

THIRD WALNUT CREEK MUTUAL

REGULAR SESSION MEETING MINUTES OF THE BOARD
MONDAY, MARCH 12, 2018 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 9:00AM.

Roll Call

Directors Present:

John McDonnell, President X	Christine Monsen, Director District XIV
Gery Yearout, Vice President XI	Jack Case, Director District V
Judy Bank, Vice President XV	Claire Wolfe, Director District X
Hillery Trippe, Treasurer VII	Kay Barthold, Director District XIII
Arlyss Rothman, Secretary District IX	Ron Mucovich, Director District IV
Toby Dicker, Director District VIII	Jay Fischer, Director District III

Also Present: Mutual Operations staff was represented by Paul Donner, Director of Mutual Operations; Rick Chakoff, Chief Financial Officer; Clayton Clark, Building Maintenance 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:

Special Meeting of the Board.....January 29, 2018

A motion was made to approve the January 29, 2018 special meeting minutes as presented.

Moved, Seconded, Carried 11-0

Executive Session meeting of the BoardFebruary 5, 2018

A motion was made to approve the February 5, 2018 executive session meeting minutes as presented.

Moved, Seconded, Carried 11-0

Special Meeting of the Board.....February 7, 2018

A motion was made to approve the February 7, 2018 special meeting minutes as presented.

Moved, Seconded, Carried 11-0

Regular Meeting of the BoardFebruary 12, 2018

A motion was made to approve the February 12, 2018 regular meeting minutes as presented.

Moved, Seconded, Carried 11-0

Executive Session Meeting of the BoardFebruary 12, 2018

A motion was made to approve the February 12, 2018 executive session meeting minutes as

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presented.

Moved, Seconded, Carried 11-0

Members' Forum

Residents were afforded the opportunity to express their general concerns and make comments. The topic discussed in members' forum was Subdivision 6701.

President's Report

President McDonnell reported that the following topics were discussed at the most recent president's forum: full audit vs. a review; moving common area PG&E bills over to commercial from residential to save on costs; Waterford solar project; and the increase in the MOD billable rate.

A motion was made at this time to add a discussion on Policy 64 to the open meeting that is scheduled for April 9, 2018.

Moved, Seconded, Carried 10-0 with 2 abstains, Directors Bank and Yearout abstained.

Secretary's Report

A report was not presented.

Treasurer's Report

A report was not presented.

Budget and Finance Committee Report

Treasurer Trippe announced that the next Budget and Finance committee meeting will be held on May 7th at 2PM in the Gateway Board Room.

Building and Maintenance Committee

A report was not presented.

Landscape Committee

Steve Ormond's Landscape report for February 2018 was as follows:

Lawn Maintenance: Mowing 2-3 times a month, depending on weather. Aerating and fertilizing will take place with 16-6-8.

Entry Maintenance: Once a month for routine maintenance. Fertilize all shrubs and ground cover areas.

Tree Maintenance: Tree maintenance will take place in Projects 27, 31, 32, 33, and 34.

Landscape Rehabs: Our landscape crew will be working in Projects 26, 50, and 55 for the month of March.

Irrigation: Please report any leaks, breaks, or adjustments needed to 988-7650, or email to workorder@rossmoor.com. If you know of areas that show signs of excess irrigation, notify

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Steve Ormond.

Governing Documents Committee

Director Banks reported that the committee will be meeting on March 27th at 3pm in the Gateway Board Room and will be focusing on the solar policy.

Alterations Permit Application Review Committee

Director Case reported that the application process is continuing to go smoothly.

Audit Committee

Rick Chakoff reported that the audit work is complete and he just received the first draft for review. Once Rick is done reviewing he will work with Director Dicker to get it approved.

Communication Committee

A report was not presented.

Emergency Preparedness Committee

Director Rothman reported on entry coordinators. She will be working with the committee and EPO President Colleen Trinterud to recruit owners to be entry coordinators for the Mutual.

New Business

Ratify Foreclosure on APN# 189-440-018

A motion was made to ratify the approval of initiating non-judicial foreclosure on APN# 189-440-018.

Moved, Seconded, Carried 12-0

Record Lien on APN# 189-270-063

A motion was made to proceed with recording a lien on APN# 189-270-063.

Moved, Seconded, Carried 12-0

Status of Governing Document Project

Melissa Ward reported that the redline version that compares the September 1, 2017 draft to the March 5, 2018 draft of the CC&Rs and the most recent Bylaw draft were successfully uploaded on March 5, 2018. She congratulated all those involved and thanked everyone for the time, effort, and care that have been put into the drafts. The one remaining item pertaining to insurance was presented and reviewed by GRF Risk Management and Gallagher Insurance Brokers. They concluded that the section 6.6 was compliant with GRF insurance policy that the Mutual currently hold. The Board then discussed the section 6.6 in detail pertaining to gross negligence vs. ordinary negligence. After discussion a motion was made to remove section 6.6 in its entirety.

Moved, Seconded, Carried 12-0

The Board discussed section 6.2.14 (a) of the CC&Rs. A motion was made to remove the wording "following recordation of this declaration".

Moved, Seconded, Carried 12-0

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The Board discussed the need to allow time for comments and feedback from residents and the chance to meet again to discuss these comments and feedback of the members prior to approving a final draft for balloting. A motion was made to create a deadline of April 6, 2018 for member's to provide written comments to the Board on the uploaded redline version, to then discuss these written comments received at the April 9, 2018 open board meeting where more changes, if needed, can be provided to Melissa Ward for another draft, and then a special meeting to be held on April 19, 2018 to review any final changes and the opportunity to vote on a final draft for balloting by all members.

Moved, Seconded, Carried 12-0

Concerns on Policy 61 – Solar Energy Systems

Vice President Bank reported that there is a need to update Policy 61 regarding Solar Energy Systems since the Governor signed into law new legislation that took effect on January 1, 2018. The policy will be discussed in great detail at the next governing documents meeting on March 27, 2018 at 3PM in the Gateway Boardroom.

Committee Appointments

1. Hillery Trippe – Budget & Finance Chair
2. Arlyss Rothman – Communications Chair
3. Dale Harrington – Budget & Finance Member

A motion was made to accept the appointments listed in items **1-3** above as stated.

Moved, Seconded, Carried 12-0

Next Board Meeting

The next Regular Meeting of the Board will be held on Monday, April 9, 2018 at 9:00 a.m. in the Board Room at Gateway.

Adjournment

There being no further business, the Regular Meeting of the Board was adjourned at 11:18 a.m. and the Board moved into Executive Session.

Executive Session Summary

An Executive Session was held following the regular meeting. The Board discussed late fee waivers, legal matters, personnel issues, and an owner request for repairs.

Secretary's Certificate

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



Assistant Secretary

Third Walnut Creek Mutual