

# THIRD WALNUT CREEK MUTUAL

REGULAR SESSION MEETING MINUTES OF THE BOARD  
MONDAY, AUGUST 12, 2019 AT 9:00AM  
BOARD ROOM, GATEWAY COMPLEX  
1001 GOLDEN RAIN RD., WALNUT CREEK, CA 94595

## Call to Order

President Rothman called the Regular Meeting of the Board of Directors of Third Walnut Creek Mutual (TWCM) to order at 9:00 a.m.

## Roll Call

### **Directors Present:**

	Arylss Rothman, President Dist. IX, (2022)
Gery Yearout, VP Dist. XI, (2021)	James McFarland, Director Dist. III, (2021)
Matt Kaplan, Treasurer Dist. V, (2022)	Nan Warren, Director Dist. XIV, (2022)
Marilyn Mason, Secretary Dist. XV (2022)	Chuck Decker, Dist. X, (2021)
Kay Barthold, Director Dist. XIII, (2020)	John Swearingen, Director Dist. VIII, (2020)
Vacant, Director Dist. IV, (2020)	Vacant, Director Dist. VII, (2021)

**Also Present:** Mutual Operations staff was represented by Paul Donner, Mutual Operations Director; Rick Chakoff, Chief Financial Officer; Clayton Clark, Building Maintenance Manager; and Lucy Limon, Administrative Assistant.

## Appointment to Vacant Director Seat for Dist. IV P26 & 35

A motion was made to appoint Marianne "Poppy" Tanner to the vacant Director seat for District IV P26 & 35. The term ends in 2020.

**Moved, Seconded, Carried 9-0**

The Board decided to move forward with the notification and election process to fill the vacancy for Dist. VII.

## Members' Forum

Residents were afforded the opportunity to express their general concerns and make comments. Topics discussed included: Bylaws, CID's, and BBQ Standards.

## Approval of Meeting Minutes

President Rothman asked for any corrections and/or additions to the following minutes:

Executive Session Meeting .....	June 26, 2019
Regular Meeting.....	July 8, 2019
Executive Session Meeting .....	July 8, 2019

The aforementioned meeting minutes were approved as presented.

**Moved, Seconded, Carried 8-0-1, Director Swearingen abstained**

## President's Report

President Rothman reported on the most recent president's forum. Highlights were:

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Republic services has suspended further roll out of composting due to concerns over driver coverage and sanitation issues. No new bins will be added until 2020; The Rossmoor News is doing beta testing of an electronic version of the newspaper that will roll out shortly and will hopefully allow for less costly printing and delivery expenditure in the future.

### **Secretary's Report**

No report was presented. A summary of each Board meeting will be published in the Rossmoor News the week following each meeting.

### **Finance Committee Report and Treasurer's Report**

Treasurer Kaplan gave the following Report:

This report is based on the TWCM financial report for June 2019.

As of June 30, 2019, the TWCM bank balance was \$23,833.

TWCM expenditures in June, allocated to the projects was \$7,134. Legal services from Hughes Gill Cochrane was \$3,075, and from Ann Rankin was \$3,971, with a miscellaneous item for \$88.

TWCM Owner Billables (amounts owed by owners to their project) as of June 30, 2019 was \$114,164. Sixteen owners owed more than \$1,000 with the largest individual amount owed at \$29,723.

TWCM Assessments (Coupon) Owed as of June 30, 2019 was \$33,024.

The Finance Committee met on August 5. Most of the discussion was on Mutual Policy 45, which deals with Delinquent Assessments and Owner Billables. We agreed to propose an amended policy that will clearly specify the process for establishing and collecting Owner Billables and identify responsible parties."

- a. **Motion that the Mutual Funds Report has been reviewed by the Treasurer and all Directors:** The motion was made for the June 30, 2019 Mutual Funds Report.  
**Moved, Seconded Carried 9-0-1, Director Tanner abstained**
- b. **Motion that all Directors have reviewed their Project Specific Financials:** The motion was made for all Project Specific Financial Reports ending on May 31, 2019.  
**Moved, Seconded Carried 9-0-1, Director Tanner abstained**

### **Building and Maintenance Committee**

Director Kay Barthold gave the following report:

The committee discussed the new July 1st law requiring battery backup in new installations of garage doors. Existing garage doors without battery backup are not required to change. There was no need for action by the committee because the law prohibits manufacturers and vendors from making, selling or installing garage doors without backup batteries.

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Clayton Clark made a presentation regarding a proposed 3-year contract for gutter cleaning by a new company, Outdoor Keepers, and discussion followed. Gutters are cleaned annually between Thanksgiving and Christmas. A listing of the cost per Project was included.

Clayton also made a presentation and provided samples of three different types of covers for gutters, primarily for use on buildings under trees that drop needles. The cost for each type of cover is \$3.00/\$3.50/\$4.00 per foot, plus approximately \$4.00 per foot for installation.

It is anticipated that the primary benefit of installing these covers will be the elimination of gutter clogs that can occur prior to the annual cleaning, as well as the elimination of clogs that can occur after the gutters have been cleaned. Clearing these isolated clogs can be costly. These new covers will be tested in certain limited locations and results will be evaluated as to future use more widely

A staff report by Clayton Clark was provided in the Board Packet

### **Landscape Committee**

Vice President Gery Yearout reported that the Landscape Committee, Rebecca Pollon and Steve Ormond are scheduling walk arounds with Terra Landscape to ensure that work is being completed. She also stated that these walk arounds are spontaneous to Terra Landscape. In addition, it was also stated that the cleaning of Project composting bins are subject to Directors.

A staff report by Steve Ormond was provided in the Board Packet.

### **Governing Documents Committee**

Director Kay Barthold gave the following report:

The committee discussed amending Policy 78 - Outdoor Barbecues regarding use of outdoor barbecues by residents.

The committee is recommending approval of the draft of the policy regarding outdoor barbecues that is located under the Old Business section of the Agenda, subject to legal review.

- I. Appoint Committee Members: A motion was made to appoint Arlyss Rothman as member.

**Moved, Seconded Carried 9-0-1, Director Tanner abstained**

### **Alterations Permit Application Review Committee**

The committee had no report to give this month.

### **Communication Committee**

The committee had no report to give this month.

- I. Appoint Committee Members: A motion was made to appoint Nan Warren as a member.

**Moved, Seconded, Carried 9-0**

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## **Emergency Preparedness Committee**

The committee reported that the picnic for entry coordinators will be held on Tuesday, October 1<sup>st</sup>. More information to come.

## **Budget & Finance/Audit Committee**

The committee had no report to give this month.

## **Old Business**

- a. **Code of Conduct and Ethics Draft:** A motion was made requesting that the draft go back to the Governing Documents Committee for revisions and clarification.

## **Moved, Seconded, Carried 10-0**

- b. **Review Draft of BBQ Policy:** The Following draft was presented

### **DRAFT of TWCM Policy 78 – Outdoor Barbecues**

#### **Subject to legal review**

Open-flame outdoor cooking devices (barbecues) using charcoal fuel are not permitted for use in any exclusive-use common areas. Only outdoor cooking devices (barbecues) fueled by propane or electricity are permitted for use in the unenclosed exclusive-use common areas that are patios or balconies.

All barbecues, both propane-fueled and electric, must have a cover or lid that can close over the barbecue in case of a flare-up.

Use of an electric barbecue requires that it be plugged into a Ground Fault Circuit Interrupter (GFI) outlet. When not in use, electric barbecues must remain unplugged.

Propane-fueled barbecues must not be operated within three feet of combustible materials above or on all sides of the barbecues. If there is a gas valve on the tank of a propane-fueled barbecue, the valve on this tank must be turned off when not in use.

It is required that a fully charged ABC rated fire extinguisher be available nearby when a propane-fueled barbecue is being operated.

It is recommended that all barbecues be attended at all times when in use.

It is also recommended that users read and adhere to the operation and maintenance instructions for their barbecue.

A motion was made to approve an amendment to the draft stating the Spare the Air days.

**Moved, Seconded, Carried 10-0**

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A motion was made to approve an amendment to the draft stating neighbor notification.

**Moved, Seconded, Carried 10-0**

A motion was made to approve an amendment to the draft stating that a fire extinguisher must be visible.

**Moved, Seconded, Carried 10-0**

A motion was made stating that once the aforementioned additions are made, the BBQ Draft Policy is approved and ready for legal review.

**Moved, Seconded, Carried 10-0**

### **Next Board Meeting**

The next Regular Meeting of the Board is scheduled for Monday, September 9, 2019 @ 9 a.m. in the Gateway Board Room.

### **Adjournment**

There being no further business, the Regular Meeting of the Board was adjourned at 10:00 a.m. and the Board moved into Executive Session.

### **Executive Session Summary**

An Executive Session was held immediately following the regular meeting where the Board discussed a variance request and held a disciplinary hearing.

### **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.

Respectfully Submitted,

Lucy Limon  
Administrative Assistant