expressed their support of the petition. While the PPC recognized the flaws in the petition (as written); the 198 members were apparently not apprised of the flaws, which might have altered their decision to sign the petition. The board should consider polling the membership on the general issue of term limits but in so doing, the board should present both supporting and opposing positions on the issue. Should the board decide to poll the membership, the PPC recommends doing so well in advance of the May General Membership Meeting so that a vote can be taken at that meeting.”*

The petitioners **disagree** with this PPC recommendation. The information presented in this recommendation is either totally incorrect or the logic used to justify the opinion is so convoluted it is misleading, or both.

Whether TPMGC board members and the PPC agree with term limits or not isn't the point. The bylaws clearly state a petition supported by at least 10% of the membership **requires** the board to call for a special vote by general membership on the issue. By not doing so the TPMGC board is **disenfranchising YOUR right to vote!**

The board should do the job they signed up for. Follow the bylaws by setting up a special meeting, setting rules for conducting the vote allowing each side to present their case to the membership using the website and the newsletter and conducting a proper vote. Anything less would be unconscionable.

It is our understanding that to ignore established corporate bylaws is a breach of the bylaws which may include severe consequences to the TPMGC. This would not be good for the TPMGC. The Term Limit Petition Group is prepared to do whatever it takes to insure the integrity of the Bylaws remain intact. If you agree and would like to help us in this effort please let us know.

Respectfully submitted,

Joe Burwell

Approved by: Torrey Pines Petition 2014 Group