

MINUTES
FOURTH WALNUT CREEK MUTUAL
MONDAY, APRIL 21, 2014 AT 1:30 P.M.
BOARD ROOM – GATEWAY

Vice President Cardinal called to order a regular meeting of the Board of Directors of Fourth Walnut Creek Mutual at 1:30 p.m. on Monday, April 21, 2014 in the Board Room at Gateway complex, 1001 Golden Rain Road, Walnut Creek, California.

ROLL CALL: PRESENT:	Vacant	President
	Donald Cardinal	Vice President
	Pauline Kelzer	Treasurer
	Sheila Peverill	Director
	Penny Wade	Secretary

EXCUSED: None

Representing Mutual Operations were Paul Donner, Director of Mutual Operations; Rick West, Building Maintenance Manager; Rich Perona, Landscape Manager; and Anne Paone, Administrative Secretary.

Mr. Cardinal welcomed thirty-two residents in attendance.

APPROVAL OF MINUTES

Penny Wade moved to approve the minutes of the regular session Board meeting of March 17, 2014. Pauline Kelzer seconded and the motion carried without dissent.

Penny Wade moved to approve the minutes of the Executive Session Board meeting of March 17, 2014. Sheila Peverill seconded and the motion carried without dissent.

RESIGNATION

Mr. Cardinal reported that the Board President, Karen Hoyt has resigned from the Board of Directors.

Mr. Cardinal announced the Board received a letter of resignation from Karen Hoyt. He distributed a copy of the letter to Directors, and asked for a motion to accept the resignation.

Ms. Peverill offered a three-part motion as follows: 1) Accept the resignation and attach a copy of the signed acceptance dated 4/16/14; 2) Issue a Stop Work Order for all landscape work in Entry 7 until further notice; and 3) Conduct an internal investigation of all landscape work in Entry 7 to determine who authorized the work and who paid for it. Ms. Peverill distributed a copy of the

three-part motion to Directors. Ms. Kelzer seconded the motion and there being no discussion, Mr. Cardinal called for a vote. The motion carried by a vote of 3-0. (Wade abstained for lack- of-information.)

RESIDENTS' FORUM

Sara Seltzer, Skycrest - Entry 13, Ms. Seltzer had a concern about transparency and was concerned that things could and have happened, regarding landscaping, without the Board being aware.

Sheila Gorsuch, Skycrest – Entry 16, Ms. Gorsuch is concerned about kitchen lights that were left in the trash area. Mr. Cardinal advised her that she can call MOD and they will take care of the lights.

Janet Schreiber, Skycrest – Entry 7, Ms. Schreiber is concerned about the landscape mismanagement and workers' compensation. Her concern was that a resident, Ms. Hoyt, has been doing common area work. Mr. Donner advised her that no President is authorized to do any work and is not covered by workers' compensation. Mr. Cardinal reported that she has been advised to cease and desist.

Nancy Partovi, Skycrest – Entry 1, Ms. Partovi read from a letter that she had written. She feels there is something wrong with the landscape committee and Mutual Four. There was a request to the landscape committee to have her lawn fixed. She sent a letter in August of 2013 stating this request. Promises were made, but nothing was ever done. Photos were displayed to show Entry 1. They showed bare ground. She then had photos of landscaping around Ms. Hoyt's home and Ms. Wade's home. She wondered why they received landscaping and not those in Entry 1. She continued reading from her letter asking for the resignation of Ms. Wade and the firing of Mr. Perona because she thinks that they have not managed the Mutual's funds for landscaping with due diligence and fiduciary responsibility.

Diane Buonaccorsi, Skycrest – Entry 1, Ms. Buonaccorsi presented a list of items that they would like done in Entry 1. It has the signatures of half of the people in the entry. She thanked the Board for all of their hard work.

Richard Devlin, Skycrest – Entry 1, Mr. Devlin was concerned about all of the trees that have been removed. He doesn't think that they should all be cut down. He used to go on all of the landscape tours. He was also concerned about discussion regarding cutting back the ivy. In addition, he didn't like having dogs using the lawn as a bathroom.

Steve Adza, Skycrest – Entry 13, Mr. Adza wanted to re-iterate Ms. Seltzer's previous comments. He was there in her stead because he thought she could not attend the meeting.

Farhad Partovi, Skycrest – Entry 1, Mr. Partovi read from a letter. He thanked the Board for stopping landscape work being done in Entry 7. He demanded the resignation of Penny Wade and that Mr. Perona be fired from Rossmoor.

BUILDING MAINTENANCE REPORT – Rick West

Mr. West reported that the roofing projects 2589 Pine Knoll and 1217 Skycrest began on April 14 and are almost finished, except for the downspouts. Notices will be going out to residents of 1217 Skycrest.

Stoddard Plumbing inspected all water shut off valves. All of them are good.

MOD carpentry rehab and paint touchup on P-21, (Skycrest) Entry 10 has been stopped due to budget restraints. The budgeted amount is \$10,000 and the actual cost is \$14,985, due to extensive dry rot found in carport rear and side walls. They will continue once the funds are there.

2109 Skycrest, Entry 17 has been inspected. New larger 3” diameter downspouts have been installed.

The fire hydrant coupler between E14 and E15 Skycrest has been replaced and is complete.

The new reflective signs will cost about \$90 for the plastic sign and the structure that holds the sign will have to be rebuilt. MOD can do it for about \$400-500 per entry. They will use the existing post and build a new frame.

Ms. Kelzer asked Mr. West about the status of the utility cabinets. Mr. West will advise the Board at their next meeting.

FISCAL COMMITTEE – Pauline Kelzer

Ms. Kelzer reported that there was no one present to review the audit this year as there was another meeting scheduled that required her attendance.

LANDSCAPE REPORT

LAWN MAINTENANCE: Lawns were fertilized last week with sulfur coated urea. Irrigation systems have been turned back on.

ENTRY MAINTENANCE: Entry crews are working on monthly schedules. Annual color beds were replanted with summer begonias.

TREE MAINTENANCE: Waraner Brothers Tree Service handles all work orders. The first cycle of scheduled tree pruning has been completed. A Tulip tree at 2100 Skycrest,

two Pines at 2001 Skycrest, two Zelkovas at Skycrest - entry 10 buildings 1613 and 1633 have been removed..

LANDSCAPE REHAB: The MOD landscape crew completed work planned out in the Mutual for 17 days starting March 24th.

Ms. Kelzer motioned that the Board defer deciding on the landscaping proposals presented at this meeting and take the time to review them and create a plan for landscape rehab that is affordable. Ms. Peverill seconded and the motion carried without dissent.

Ms. Peverill reminded the Board that Entry 8 was supposed to be done over a period of two years and the work was not done according to the Board's decisions.

Mr. Perona reminded everyone that dead plants are addressed via work orders.

LANDSCAPE AND GROUNDS, FIRE CLEARANCE:

Mr. Perona reported that there will be some fire abatement work done behind Entries 8-10. As part of the fire abatement funds received from the Trust, there has been quite a bit of work done on the hillside such as clearing of trees and removal of brush.

Mr. Donner commented that disking is done by Golden Gain.

Ms. Kelzer discussed grants that are available to do clearance under the power lines. Mr. Perona reported that if there will be more money released for grants, then they will apply for that money for 2015. It is unclear yet if and how much the state will release.

ARCHITECTURAL CONTROL AND ALTERATIONS; COMPLIANCE:

Mr. Cardinal reported this past month there were 15 alterations approved and 21 in progress. The YTD is 63 completed alterations.

Ms. Kelzer wanted to know what the procedure will be for alteration applications. The Board wants to see every alteration, including standard alterations, until further notice.

EMERGENCY PREPAREDNESS COMMITTEE – Sheila Peverill

No report.

COMMUNICATIONS COMMITTEE – Penny Wade

No Report.

POLICY COMMITTEE

No report.

TRUST AGREEMENT COMMITTEE – John Rosenberg, Mike Herr, Co-Chairs

Mr. Cardinal reported that it is still being worked on. It may be revised numerous times as it is a work in progress. All of the Mutuels and Golden Rain have to approve any changes.

PRESIDENT'S REPORT – Don Cardinal

Mr. Cardinal attended the Presidents' Forum and reported that the fire department is suggesting that residents that have lockboxes or combination locks on their garage doors send the codes to the fire department. They will maintain the information in a secure database and if there is an emergency, they won't have to break a window or knock down a door. The list will only be for the fire department's use.

Dennis Bell, Public Safety Manager, reported that the program is offered by the Contra Costa Fire Department. Captain Jason Walker from Engine Three presented the program. The codes would be put into their dispatch computer. The program is voluntary and is not connected to Golden Rain.

Mr. Cardinal discussed fire abatement and advised the membership that if there is a fire in the ravine or near homes, they will get air support to assist with eliminating the fire.

Moxxy was discussed at the President's forum. The Board feels that the website would be too much money at this time and will stay with their own website.

Comcast made an offer a year ago and the presidents didn't see anything beneficial to the residents. They will make another offer this year. Mr. Cardinal reminded the membership that the Board tries to keep the coupon as low as possible.

EBMUD will have an increase of 10% this year and next year.

PG&E is pushing to have everyone pay for the explosion of the gas pipes on the Peninsula. People are looking into what is necessary to fight having the cost passed on to residents/users.

Golden Rain Foundation is negotiating with Pulte Homes to do some improvements for the area that the Garden Club uses. They would like some fencing, a new road and a water and sewer system so it can be independent from the residential property.

TREASURER'S REPORT

Mr. Cardinal reported that the Board reviewed the financials and they look very good. Expenses go up and down throughout the year, but typically even out by the end of the year.

Ms. Kelzer reported that there are five delinquencies on the books. One may require a lien.

Ms. Kelzer also reported that the Mutual has had thirteen months of operating in the red. The pattern had previously been red, black red, black. Her concern was that it has been all red. Mr. Donner commented that most of this is due to utilities and most of that was water. He noted that this year the amount for March is less than last year.

SECRETARY'S REPORT

No report.

OLD BUSINESS

Ms. Peverill reported that the car is still there at Entry 10. It has no tags and has been there for some time. Mr. Donner said it is a complicated process to tow and Ms. Peverill said to start the process.

NEW BUSINESS

Ms. Kelzer motioned to allow Mr. Farhad Partovi ten minutes to speak during the executive session. Ms. Peverill seconded and the motion carried without dissent.

ANNOUNCEMENT

The next regular board meeting is scheduled for May 19, 2014 at 1:30 p.m. in the Board Room at Gateway.

ADJOURNMENT

Having no further business, the meeting adjourned at 3:00 p.m. to executive session for delinquency issues.

/s/

Anne Paone, Assistant Secretary
Fourth Walnut Creek Mutual