

M I N U T E S
THIRD WALNUT CREEK MUTUAL
REGULAR MEETING OF THE BOARD OF DIRECTORS
MONDAY, FEBRUARY 10, 2014
BOARD ROOM, 1001 GOLDEN RAIN ROAD WALNUT CREEK, CA 94595

President Chuck Sanderson called the Regular Meeting of the Board of Directors of Third Walnut Creek Mutual to order at 9:00 a.m. on Monday, February 10, 2014.

Mrs. Martin took the roll call.

Attendance

PRESENT:

Charles Sanderson, President (VII)	Richard Bishop, Director District V
Rob Rothway, Vice President (VIII)	Doug Hipsley, Director, District X
Murray Teitel, Treasurer (XV)	Walt Braun, Director, District XIII
Lynn Martin, Secretary (XV)	Robert Beach, Director, District XIV
Ove Floystrup, Director District III	
Stanley Newman, Director District IV	

EXCUSED:

Steve Zahn, Director, District XI
Jean Faszhholz, Director, District XII

Mutual Operations staff was represented by Sharon Fees, Board Services Coordinator.

Approval of
Minutes

APPROVAL OF MINUTES: Chuck Sanderson asked for any additions or corrections to the Minutes of the Regular Meeting of January 13, 2014 and the Minutes of the Executive Session of January 13, 2014. With no corrections noted and made, the minutes to the following meetings stand approved:

Minutes from the Regular Meeting of the Board, January 13, 2014
Minutes from the Executive Session of the Board, January 13, 2014

Members' Forum

MEMBERS' FORUM:

Diane Guilfooy, 1434 Stanley Dollar Dr.: Ms. Guilfooy brought to the attention of the TWCM board of many typed of drought tolerant plants that the mutual could consider installing.

Fred Barnes, 649 Terra California Dr.: Mr. Barnes expressed concerns about the proposed harassment policy, Policy 39.

Dr. Mimi Salamat, 5593 Terra Granada Dr.: Dr. Salamat expressed similar concerns about the proposed Policy 39.

Note: Policy 39 is only in the proposed phase. By law, this proposed policy must be sent to the membership of the mutual for comment prior to final adoption, which will be done in the near future.

Joe Tracy, 719 Terra California Dr.: Mr. Tracy commented that Steve Zahn is a good director and that he is not in favor of Project 40 disengaging from the Mutual. He strongly advocated that Mutual directors should always solicit the opinion of Project constituents when making significant decisions on behalf of the Project.

Donny Pettibone, 3064 Rossmoor Parkway: Mr. Pettibone expressed his concerns about the errant golf balls that careen into the Mutual and destroy property. He is especially concerned for personal safety and feels that GRF should put up safety netting in order to prevent the ongoing property damage and to prevent any potential personal injury.

PRESIDENT'S REPORT: Mr. Sanderson

President's
Report

USPS Cluster Boxes: While the local branch of the USPS has rescinded its proposal for installing cluster boxes in Rossmoor, Rob Rothway informed the board that there is a bill in Congress that includes requiring cluster boxes to be installed. The bill is SB 1486. Rothway suggested that Chuck Sanderson bring this issue to the Mutual Presidents at the next forum.

Moxy Marketing: Rossmoor News Editor Maureen O'Rourke presented the proposal from Moxy Marketing for individual Mutuals at the Presidents' Forum.

Water Conservation: Sanderson reported that the only way to study Mutual water usage is by tracking the usage by meter.

Trust Agreement: The Mutuals are still reviewing the restated trust agreement, especially the aspect of unanimous approval for any amendments to the Trust Agreement to be adopted.

GRF Finance Committee Meeting: Much discussion took place concerning the costs of rehabilitating the tennis courts.

SECRETARY'S REPORT: Mr. Martin, Secretary

Secretary's
Report

No report was given.

TREASURER'S REPORT: Mr. Teitel

Treasurer's
Report

Murray Teitel reported that he and the Finance Committee reviewed the December 31, 2013 financials for all 24 projects and compared the operating budget with the actual expenditures along with the reserve budget, and found the financials to be in order.

COMMITTEE REPORTS:

Committee
Reports

BUDGET AND FINANCE: Mr. Teitel

Budget and
Finance

Coupon delinquencies continue to trend downward. Total delinquent accounts, as of December 31, 2013, amounts to \$9,872 which represents 60 homeowners. None are currently in collections.

Third Party Billing accounts receivable currently has a balance of \$137,414. The original balance was around \$200,000.

BUILDING MAINTENANCE: Mr. Rothway, Chair

Building
Maintenance

Rob Rothway reported that the work order/reserve study information integration is still being reviewed.

Rothway also reported that the committee reviewed how the recent Mutual power outage was handled. He requested that Chuck Sanderson poll the Presidents at the next forum to see if the Mutuals would like to invest in a few back-up generators for when certain areas lose power. This is especially important for those who are frail and need to maintain a controlled climate in their manors or for those on oxygen.

LANDSCAPE: Mrs. Faszholz, Chair

Landscape

No report was given.

Governing
Documents

GOVERNING DOCUMENTS: Mr. Sanderson

Binding vs. Non-binding arbitration: As a result of the latest Governing Documents Committee

meeting and concerns that some Project 40 residents had, a sub-committee was formed to review binding and non-binding arbitration and how these two types of dispute resolution are practiced in TWCM and why.

ALTERATION PERMIT REVIEW COMMITTEE: Mr. Bishop, Chair

Alteration Permit
Review
Committee

Richard Bishop commented that the Alterations Department is not functioning as it has been in the past and that many applications are coming to the Mutuals' Board Office incomplete.

AUDIT COMMITTEE: Mr. Teitel, Chair

Audit Committee

The auditors are currently on campus performing the audit.

COMMUNICATIONS COMMITTEE: Mr. Martin, Chair

Communications
Committee

No report was given.

EMERGENCY PREPAREDNESS: Mr. Hipsley, Chair

Emergency
Preparedness

Doug Hipsley reminded the assembled group that EPO meets the first Monday of the month at Creekside. Several entries in Third Mutual are still in need of an Entry Coordinator.

AD HOC TRUST COMMITTEE: Mr. Rothway, Chair

Ad Hoc Trust
Committee

No report was given.

OLD BUSINESS

Old Business

Irrigation water usage: Walt Braun met with Steve Ormond to discuss opportunities for cutting back irrigation water usage. They include updating sprinkler heads and actually removing sections of turf. Rob Rothway asked Chuck Sanderson to approach the Mutual Presidents about considering a re-landscaping plan, on a valley-wide basis, in order to save water.

Damage to Mutual property (Projects 42 and 44) as a result of errant golf balls: Doug Hipsley moved and Richard Bishop seconded that TWCM support Hipsley in not considering a cost-sharing agreement with GRF in the matter of installing a safety net along the golf course in order to mitigate property damage and personal injury from errant golf balls careening into the Mutual. The motion passed with a dissenting vote submitted by Rob Rothway.

Bob Beach moved and Doug Hipsley seconded that the Mutual authorize the Hipsley and Chuck Sanderson to utilize the Mutual's attorney in this matter and that the cost would be shared by all the Projects. The motion passed with dissenting votes submitted by Rob Rothway and Murray Teitel.

NEW BUSINESS

New Business

Motion to borrow from Reserves, Project 40: Murray Teitel moved and Rob Rothway seconded to allow Project 40 to borrow an amount not to exceed \$12,000 from Reserves in order to make a timely insurance premium payment. The motion passed unanimously.

ADJOURNMENT

Adjournment

Having no further business the regular meeting adjourned at 10:50 a.m. to an Executive Session.

Sharon Fees

Sharon Fees, Assistant Secretary
Third Walnut Creek Mutual

