

FIFTH WALNUT CREEK MUTUAL

MINUTES

REGULAR MEETING OF THE BOARD OF DIRECTORS

THURSDAY, APRIL 16, 2009 AT 2:30 P.M.

BOARD ROOM – GATEWAY COMPLEX

OPENING

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

There were also fourteen residents present.

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

APPROVAL OF THE MINUTES

Mr. Rowe asked if there were any corrections to the minutes of the March 19, 2009 regular board meeting. Hearing none, Mr. Rowe declared them approved as written. Minutes Approved

MEMBERS' FORUM

Duncan Carter read a statement regarding a member's right to review Mutual documents and records; rehabilitation of the buildings and grounds; and if the Projects merge, Project 47 should make a compensatory reserve contribution to Project 46. Members' Forum

Dick Heinicke asked who is paying for the rehabilitation work in Entries 2, 3, 4 on Tice Creek. Mr. Donner explained that the work is in Second Mutual which is paying the total cost for this work.

Mr. Heinicke reported that at 1221 Avenida Sevilla several walkways need repair. Mr. Friesen stated he had submitted a proposal for the repairs some time ago when Mutual Five was still associated with Third Mutual, but it was not approved at that time. However, he will again review the proposal.

Mr. Heinicke commented that the entry sign at Entry 2 AS needs to be refurbished. Mr. Friesen explained that the sign at Entry 3 on Terra Granada is the template for any future signs. Mr. Heinicke opined that MOD has a lack of supervisors to oversee the maintenance work.

Gerald Cruson stated that agreed that the entry sign at Avenida Sevilla entry 2 needs replacement. He also reported that there are painted marks on the street near 1227 AS. Mr. Rowe explained that USA (underground service alert) marks the pavement for all the utilities that are in the area so that contractors will not damage the lines. The pavement was marked for repair of a water leak. The markings will fade out over time.

SECRETARY'S REPORT – Mr. Fasanella

No report.

Secretary's
Report

TREASURER'S REPORT – Werner Sandelmann

Mr. Sandelmann reported that through March 31, 2009, Project 46 had fund balances of \$16,933 in the operating account and \$59,079 in reserves. Revenues were over expenses \$2,546 in the operating account and \$8,647 in reserves.

Treasurer's
Report

In Project 47, fund balances were \$102,717 in the operating account and \$511,685 in reserves. Revenues were over expenses \$13,537 in the operating account and \$60,520 in reserves.

Insurance increased this year over last year's budget. Water expenses were under budget but this may be a timing issue with the billing schedule.

BUILDING MAINTENANCE REPORT – Bill Friesen

The deck bids at 3206 TG #1B and 3644 TG #1A need to be reviewed further. A revised bid will be submitted to the Board for review at the May board meeting.

Building
Maintenance
Report

Stoddard Plumbing has been digging along the fire line in Entry 8 TG to Entry 2 AS. The fire line leak continues to flow from an unknown location. Sound testing is in progress in an attempt to find the source of the leak.

Smoke detector tests will start next week. This process will include checking for toilet leaks.

The sign at Entry 2 AS should be completed in early May. Ms. Swinden was thanked for her design of the new signage.

Termite contracts have been awarded and work should be underway. Residents at 3874 TG will need to remove their belongings from their garages. Mr. Friesen recommended a container to store personal belongings of the residents affected by the repair work.

Ms. Swinden moved to have the Mutual underwrite the cost of a container to store personal belongings of the residents at 3874 Terra Granada affected by the termite repair work. Mr. Matthews seconded, and the motion carried without dissent.

Approval to
Rent a
Temporary
Storage
Container

In the 3288 TG building the window at the B level has a hollow section under the screen which may have allowed moisture penetration. Weep holes have been drilled into the window frame and the area will be monitored.

At 3874 TG #1A the stucco still needs to be sealed; Mr. Friesen will follow up to ensure completion.

At 1221 AS #2B there was a leak in bedroom that resulted in carpet damage; Mr. Friesen will follow up.

Ms. Friederichs presented a list of questions regarding procedures that are followed by contractors repairing decks, and residents making alterations during the repair process. Past President Duncan Carter explained the pan flashing repair process at the sliders.

Mike Cavanaugh, who inspected decks at 3330 TG, reported various conditions ranging from minor scars to major gaps. Mr. Friesen will follow up with the Building Committee.

LANDSCAPE COMMITTEE – Mr. Rowe (chair)

Mr. Rowe reported that the committee discussed a problem with a delay in irrigation repairs. Valley Crest agreed to revamp the reporting process to speed up future repairs. An owner recently gave up her private garden and the Mutual will rehabilitate the area. The nine rehabilitation days will be divided into various projects throughout the Mutual. Some of the new cherry trees seem to be in distress and will need replacement. Valley Crest was advised of this problem and will follow up.

Landscape
Committee

(A copy of the minutes of the Landscape Committee meeting of April 14, 2009 is attached.)

EMERGENCY PREPAREDNESS COMMITTEE – Ms. Dietschy (chair)

Ms. Dietschy reported that recently there was a community-wide workshop for entry coordinators. She has a list of active CB operators and Entry Coordinators in the Mutual. Some entries still need coordinators. Each board member was asked to try to find additional coordinators so that each entry would have a representative.

Emergency
Preparedness
Committee

It was suggested that an identifier could be posted on a front door or window of a residence to help locate a special needs person inside in case of emergency.

ALTERATIONS – Ms. Swinden (chair)

Ms. Swinden reported there are five alterations in progress and one has been completed.

Alterations

(A copy of the alterations report is attached.)

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

The committee is continuing their review. They will meet again in early May.

Ad Hoc
Reserve Study
Committee

OLD BUSINESS

Policy 19 Distribution of Materials – The Board will continue their review.

Old Business

Policy 70 Smoke Alarms – The policy is intended to hold the Mutual harmless when smoke alarm batteries are replaced. Mr. Donner suggested eliminating the waiver form but to continue the battery changing process annually. The policy will be sent for resident review and comment.

1285 AS #1B – Tile floors were installed in an upper level manor without approval. Bathrooms and entry are okay without a soundproofing barrier; kitchen and other rooms require appropriate soundproofing underlayment.

Mr. Fasanella moved to require that the resident at 1285 AS #1B remove the existing tile in the kitchen and dining room and install the soundproofing underlayment per the architect's specifications as stated in the existing policy. Ms. Freiderichs seconded, and the motion carried unanimously.

Approval to
Require
Resident to
Remove Tile
Flooring at
1285 AS #1B

NEW BUSINESS

1221 AS #1A – Resident Tony Fasanella reported that his deck was replaced with a deck-rite surface with multiple seams. All the corners are aesthetically unattractive. There is also a large seam that has separated from the subsurface. Water is pooling on the deck because it does not slope correctly. Mr. Fasanella requested installation of a liquid-applied acrylic at a cost of \$2,600 by Perfect Painting. Mr. Friesen agreed to consult with the deck surface contractor, Draeger Construction, to determine what remedy is available to resolve the problems with the deck.

New Business

[Mr. Fasanella left the meeting at this point at 3:45 p.m.]

The Board discussed safety concerns at the intersection of AS Entry 2 and TG Entry 3. Staff was asked to bring suggestions to the May board meeting. A suggestion was made to trim overgrown shrubbery at all entries to allow better visibility.

The owner of 3401 TG #2A requested a rental renewal of an additional 12 months. Since the owner has already had a rental period of 5 months, the Board approved by acclamation to allow only 7 more months of rental per the Mutual's leasing policy.

Mr. Rowe reported that a lien has been placed (through Angius and Terry Collections) for the cost still owing for deck repairs at 1209 AS #2A. The owner has requested

arbitration. Attorney Michael Hardy has sent a list of arbitrators that can assist with the collection process.

Ms. Friederichs moved to appoint Directors Sandelmann and Rowe as the arbitration team for collection of the delinquent account of 1209 AS #2A. Ms. Swinden seconded, and the motion carried unanimously.

Approval to
Appoint
Arbitration
Team

ANNOUNCEMENT

The next regular board meeting is scheduled for Thursday, May 21, 2009 at 2:00 p.m. in the Board Room at Gateway.

Announcement

ADJOURNMENT

The meeting adjourned at 4:10 p.m.

Adjournment

Tony Fasanella, Secretary
Fifth Walnut Creek Mutual