

FIFTH WALNUT CREEK MUTUAL

MINUTES

REGULAR MEETING OF THE BOARD OF DIRECTORS

THURSDAY, JANUARY 15, 2009 AT 2:30 P.M.

BOARD ROOM – GATEWAY COMPLEX

OPENING

President Rowe opened the meeting at 2:00 p.m. Directors Dietschy, Fasanella, Matthews, Sandelmann, and Swinden were also present. Director Friederichs was excused. Attendance

There were also nine residents present.

Staff was represented by Mr. Donner, Director of Mutual Operations; Mr. Chakoff, Chief Financial Officer; Mr. Friesen, Building Maintenance Manager; Mr. Ormond, Landscape Supervisor; and Ms. Paradise, Administrative Secretary.

APPROVAL OF THE MINUTES

Mr. Rowe asked for any additions or corrections to the minutes of the regular board meeting of December 18, 2008. Hearing none he declared the minutes approved as written and reviewed. Minutes Approved

MEMBERS' FORUM

Richard McKinley, 3425 TG #1A, thanked the Board for the assistance in repairing a leak at his residence. Members' Forum

Irene Hohener, 3800 TG #2A, thanked Steve Ormond for the excellent condition of the plants throughout the Mutual.

SECRETARY'S REPORT – Mr. Fasanella

No report. Secretary's Report

TREASURER'S REPORT – Werner Sandelmann

Mr. Sandelmann reported the December monthly financial report has not been received to date as the year-end report is pending. Treasurer's Report

BUDGET AND FINANCE COMMITTEE – Werner Sandelmann

Mr. Sandelmann reported there was no meeting this month. Budget and Finance Committee

Mr. Chakoff reported that the large increase anticipated for the insurance premium in 2009 will actually be less than budgeted. The preliminary financial report indicates the Mutual will be close to budget in both Projects by year's end.

BUILDING COMMITTEE – Mr. Friesen

Mr. Friesen reported on the repeated stoppage problem at 3874 TG #1A. Stoddard Plumbing has been hired to evaluate the cause and provide an estimate for repair.

Building
Committee

The third bid for termite work is on hold pending a review by the Building Committee. The Helsing Study is on hold pending the Reserve Study Committee review.

Water usage has decreased on the fire line leak from November to December. Mr. Friesen will assess the usage in the January to February period to ascertain if the leak repair was successful.

Mr. Friesen presented a report outlining costs for the Entry 2 Avenida Sevilla sign. The Board will continue research on this matter.

On behalf of Ms. Friederichs who was absent, Mr. Fasanella reminded Mr. Friesen to forward copies to her of bid specifications and contractor bids for any new projects.

LANDSCAPE COMMITTEE – Mr. Rowe

Mr. Rowe reported the new contractor has started and a newsletter will be sent to residents advising them of the change. The committee reviewed the contract with Valley Crest including the irrigation addition and in February will determine a walk-through schedule.

Landscape
Committee

(A copy of the Landscape Committee minutes from January 6, 2009 meeting is attached.)

The Golden Rain Foundation will match funds with the Mutual for fire abatement work on Terra Granada Drive. The estimate for the Mutual's portion of this work is \$2,000.

Valley Crest submitted a proposal for rehabilitation in the courtyard at 3288 Terra Granada Drive. Following review,

Mr. Fasanella moved to approve the proposal from Valley Crest in the amount of \$12,759.42 to rehabilitate the courtyard at 3288 Terra Granada Drive. Mr. Matthews seconded, and the motion carried by majority. (Mr. Sandelmann abstained.)

Approval for
Landscape
Project at 3288
TG

EMERGENCY PREPAREDNESS COMMITTEE – Mr. Matthews

As Mr. Matthews served as interim chair, Ms. Dietschy agreed to chair the committee. By acclamation, Ms. Dietschy was approved as chair of the Emergency Preparedness Committee.

Emergency
Preparedness
Committee

ALTERATIONS – Ms. Swinden

Ms. Swinden reported that four permit applications have been submitted this month. Two have been approved and two are in process.

Alterations
Committee

(A copy of the alterations report is attached.)

AD HOC RESERVE STUDY COMMITTEE – Mr. Rowe (chair)

The committee will be composed of Mr. Rowe, Mr. Matthews, Mr. Cruson, Mr. Friesen, and Ms. O'Neill. Mr. Matthews will serve as chair.

Creation of Ad
Hoc Reserve
Study
Committee

The committee will hold their first meeting on Thursday, January 29 at 10:00 a.m. to review the draft Helsing report.

OLD BUSINESS

The Board discussed the following policies:

Old Business

Policy 64 (Standards for Buildings and Grounds): The Board will need more time for review. Mr. Matthews suggested that in cases of an emergency situation, the emergency replacement should be attended to first and then a permit should be obtained as soon as possible. In Section 64.1.14 Mr. Matthews suggested adding "tile" as a standard deck surface.

Policy 65 (Front Doors): The Board will need more time for review.

Policy 4: (Calendar of Events) Mr. Fasanella moved to change the starting time for regular meetings from 2:30 p.m. to 2:00 p.m. Ms. Dietschy seconded, and the motion carried without dissent.

Approval of
Change in
Meeting
Starting Time

The Board discussed an additional change for Policy 4 that should be incorporated: Eliminate the special meeting of the Board for budget approval and set budget approval for a regularly scheduled monthly board meeting.

The Board will continue their review of the committee charters.

Mr. Rowe reported he had asked staff for a recommendation for revision of the Mutual's legal documents to bring them into compliance with statute. Mr. Donner recommended the legal firm of Angius and Terry attorneys which is most familiar with the Mutual due to past association with Third Mutual and because they assisted with the start-up documents of Fifth Mutual. The main focus would be to combine Project 46 and Project 47 into one to be approved by the membership. The Board authorized Mr. Rowe to proceed with legal counsel to pursue a rewrite of the CC&Rs and Policies

to better fit the needs of Fifth Mutual.

NEW BUSINESS

Mr. Rowe read a letter he submitted for Board approval as recognition of Don Joost, one of the founding directors of Fifth Mutual, who recently passed away.

Ms. Swinden moved to approve the letter and send it to Mrs. Joost. Mr. Fasanella seconded, and the motion carried without dissent.

Approval for
Recognition
Letter

ANNOUNCEMENT

Ms. Swinden reported that Duncan Carter resigned from the newsletter staff. Ellen Dietschy and Claire Rosenzweig agreed to assist with the publication. Input from directors is needed.

Announcement

Ms. Dietschy asked if permanent bulletin boards could be installed in the trash bin areas. In response, Mr. Rowe stated that he is pursuing the issue of installing wooden holders that can be used for posting announcements.

Barbara Phillips, 3622 TG #2B, reported a leaking window and slider. She is replacing the window and slider due to an on-going leak. She invited directors to view her alteration upgrade.

Irene Hohener, 3800 TG #2A, reported she had her garage door repaired due to squirrel damage. It has been patched but needs painting. Mr. Friesen will follow up.

Mr. Rowe reported that some utility doors do not close properly. Mr. Friesen will follow up with repairs and adjustments as needed.

ADJOURNMENT

The meeting adjourned at 3:10 p.m.

Adjournment

Tony Fasanella, Secretary
Fifth Walnut Creek Mutual