



**Regular Board Meeting Minutes**

Monday September 9, 2024 at 9:30 a.m.

Virtually and In Person

Board Room at Gateway, 1001 Golden Rain Rd. Walnut Creek, CA 94595

**MINUTES**

**Call to Order**

President Tom Lauck called the Regular Meeting of the Board of Directors of Third Walnut Creek Mutual (TWCM) to order at 9:31 a.m.

**Roll Call**

**Directors Present:**

- Tom Lauck, President, Dist. 4 (2026)
- Florence McConnell, VP, Dist. 13 (2026)    Bill Leary, Secretary, Dist. 5 (2026)
- Mike Abell, Treasurer Dist. 9, (2025) Harvey Baumel, Director Dist. 3, (2027)
- Adrian Byram, Director Dist. 7, (2027)    Nan Warren, Director Dist. 14, (2025)
- Lyman Shaffer, Director, Dist. 10 (2027)    LauraLee Barbaria, Director Dist. 15, (2025)-*via zoom*

**Staff Present:**

- Jeroen Wright, Director of Mutual Operations
- Clayton Clark Building Maintenance Manager
- Charice Jimenez, Interim Board Services Coordinator

**Members' Forum**

Members were afforded the opportunity to express their general concerns and make comments. Topics discussed included: Invitation to the Board to attend Echo University guest speaker topic of leadership challenges, conflict resolution.

**Approval of Meeting Minutes**

President Lauck addressed the Board for any corrections and/or additions to the following sets of minutes:

Motion to approve the Board Meetings Minutes:

- a. Regular Board Meeting Minutes ..... August 12, 2024
- b. Executive Meeting Minutes..... August 12, 2024

A motion was made to approve the aforementioned meeting minutes:

**Adrian Byram Moved, Nan Warren seconded, Carried 8-0-1**

**President's Report**

No report was given.

**Secretary's Report**

A motion was made to remove Bill Leary and replace him with Lyman Shaffer as the chair of the Communications Committee.

**Bill Leary Moved, Nan Warren Seconded, Carried 9-0**



**Treasurer's Report**

Mike Abell provided the following report:  
September 9, 2024, Treasures Report

2025 Budget prep in process. TWCM meetings with Bud / MOD expected week of 9-23. Amanda is preparing GRF and MOD budgets for review next week

Delinquent M3 coupon assessments are rising

Deck repair for P 45 / E 8 running about \$2k per unit which is more than last year's budget for repairs

I spoke with Cheryl (our lead CPA) from Gary Porter recently. They are ready to finalize the 2023 tax return and audit report, pending a split out of the interest income by project between Treasury Bills and CDs. The audit completion was due April 30.

I have invited Jeff Matheson to speak at the October board meeting regarding the staffing issues and perfect storm facing accounting at year end.

- b. A Motion that Mutual Funds Report has been reviewed by the Treasurer and a summary provided to all Directors:

**Mike Abell Moved, Tom Lauck Seconded, Carried 9-0**

- a. A Motion that all Directors have reviewed their Project Specific Financials:

**Tom Lauck Moved, Bill Leary Seconded, Carried 9-0**

**GRF Director's Report**

Jeroen Wright provided the following report:

The Mutual will be contacted by Bud Baxter for scheduling of the budget meetings. All mutuals will begin budgeting on a seasonal basis rather than the current linear structure. The Mutual should receive a draft budget prior to the meeting.

MOD management will be meeting this month to review the MOD and GRF budgets they will be presenting to the Board. The preliminary MOD management agreement is looking at a 7% increase. This increase consists of 3.8 COLA and another Full time FTE administrative staff. 20% increase in the master property insurance, the fidelity is budgeted at 15%, Landscape MOD days have less than 2%, and the cable will be increasing roughly 2%.

We are also creating a narrative for the MOD budget. The Board discussed the fire extinguisher inspections. The fire inspector has provided Jeroen with the criteria for the mandatory inspections. There are 4 points that must be inspected 1) is there any damage to the bottle 2) is the pin in place, 3) is the indicator gauge in the green? 4) is it accessible? The best bid MOD has received from outside vendors has been \$7.50 per extinguisher, per month. MOD has come in with their bid of \$6.50 each. Some

Mutuals are concerned of the increased liability that having the inspections done by volunteers may create. Jeroen has received a document from Gallagher Insurance stating that volunteers performing these inspections will not pose any liability issues. It was suggested by a resident that the Board appoint any



volunteers so that they are covered by the D&O insurance. Jeroen will let the Board know when they need to start the inspections. He also noted that he is going to ask Kristie, the fire inspector, if she would be willing to attend and demonstrate the inspection in a Town Hall.

### **Governing Documents Committee**

#### **Report from the Gov Doc – Florence McConnell**

The Governing Docs committee has been working hard on changing the policy for EV's. This turned out to be more difficult than anticipated. Adrian with Lauralee have produced a complete refresh of Policy 61 and 64. The governing docs committee will review these amendments at the next meeting. We didn't have a meeting, and I can verbally give an update report. Adrian Byram is now on the EV Committee and Bill Leary is working with him on revising the TWCM EV Policies. Adrian plans on attending our Gov Doc committee meeting on September 18, 2024, and will present his new draft.

### **Building Maintenance Committee**

Adrian Byram reported to the Board that he anticipated being able to present to the Board at the next meeting the report on acoustic hard wood flooring test  
Clayton Clark reported that the beam problem from 3612 has been resolved.

### **Landscape Committee**

Jerri McNair provided a Landscape report to the Board. Topics included:

- The need to look at the contract with Terra
- Landscape reps looking at Ivy
- Specific plants that are problems
- Rodent problems and possible landscape changes that could impact the rodent population
- Firewise and how it impacts Landscaping
- Yearly evaluation of Landscape contracts
- Lemon Trees and the problems they present
- Potted plants
- Obtaining a list of low water plants that would thrive in the area

John Tawaststjerna has created a draft plant list for Rossmoor to use.

### **Emergency Preparedness Committee**

Lyman Shaffer reported that residents of District 10 attended training in fire safety and the hands-on use of fire extinguishers put on by the Consolidated Fire Protection District (ConFire) on September 4. 60 residents attended the 90 min presentation.

### **Electric Vehicle Charging Committee**

Lauralee Barbaria reported:

The EV team looked over the recent drafted policies drafted by Adrian. The policies are positioning the mutual to comply with civil code, keeping the door open for new technology. The group is no longer having implementation worries, as they do not want to water down the policies.

### **Dispute Resolution:**

Lyman Shaffer reported there have been no disputes in the past month.



He will be looking to bring some structure to the resolution process going forward.

### **Communications Committee**

Lyman Shaffer reported that he will be doing more outreach to recruit volunteers for the committee. The goal is to send the newsletter on a quarterly basis. Possibly social media platform in the future.

### **Alterations Committee**

Nan Warren provided the following report on alteration applications in the past month; 26 applications for alterations, mostly HVAC. Other common alterations are for windows and doors, or kitchens and baths.

### **New Business**

a. Mike Abell presented the following projects that have investment maturing in September:

- P 26, \$400,000 9-17
- P 26, \$103,000 9-26
- P 27, \$50,000 9-26
- P 36, \$312,000 9-26
- P 45, \$260,000 9-19
- P 49, \$316,000 9-26
- P 54, \$75,043 9-26

P 26, 36, 45, 49 and 54 (Lauralee, Nan Warren, Mike Abell and Harvey Baumel) request a board resolution to reinvest (rollover) these Treasury Bills to a new set of 90-day Treasury bills.

P 26 (Tom Lauck) intends to retain the proceeds in the P 26 Sweep account which will be drawn down to pay for rehab costs in September / October

A motion was made, and seconded, to approve the aforementioned investment actions.

**Mike Abell Moved, Florence McConnell Seconded, Carried 9-0**

**Announcements:** Next scheduled regular meeting of the Board of Directors will be held on Monday October 14, 2024, at 9:30 am, via zoom and in-person, in the Boardroom in the Gateway Complex, followed by the Organizational Meeting.

### **Adjournment**

There being no further business, the Regular Meeting of the Board was adjourned at 11:45 a.m.

### **Executive Session Summary**

The Board met in executive session from 9:03 a.m. to 9:30 a.m.:

1. Member Matters \_Unauthorized Alterations\_ Account #18513
  - *No Board Action was Taken*
2. Member Matters\_Continued Violation\_\_Account #16355
  - *No Board Action was taken*



**ROSSMOOR**  
WALNUT CREEK

**THIRD WALNUT CREEK MUTUAL**

3. Contract formation\_Discussion\_GRF Management Agreement

**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.

Charice Jimenez

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**Interim Assistant Secretary**  
Third Walnut Creek Mutual