

THIRD WALNUT CREEK MUTUAL

REGULAR SESSION MEETING MINUTES OF THE BOARD
MONDAY, OCTOBER 9, 2017 AT 9:00AM
BOARD ROOM, GATEWAY COMPLEX
1001 GOLDEN RAIN RD., WALNUT CREEK, CA 94595

Call to Order

President McDonnell called the Regular Meeting of the Board of Directors of Third Walnut Creek Mutual (TWCM) to order at 9:02AM.

Roll Call

Directors Present:

John McDonnell, President X	Hillery Trippe, Director District VII
Gery Yearout, Vice President XI	Jack Case, Director District V
Judy Bank, Vice President XV	Toby Dicker, Director District VIII
Kathy Poling, Secretary III	Claire Wolfe, Director District X
Kay Barthold, Director District XIII	Vacant, Director District IV

Director Absent:

Christine Monsen, Treasurer XIV
Arlyss Rothman, Director District IX

Also Present: Mutual Operations staff was represented by Paul Donner, Director of Operations; Clayton Clark, Building Maintenance Manager; Rebecca Pollon, Landscape Manager; Kelly Mattison, Board Services Coordinator; Melissa Ward, Esq., Hughes Gill Cochrane Tinetti.

Approval of Meeting Minutes

President McDonnell asked for any corrections and/or additions to the following minutes:

Regular Meeting of the Board September 11, 2017

A motion was made to approve the September 11, 2017 regular minutes with one addition after the Treasurer's Report in regards to follow up by Rick Chakoff on Fire Insurance.

Moved, Seconded, Carried 9-0

Executive Session Meeting of the Board September 11, 2017

A motion was made to approve the September 11, 2017 executive session minutes as presented.

Moved, Seconded, Carried 9-0

Executive Session Meeting of the Board September 14, 2017

A motion was made to approve the September 14, 2017 executive session minutes as presented.

Moved, Seconded, Carried 9-0

Members' Forum

Residents were afforded the opportunity to express their general concerns and make comments.

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President's Report

President McDonnell reported on his expectations of the meeting and the specific topic governing documents project. His hope is to identify what sections of the CC&Rs and Bylaws need further discussion by the Board. President McDonnell also reported that the following topics were discussed in the most recent President's Forum: barbeque policies, insurance, difficulties in managing manors and privacy rights, security cameras, and how to manage neighbor disputes.

Secretary's Report

A report was not presented.

Treasurer's Report

Since Treasurer Mosen was not in attendance President McDonnell reported that the monthly financial has not been received yet. There has not been a dramatic change so this topic is to be deferred until Treasurer Mosen returns for the next meeting.

Budget and Finance Committee

Paul Donner gave a report on the progress of the draft budgets for each project, indicating that each Director has met with MOD to prepare the drafts for approval at the budget meeting. The weighted average operating coupon is \$300.06 and the weighted average reserve coupon is 238.72 for a total average coupon amount of \$815.00. The project coupons up for approval have a range from a low of \$680.00 to a high of \$1,090.00.

Building and Maintenance Committee

A summary of the following report was given by Director Case in regard to the Building Maintenance Committee Meeting held on September 22, 2017:

- 1) Two Board members were in attendance, as well as two resident members of the Committee, in addition to Clayton Clark. One resident also attended. The owner of Welcome Maintenance also attended.
- 2) Clayton Clark introduced the owner of Welcome Maintenance, who described the various problems they have encountered installing the ten-year smoke detectors, and the follow-up calls they have received.

In some cases, people refused entry to allow the detectors to be installed, and in many instances it took a number of attempts to gain access when a resident was available.

The main issue discussed centered around the various calls Welcome has been getting, assuming that there were a problem with the detectors. In many instances it was old detectors, in which the batteries were now dead, or existing hard-wired devices, not the new detectors installed by Welcome.

The committee discussed how to avoid the need to have Welcome come out to deal with detectors that they are not responsible for, at a cost of \$75 per visit. We discussed having MOD go out to change the batteries in the old detectors, but there would be a \$55 charge, billed to the resident. Another alternative would be for the resident to call the Handyman, if

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they have that service. Welcome will try to determine over the phone if the detector is one of the ten-year detectors.

The committee discussed the need to have the resident test the detectors each year, which would be difficult for many residents, unless they used the Handyman service.

3) Resident Comments

The issue of cleaning dryer vents (that are sometimes shared between two owners) and chimneys were brought up.

The Committee discussed the possibility of having project-wide contracts for vent cleaning or chimney cleaning, all of which services are provided by Welcome. Welcome will provide estimates, by project, that will be provided to the Directors, for them to decide if they are interested in moving forward with them.

4) Fire Code - the Committee had hoped to have the Fire Marshal at the meeting, but they were not able to attend.

The Committee discussed the need to clarify the State Code, and to develop a policy that reflects the needs for Rossmoor. We will revisit this topic in November.

5) Subcommittee Reports:

a) Architectural Standards - no report

b) Maintenance Standards - the subcommittee has reviewed the standards and have some questions. These will be finalized after the review of the matrix is completed.

c) Alterations Application and the Contractor List - no report, but the committee discussed possibly having both the owner and the Contractor sign the contractor guidelines.

d) Hard surface flooring - Claire Wolfe and Walt Braun will be meeting with a vendor, and work on this issue.

6) Maintenance Matrix - The Committee did not have time to continue discussion of the draft matrix prepared by Walt Braun. This will be the topic for the November meeting.

Follow-up actions:

1) Finalize comments on draft matrix in November.

2) Review and development of Policy on Barbeques

3) In-home testing of hard surface flooring samples.

4) Article in Rossmoor News regarding maintenance - likely after matrix is completed

Landscape Committee

The following report was given:

Lawn Maintenance: Weekly mowing (AS NEEDED) alternating edging front and rear of manor every other week. Fertilize with 16-6-8.

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Entry Maintenance: Once a month routine maintenance, ground cover trimming, shrub pruning, and weed control. Fertilize all shrubs and ground covers. If a director has special area they would like trimmed or not, please notify Steve Ormond.

Tree Maintenance: Waraner Brothers will be maintaining trees in Projects 45, 50 & 55.

Landscape Rehabs: Our in-house crew will start projects 51 and 23 for the month of October.

Governing Documents Committee

Committee Chair, Director Banks reported that the committee concluded the 4 Governing Docs Town Hall meetings. Resident's forum feedback has been positive. There are some changes that are going to be made. The committee has collected all written comments and the FAQ document will be updated to address any new questions.

Alterations Permit Application Review Committee

Committee Chair, Director Case reported that the review process for alteration permits is going smoothly.

Audit Committee

A report was not presented.

Communication Committee

Committee Chair, Secretary Poling reported that the Rossmoor News articles are moving along which can be difficult with the deadlines for submittal being the week prior. The committee is doing their best to keep up to date information in the articles.

Emergency Preparedness Committee

A report was not presented.

New Business

Discussion Regarding Governing Docs Project

President McDonnell gave a historical recap of the restating process, identifying that the goal is to have unified CC&Rs and Bylaws.

At this point in the meeting the Following Directors mentioned they do not wish to be recorded: Judy Bank, Toby Dicker, Gery Yearout, and John McDonnell.

The Board identified that the following sections of the governing documents need to be discussed further for editing:

Bylaws:

5.7 Term of office, 5.11 Filling of Vacancies, 7.1.6 Professional Advisors, 8.5 Reserve Study and Annual Review, 8.8 Review of Accounts, Article 9 Duties and Electronic Communication, 11.1 Mutual Records, Article 2, and 12.1 Amendment by the Members

CC&Rs:

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Check title of document; Recitals - c; Article 3.14 & 3.15 Project 50 Carports & Project 55 Carports, Article 4 Use Restrictions: 4.3 Guests, 4.10 Smoking, 4.11 Floor Coverings, 4.17.5 Rules, 4.22.4 parking assignments from Original Project CC&Rs, 4.22.5 Project 50 Deeded Garages; Article 5 Renting or Leasing: 5.1 Section C; Article 6 Maintenance, Repair and Replacement Responsibilities: 6.1 Common Area, 6.2 Exclusive Use Common Area, 6.3.2 Battery-Operated Smoke Detectors and Carbon Monoxide Detectors, 6.5 Limitation On Mutual Responsibility and Liability; Article 8 Assessments and Liens: 8.6 Mutual Funds, 8.18 Waiver of Exemptions; Article 10 Insurance: 10.6 Members' Individual Insurance Requirements Article 11 Damage or Destruction of Buildings; Condemnation: 11.1 Damage to Single unit; Article 13 General Provisions: 13.8 Power of Attorney.

Next Board Meeting

The next Special Meeting of the Board will be held on Wednesday, October 25, 2017 at 9:00AM, in the Fireside Room at Gateway. A budget presentation will be held for each project prior to any Board vote. The next Regular Meeting of the Board will be held on Monday, November 13, 2017 at 9:00AM in the Board Room at Gateway.

Adjournment

There being no further business, the Regular Meeting of the Board was adjourned at 11:05AM and the Board moved into Executive Session.

Executive Session Summary

An Executive Session was held following the regular meeting. The Board discussed owner hearings and legal matters.

Secretary's Certificate

I hereby certify that the foregoing is a true and correct copy of the approved minutes of the Board of Director's meeting.



Assistant Secretary

Third Walnut Creek Mutual