

Walnut Creek Mutual Forty

Walnut Creek Mutual No. Forty
5th ANNUAL MEETING MINUTES
THURSDAY, March 27, 2025, AT 1:00 P.M.
CLUBROOM – CREEKSIDE
1010 STANLEY DOLLAR DR. WALNUT CREEK, CA 94595

Call to Order

President White called the Annual Meeting of the Members to order at 1:08 p.m.

Directors Present

Susie White – President
Greg Gould – Vice President
Pam Jester – Treasurer
Nancy Herney – Secretary
Kathy Parish – Director at Large

MOD Staff Present

Jeroen Wright, Mutual Operations Director
Todd Arterburn, Chief Financial Officer
Clayton Clark, Building Maintenance Manager
John Tawaststjerna, Landscape Manager
Lucy Limon, Board Services Coordinator.

Certification of Meeting

In accordance with DS, a call for candidates was mailed to members of Walnut Creek Mutual 40 on November 18th and posted for three consecutive editions of the Rossmoor News. It announced that the nomination deadline was on December 31st, 2024.

In addition, according to DS Mutual 40 was required to hold a balloted election in 2025.

The Mutuals' Board Office received 3 nominations:

- Nancy Herney
- Pam Jester
- Joe Tracy

A secret ballot was mailed to M40 members on February 19th, 2025. The ballots were tabulated at an open meeting on Wednesday, March 26, 2025, at 1pm in the Bunker Room at Creekside.

In accordance with Corporations Code § 7511(b), a notice of the Annual Meeting was mailed to the membership on March 11, 2025.

Announce Election Results

The following is an election report provided by the Inspector of Elections, Gayl Westendorf, on March 26, 2025:

Total Ballots Received: 106

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Total Invalid Ballots: 2
Total Valid Ballots: 104

Votes for Nancy Herney: 100
Votes for Pam Jester: 92
Votes for Joe Tracy: 93

Nancy Herney, Pam Jester, and Joe Tracy were elected to the Board by ballot from the membership for a 2-year term ending in 2027.

President's Report

Ms. White reported the following:

This is my last meeting with you as your president. I have enjoyed my two-year presidency and hope to continue being active in Mutual 40. It is my goal to start a newsletter which will be distributed at least quarterly by email. Another reason to make sure that Member Records has your accurate 4041 form which is required by the Davis Stirling Act! If you don't have the form, check with your EPO entry coordinator.

When I became your president, we began with a very strong board. Of course, it has changed through the two years—Gayle Westendorf moved to Mutual 3, our loss, and Pam Jester has stepped up to fill his shoes as treasurer. Today we will seat Joe Tracy as your new board member. He brings previous board experience since he was on the original Mutual Board with me. And he has been on the Mutual Finance Committee since its inception. I leave you in good hands!

I would love to have you drive around the Mutual to see all the wonderful landscape and building maintenance changes. We have begun our 10-year paint cycle, and you can drive through Entries 2 and 10 on Saklan Indian Drive to see the results. Soon they will begin painting the exteriors of the buildings in Entry 6 on Saklan. Yearout Park continues to be a gathering place for our residents as well as the gathering places in Entry 2 on Saklan and Entry 11 on Terra California. Just take a drive through other mutuals to compare the beauty of ours!

Other very visible changes are the yellow safety striping on the stairs and around the back of Entry 8 on the walkway to Yearout Park. We are also working on the signage for each building for ease of locating addresses for visitors and delivery folks. In addition, check out the new entry signs!

All of these and more are the visible results of your board committees' work over the past two years. In addition, thanks to the Governing Documents Committee, we now have a complete set of policies also known as rules which enable us to enforce the CC&Rs without your having to read all the legal wording. And finally the Emergency Preparedness Committee is busy creating new ways for you to be prepared in case of an emergency.

Thank you for trusting me as your president and a huge thanks to the board and to Lucy Limon who has tried to keep us running smoothly through rough waters!

Vice President's Report

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No report was given.

Treasurer's Report

No report was given.

Secretary's Report

Nancy Herney reported the following:

2024 Accomplishments of the Secretary:

- Ensure the timely notice of all meetings of the members and the Board of Directors as required by the Mutual By Laws
- Ensure the timely posting of all approved Board meeting minutes
- Lead the development of monthly Board meeting agendas
 - Draft minutes, upgrade as required for publication
- Lead the development of monthly and special executive session agendas
 - Draft minutes for approval and publication as appropriate
- Maintain files and timelines on all critical membership issues
- Work closely with the Assistant Secretary on all administrative and legal matters
- Act as the point person for any required definitions or interpretation of Governing Documents including By laws, CC&Rs and Rules and Policies, referring to Legal Counsel as needed
- Review all Legal invoices for accuracy
- Maintain the Mutual's General delivery email list and consult with Member Services on the status of the annual 4041 Roster for preferred delivery preferences; adding new residents as directed by Member Services and the Board President
- Update the Maintenance Matrix as needed and keep the information current under Useful Information on the Mutual website
- Finalize and publish two CC&R Amendments in 2024: Insurance and carports/garages

Report of Committees

a. **Finance/Audit Committee**

No report was given.

b. **Landscape Committee**

Ms. Parish gave the following report:

2024 was another busy year for your landscape committee. We continue to make progress supporting the Firewise Program in Rossmoor.

This past year we, again, removed junipers, piney trees and shrubs that were close to buildings. In addition, we removed 11 trees, safety pruned an enormous Eucalyptus, and planted 9 new trees. Four private gardens were also reclaimed by the Mutual.

Infrastructure repairs included two main line water breaks, one in Saklan Indian Entry 10 and one in Terra California Entry 9, repairing three drains, and adding two additional drains near Condos.

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One retaining wall was built in Entry 2 and one was repaired in Entry 9.

Another accomplishment was the final design approval, by the Committee and Board, for the grass rehab between Saklan Indian Entries 6 and 8. This almost 3-year project will be completed this year. Kudos to John Tawaststjerna for his patience and design talents.

Grass reduction remains a goal for water usage and cost savings for our Mutual. For example, A 2024 July EBMUD water bill was \$36,560 and a 2024 December EBMUD will was \$10,483. This \$26,077 difference for increased usage is the dry warmer season watering when the sprinkler system is turned on.

Looking ahead to 2025 our goals include:

1. Rehabbing the Saklan Indian hill.
2. Identifying more areas for grass removal and rehabilitation.
3. Continue implementing Firewise Guidelines.

Last, but not least, I would like to thank your extremely hard-working co-chair, Shari Carroll, and committee members Karyl Toms, Susie White, Rod Williams, Ted Bush, Marilyn Reigelhuth, Fred Kern, Lois Cain, and Barbara Bigelow. Please reach out to them. Their efforts expedite communication and help resolve problems in a more timely way.

c. **Governing Documents**

Nancy Herney gave the following report:

2024 accomplishments Governing Documents Committee

- Schedule and lead all committee meetings and provide progress reports at monthly Board Meeting
- Finalized the formatting of Rules and Policies, posted on website
- Implemented all applicable and required state regulations for compliance:
 - CTA (changes to Rules and Polices)
- Implemented CC&R amendments:
 - Insurance
 - Carports and Garages
- Continued to research and follow developing Governing Documents issues throughout 2024:
 - HSF
 - 2024 Insurance changes and the impact to the assessment
 - Battery Storage and back up
 - Electronic Voting and Elections
 - Duty to Repair (SB900)
- Enriched the contents of the Useful Information section of the Mutual website:
 - Committees' R&R, membership and contact information
 - Maintenance Matrix
 - Rehab Schedule
 - Exterior Paint pallet

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d. **Building Maintenance**

Mr. Kern reported the following:

This past year has been very busy with many changes to the committee. We have been fortunate to have excellent members dedicated and effective. When you see them, please thank them for their efforts, they are:

Dedicated team members:

Doug Fontain	Ron	Hillary
	Frazzini	Dreyfuss
Tom Nichelson	Bill	Joe Tracy
	Snyder	

Ad Hoc Members who have attended most meetings

Susie White, Greg Gould, Clayton Clark

Committee Accomplishments

- Yellow safety stripes installed on stair steps
- A complete inventory of all path lights in the Mutual has been completed. They have been categorized into: *OK as is, repaint, repair, replace.*
Numbered Brass tags installed on all path lights for easy identification by residents & MOD staff for repair purposes
- A master location map of all numbered path lights has been created and shared with MOD
- Multiple inspections of all M40 locations by Committee members for concrete/lighting/drainage/issues
- New, greatly improved, LED Entry signs have been designed and were installed yesterday
- New screw eyes to be attached to Entry signs for holiday displays
- 3 New commercial grade solar powered LED lights installed at Yearout park
- New address signs on each building being Installed
- Multiple drains cleaned and protective wire installed
- Kitchen Disposal use guidelines were given to all Manors
- Window replacement language approved
- Utility enclosure wire inspection completed in multiple entries
- Replaced photo-cells for night lighting in multiple entries
- Root issues and broken concrete areas replaced

e. **Alterations Committee**

Mr. Gould reported that there have been 4 alterations since the February meeting.

f. **Emergency Preparedness**

Nancy Herney presented the following report:

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2024 accomplishments Emergency Preparedness Committee

- Assumed the role of Committee Chair and remain the Entry coordinator for E10/12 continuing to produce the Entry quarterly newsletter
- Follow through on the completion of the distribution of new Emergency contact information and preparedness document and maintain entries matrix
- Implemented Quarterly events for 2025 to enrich safety and security of all residents

g. **Trash, Recycle, and Compost Committee**

John Moe reported on the following:

2024 Accomplishments TRC Committee

- Changed all signs on shed
- Switched to green carts

John advised the membership to contact Lisa Lankford if you are in need of green compost bags. He reminded the members to contact MOD if they see missing carts.

Announcements

Organizational Meeting of the 2025-2026 Board to follow immediately after adjournment. The next Regular Board meeting will be held on April 17, 2025, at 1pm in the Clubroom at Creekside.

Members Forum

Residents were afforded the opportunity to express their general concerns and make comments.

Comments included:

- Walkway between parks
- Landscape plans
- Notification to residents of three landscape removals
- NetSuite Cost per Mutual
- MOD fee charges

Appointment of Lucy Limon as Chairperson Pro Tem for the Organizational Meeting

Ms. White Moved, Ms. Parish Seconded, Carried 5-0

Adjournment

The Annual Meeting adjourned at 2:17 PM.

Secretary's Certificate

I hereby certify that the foregoing is a true and correct copy of the minutes.

Lucy Limon

Assistant Secretary
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