

# THIRD WALNUT CREEK MUTUAL

SPECIAL MEETING MINUTES OF THE BOARD  
MONDAY, JANUARY 29, 2018 AT 9:00A.M.  
BOARD ROOM, GATEWAY COMPLEX  
1001 GOLDEN RAIN RD., WALNUT CREEK, CA 94595

## **Call to Order**

President McDonnell called the Special Meeting of the Board of Directors of Third Walnut Creek Mutual (TWCM) to order at 9:02 a.m.

## **Roll Call**

### **Directors Present:**

John McDonnell, President X	Hillery Trippe, Director District VII
Gery Yearout, Vice President XI	Jack Case, Director District V
Judy Bank, Vice President XV	Ron Mucovich, Director District IV
Vacant, Director District III	Kay Barthold, Director District XIII
Christine Monsen, Treasurer XIV	Claire Wolfe, Director District X
Arlyss Rothman, Director District IX	

### **Directors Absent:**

Toby Dicker, Director District VIII

**Also Present:** Mutual Operations staff was represented by Kelly Mattison, Board Services Coordinator; also present was Melissa Ward, Esq., Hughes Gill Cochrane Tinetti.

## **Members Forum**

Residents were afforded the opportunity to express their general concerns and make comments. The topic discussed in open forum was the CC&Rs.

## **Governing Docs Project/CC&Rs and Bylaw Changes**

The Board further discussed necessary changes and clarifications in the governing document rewrites. The discussions included the following sections of the Bylaws and CC&Rs:

### Bylaws Sections:

#### 3.18 Member in Good Standing

It was verified that a member shall be deemed in Good Standing unless, after notice and opportunity for a hearing, the Board has found the Member to be not in Good Standing and has so notified the Member.

#### 5.8 Quorum Requirements

##### 5.8.3 Quorum for Removal of Directors

Not to be changed from current version at 20% requirement.

##### 5.8.5 Quorum for Votes on Amendments to Bylaws

Currently the quorum is 20%, Melissa recommends 25%. A straw poll was taken and the Board decided on 25% unanimously.

##### 5.8.6 Quorum for Valid Action on Other Matters

Currently the quorum is 10%. A straw poll was taken and the Board decided to leave it at 10% unanimously.

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### CC&R Sections:

#### 1.24 Exclusive Use Common Area

Board directed Melissa to add “solar tubes” to the definition

#### 6.2.1 (b) Assigned Parking Spaces – Owner Responsibility

A straw poll was taken and it was unanimously decided to leave this section as is.

#### 6.2.3 (a) Discussed who is responsible for cable wiring outside of a unit. No changes

#### 6.2.5 Chimney, Chimney Caps and flues

#### 6.2.8 Dryer Vent lines and Vent Cap

Discussed how the projects should be responsible for the chicken wire installed on the caps.

#### 6.2.16 Plumbing

Clarification requested from Melissa for allocation of responsibility for water main lines located on Common Area which serve only one unit.

#### 6.2.17 Skylights

Board directed Melissa to add “solar tubes” to the first sentence and delete some other sentences

#### 6.2.19 Storage Spaces

The Board asked Melissa to add a “storage spaces” definition to article 1.

#### 6.2.20 (a) Water Heaters

The Board clarified that project responsibility shifts to owner when the condensate line exits into a private garden.

#### 6.2.21 Window Systems and Sliding Glass Doors

(b) add screens back, replacement in questions, (a) and (b) to be clarified

#### 6.3.1 Interior Decorations

Discussed crown molding and whether or not an alteration permit is needed.

#### 6.3.2 Battery-Operated smoke detectors and Carbon Monoxide Detectors

Verified the verbiage is good

#### 6.6 Limitation on Mutual Responsibility and Liability

Discussed gross negligence vs. ordinary negligence. Hillery will verify what the insurance policy covers so that this section matches the policy.

#### 8.6 Mutual Funds

Deferred until another meeting with more time to discuss.

#### 11.2 Damage to Two or More Units or Common Area

Clarified for Hillery

### **Adjournment**

There being no further business, the Special Meeting of the Board was adjourned at 11:03 a.m.

### **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.

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A handwritten signature in blue ink that reads "Kelly Peterson". The signature is fluid and cursive, with a long horizontal stroke extending from the end of the name.

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**Assistant Secretary**  
Third Walnut Creek Mutual