

Two meetings were held by interested residents (9/30 and 10/4/2020) to discuss a proposal by Joe Grippe to have term limits for trustees. The meetings also discussed closely-related topics. Here is my DRAFT summary of the suggestions, ideas, comments, and concerns from those two meetings. Please read this through and see if I missed any ideas, suggestions, comments or concerns that you feel were important to the dialogue. Let me know, -th

The most commonly mentioned theme was that there needs to be a way for leaseholders to remove a trustee. An objection was that if there were a recall procedure, it could be abused and make it difficult to find new trustee candidates. Possibly such a procedure could be designed to avoid abuse.

A common corollary was that modifying the deed of trust (DOT) should only be done very carefully and some felt it should not be modified at all. The document has served well for nearly 100 years.

Term limits were also brought up frequently (and were the initial cause of the meeting). Suggestions/comments/concerns included:

- specific terms, staggered to replace one trustee at a time
- particular term needs further discussion (max fifteen years?)
- concerns that one-year or five-year terms (both of which were suggested) could make it difficult to retain trustees
- term limits bring new ideas more often
- trustees develop expertise over time that short terms and high turnover would jeopardizes
- there is no mention in the DOT about life or other length of terms
- balance new ideas with preservation of organizational memory/knowledge
- the current push to add term limits is a response to a specific event, and jeopardizes the long term
- term limits cause elections, which require leaseholder meetings, which are burdensome
- concern that a trustee up for election or re-election could be influenced to do something to win the election that may or may not be in alignment with the DOT
- concern that we are taking an individual data point (the Ivy Gables transaction) and consequently wanting to change the whole
- Trustees often deal with issues that take many years to resolve and terms could negatively impact the efficacy

Selection of trustees was also discussed, frequently in combination with ideas about term limits, but here separated.

Suggestions/comments/concerns included:

- regular elections with candidates (not proposed by trustees)
- elections will make things more democratic
- elections will make things more political or a popularity contest
- at least once in the past the leaseholders elected from multiple candidates
- the current push to modify the trustee process is a response to a specific event, and jeopardizes the long term
- there are a limited number of people willing and qualified, and we should not make it harder
- elections are divisive and burdensome

-heavy and frequent vetting of possible candidates, like at the end of each term, will make people less likely to step forward or to continue

-elections are not burdensome

Fears expressed:

- making Ardentown more political
- losing what makes us special/unique and what has worked well for almost 100 years
- our meetings will become as contentious and as long as Arden's
- fear that we are over engineering a solution because of a single event
- Trustees should not be part of a popularity contest but must always guard the trust
- fear that frequent elections could become the basis for hard feelings among supporters of different candidates, which is especially difficult in our small town

Miscellany:

What are the five lots mentioned in the DOT?

Trustees should hold off on the current replacement.

Trustees should move forward with a replacement as that is their fiduciary responsibility as outlined in the DOT.

Remember that leaseholders and residents are not the same.

Ardentown govt design was a reaction to problems seen in first 22 years of Arden.

Ask new trustee candidate to agree to being term-limited and also expressed was continuing with our present way.

A Committee was formed when the deed was modified in 1990 and worked on the modification for about two years.

The retiring trustee shared with everyone at the Zoom Town Meeting in September that he will turn 90 years old on December 26 and wants to retire. Given the deed modification of 1990 was a work in progress for about two years, we should move forward.

Ardentown should become more democratic.

Ardentown is democratic.

Arden is more democratic and has really long meetings.

Arden's town meetings are often contentious, polarizing, and many residents no longer participate as a result.

Trustees don't have much actual power.

Trustees have lots of power.

There are only about 200 people from whence trustees, officers, committee heads, and committee members are chosen and only a small fraction of that number are actively involved.

Trustees need to keep confidentiality, need to see both sides.

There is nothing in the DOT to prevent abuse of power.

Documents, checks, and balances do not prevent abuse of

power, people do (see e.g. Federal govt)

Trustees are guardians of the trust.

-The reason that Trustees don't have long Trustees' reports at meetings is that the most time-consuming problems they deal with are sensitive and confidential, e.g. arguments between leaseholders, delinquent payments. The rest of the time is mostly collecting rent and paying taxes.

-What if new trustees would be willing to sign a letter saying they will step down if 2/3 leaseholders ask them to step down?

Leaseholders could withhold approval of a nominee until nominee signs. This would accomplish trustee recall without modifying deed of trust.