

FIFTH WALNUT CREEK MUTUAL
MINUTES
REGULAR MEETING
THURSDAY, DECEMBER 16, 2010 AT 2:00 P.M.
BOARD ROOM – GATEWAY COMPLEX

OPENING

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

There were three residents present.

Staff was represented by Mr. Donner, Director of Mutual Operations; Mr. Friesen, Building Maintenance Manager; Mr. Ormond, Landscape Supervisor; and Ms. O'Neill, Administrative Secretary.

APPROVAL OF THE MINUTES

Mr. Rowe asked for any additions or corrections to the minutes of November 16, 2010. Mr. Sandelmann noted that on page 2, second paragraph, the amount that was borrowed and then repaid to reserves was \$35,000 not \$37,000 as written. Hearing no further corrections, Mr. Rowe declared the minutes of the November 16, 2010 regular meeting minutes approved as corrected. Minutes
Approved

MEMBERS' FORUM

Duncan Carter submitted a written spreadsheet outlining anticipated carport expenses for Project 46 and Project 47 over the next 30 years. A copy of the spreadsheet is attached. Members'
Forum

Tony Fasanella reported that he has obtained all signatures of members of Project 46, with the exception of Charles and Maureen Swinden, on the circulated **petition** letter that he submitted last month. He also expressed his concern regarding the fund balances shown in the 2011 budget for Project 46. Mr. Rowe explained that a majority of the Board agreed to a more conservative report of the fund balance in Project 46 which would put it into a more favorable financial position. Mr. Friesen clarified that the budget balance is a projection based on estimates and the *actual* fund balance will be known when the 2010 year's end audit report is submitted.

Mr. Rowe reported he had received a query from a resident in Project 47 who wanted to know what the line item for "telephone" expenses represented in the 2011 budget. Mr. Friesen explained that the budget line item represents expenses for the emergency phone in the elevator.

SECRETARY'S REPORT – Ms. Dietschy

No report.

TREASURER'S REPORT – Werner Sandelmann

Secretary's
Report

Mr. Sandelmann reported on the financial status of the Mutual as of November 30, 2010. A copy of Mr. Sandelmann's report is attached. Delinquencies are minimal.

Treasurer's
Report

LANDSCAPE COMMITTEE – Mr. Rowe, Chair; Mr. Ormond, Landscape Supervisor

Mr. Rowe reported that Jim Eklund will be representing Entry 2 (replacing Eva Friederichs) and Mary Ricksen will now represent Entry 8.

Landscape
Committee

One tree in Entry 5 that was on the original bid from Waraner Tree Service has been eliminated from the bid and will not be removed. Mr. Ormond reported that the invoice was adjusted accordingly.

Mr. Rowe reported that the Landscape Committee found that deer repellent is cost-prohibitive and will not be used. Additional research will be done to seek alternative deer-resistant products or methods.

Mr. Ormond also reported on entry and tree maintenance as well as landscape rehabilitation projects and irrigation. A copy of Mr. Ormond's report is attached.

A copy of the minutes from the December Landscape Committee meeting is also attached.

BUILDING COMMITTEE – Ms. Friederichs, Chair; Mr. Friesen, Bldg. Maint. Mgr.

Ms. Friederichs reported all projects seem to be under control at present.

Building
Committee

Mr. Friesen reported on a repair needed at 3535 TG #3A. MOD estimated the work at \$1,200. Accordingly,

Ms. Dietschy moved, Mr. Matthews seconded, and the motion carried without dissent to repair the rear deck storage area at 3535 TG #3A per the termite report at an MOD estimated cost of \$1,200 as a reserve expense.

Approval for
Repairs to
3535 TG #3A

Rain gutter repairs will commence soon pending weather conditions.

Mr. Cruson moved, Ms. Swinden seconded, and the motion carried without dissent to clean the rain gutters in Project 46 in the amount of \$850 and in Project 47 in the amount of \$8,400.

Approval for
Rain Gutter
Cleaning

Notices will be distributed to the residents advising them of the rain gutter cleaning process at Mutual expense as well as the option to clean their private use patio/deck areas at resident expense.

The new entry signs will be installed as soon as the paint dries.

The deck list has been entered into the MOD database. Deck repair costs in 2010 for Project 46 were \$735 and for Project 47 were \$64,955.

To date 11 rain-related leaks were reported at a total cost of \$3,452. Some of the repairs will require follow up repair work, such as painting, flooring, water testing, etc.

EMERGENCY PREPAREDNESS COMMITTEE – Ms. Dietschy, chair

No report.

Emergency
Preparedness
Committee

ALTERATIONS – Ms. Swinden (chair)

There are currently eight alterations in progress.

Alterations

Mr. Friesen will follow up on an unapproved garage door installation.

AD HOC RESERVE STUDY – Mr. Matthews, chair

No report. The Committee will take under advisement Mr. Carter's comments regarding the carports.

Ad Hoc
Reserve Study
Committee

OLD BUSINESS

Draft 2 (rev.) of the proposed Bylaws were sent to the attorney. They are on hold pending discussion of the definition of "Project."

Old Business

Mr. Cruson moved to delete the last sentence of Article I, Section 1.4 (d) to delete in its entirety the last sentence of the Draft 2 proposed amended and restated Bylaws: "Upon the approval by the Members of a unified set of Covenants, Conditions and Restrictions for both Projects, the Projects shall cease to exist for such purposes and all of the property and improvements comprising the two Projects shall then be known only as Fifth Walnut Creek Mutual." Ms. Swinden seconded, and, following discussion, the motion passed by majority. (6 ayes; 1 abstaining – Sandelmann)

Approval to
Delete a
Sentence in
Article I,
Section 1.4(d)
of Draft 2 of the
Proposed
Bylaws

Mr. Cruson will contact the Mutual's legal counsel to ensure that the sentence is deleted from the proposed Bylaws that will be sent to the membership. Legal counsel will also be asked to strike any reference to Third Walnut Creek Mutual in the proposed amended and restated CC&Rs and to include the updated language specifying insurance coverage.

NEW BUSINESS

None.

ANNOUNCEMENT

New Business

The next regular board meeting is scheduled for Thursday, January 20, 2011 at 2:00 p.m. in the Board Room (Gateway).

Announcement

ADJOURNMENT

The meeting adjourned at 3:05 p.m. to an executive session to discuss a resident matter.

Adjournment

Ellen Dietschy, Secretary
Fifth Walnut Creek Mutual