

fifth

FIFTH WALNUT CREEK MUTUAL SERVING 190 CONDOMINIUM UNITS

MINUTES REGULAR MEETING OF THE BOARD OF DIRECTORS THURSDAY, JANUARY 17, 2008 BOARD ROOM, GATEWAY COMPLEX



OPENING

President Carter opened the meeting at 2:30 p.m. Directors Sandlemann, Singer, Heinicke, Swartz, and Matthews (who arrived at 2:55 p.m.) were also present. Mr. Joost was excused.

Attendance

MOD was represented by Director of Mutual Operations Paul Donner and Board Services Coordinator/Administrative Secretary Dyann Paradise.

MINUTES

The minutes of the regular board meeting of December 20, 2007 were approved as submitted. The minutes of the executive session of the Board of Directors of December 20, 2007 regarding a dispute resolution were approved as submitted.

Minutes Approved

PRESIDENT'S REPORT

President Carter reported that a member had sent him a note objecting to speeding on Avenida Sevilla, entry 2, and Terra Granada, entries 3 and 8. The resident had suggested a 15 mph speed limit indicator be painted on the entry roads. He also suggested insulating all external hot water pipes in order to conserve water.

President's Report

Mr. Carter reported new legislation requiring posting of the meeting agenda at least four days prior to the meeting. He also explained that notice of proposed actions must be included in the agenda. Three action items were identified in the agenda of January 17, 2008: (1) to send revised alterations policy statements to the membership for comment, (2) selection of a vendor to perform the reserve study for 2009-2011, and (3) approval of the banking resolution.

MEMBERS' FORUM

Virginia Seevers of 3874 Terra Granada Drive #4B reported a parking problem in her entry. She stated that often vehicles are parked directly across from her garage, making it very difficult for her to maneuver her vehicle into or out of her garage. Mr. Carter stated he would investigate the matter.

Members' Forum

SECRETARY'S REPORT – no report.

Secretary's Report

TREASURER'S REPORT

Mr. Sandelmann reported there are no delinquencies currently. The monthly financial report was not available at the time of the meeting as the year-end closing procedures were underway.

Treasurer's Report

Mr. Carter reported on commitments. Project 46 had current commitments of \$995; Project 47

had current commitments of \$135,543.51.

COMMITTEE REPORTS

Committee Reports

Budget and Finance - No report.

Building

Mr. Friesen was absent due to illness; his report was not available.

Landscape

On behalf of Mr. Matthews, committee member Maureen Swinden presented the 2008 entry maintenance schedule. She stated the schedule is too general and needs to specify exactly what work is planned. The committee will meet again in February and will establish a list of priorities for each area.

Mrs. Swinden presented a letter Mr. Joost received from the mayor of Walnut Creek, wherein the mayor stated that Rossmoor had total jurisdiction over tree removals. Mr. Carter explained that the city attorney has taken issue with the mayor over this matter, and the city attorney's opinion stands.

Mr. Carter reported that the minutes of the landscape committee noted that the committee agreed it will not approve any more private gardens. Mr. Carter explained that this would require a change in policy subject to comments from the membership and a vote by the Board of Directors.

Returning to the Building Committee report, in Mr. Joost's absence, Mr. Heinicke presented a draft letter the committee would like to send to the membership about a planned examination of exposed decks that have not been recently repaired. He also presented a proposed contact form for use by the committee surveyors. He suggested that Mr. Friesen become involved in the inspection of the decks and the subsequent contract bid process, as he is knowledgeable in these areas. Mr. Heinicke indicated that special assessments will be necessary to carry out repairs on the two hundred or so decks to be surveyed. He requested that the Board review the draft letter and survey forms.

Emergency Preparedness

Mr. Swartz reported that the next C.E.R.T. training in Rossmoor will occur in February.

(Mr. Matthews arrived at this point in the meeting, at 2:55 p.m.)

Governing Documents

Mr. Carter reminded the Board that at the December board meeting the Board had been asked to review the proposed policy revisions relating to alterations. Mr. Carter noted that most of the changes involved the elimination of the name "Third Walnut Creek Mutual" and inserting "Fifth Walnut Creek Mutual", and eliminating the word "director." He noted several revisions in Policy 53 related primarily to owner-initiated alterations.

Mr. Heinicke moved to approve sending the draft policy revisions to the membership for

their review and comments. The motion was seconded, and carried without dissent.

Approval to Mail
to Members the
Draft Policy
Revisions Related
to Alterations

Alterations

On behalf of Mr. Joost, Mr. Carter reported on alteration approvals that have been noted in the minutes of the Alteration Permit Application Review Committee meeting of January 16, 2008. A copy of the minutes from that meeting is attached to these minutes.

NEW BUSINESS

Mr. Carter announced a proposal was received from the Helsing Group in the amount of \$5,400 to perform a reserve study for 2009-2011. Mr. Carter noted that the proposal from the Helsing Group made no provision in their model for the maintenance, repair, restoration or replacement of cladding or framing, which are major expenses, or for the tile roof underlayment. The Helsing Group has indicated they will inspect the decks at no extra charge, but that offer has not been presented in writing.

New Business

Another proposal was received from CMA at a reduced price of \$15,600, including cladding and framing as well as a close inspection of endangered decks. Mr. Carter noted that CMA would work from their previous studies and their direct knowledge of work that they have overseen recently.

Mr. Matthews moved to accept the CMA proposal as presented. The motion was seconded. Mr. Sandelmann suggested both proposals be considered but to delay for two months a decision to accept either proposal pending the deck inspections. Mr. Heinicke stated he had not seen CMA overseeing work in Project 47. Mr. Donner verified that CMA had done this work and cooperated with staff. The motion did not carry. Voting results: Aye: Matthews No: Singer, Heinicke, Swartz, Sandelmann Abstain: Carter

Motion to Approve
CMA Proposal;
Motion Did Not
Carry

Mr. Carter presented a banking resolution from Mechanics Bank authorizing Assistant Treasurer Chakoff to deal with the bank's Treasury Management Services. Ms. Singer moved to accept the banking resolution as presented. The motion was seconded, and carried without dissent.

Motion Approved
to Accept Banking
Resolution

ADJOURNMENT

Mr. Carter adjourned the regular meeting at 3:20 p.m.

Adjournment

Alan Matthews, Secretary