

**Approved  
10/07/2017**

**Governing Documents Committee  
Minutes for 2 September 2017  
Pool Pavilion  
9:00 a.m.**

**1. Call Meeting to Order.**

Meeting was called to order at 9:00 a.m. by Chair Lee Krimm.

Present were members Connie Baldin (Vice Chair), Lee Krimm (Chair), Finn Myggen, Patrice Stimpson, Richard Throckmorton, Grace Wollemann (Secretary), board liaison John Cantley, General Manager Karin Shulman and guests, Bill Lewis (awaiting committee application approval) and Brook Mark. Richard Ballard was excused.

**2. Approval of minutes for 5 August 2017 meeting.**

**MOTION** by Connie Baldin, **SECONDED** by Grace Wollemann to approve the minutes of August 5, 2017. **MOTION** carried unanimously.

Chair Lee Krimm welcomed Patrice to the governing documents committee and Bill for his application to join the governing documents committee.

**3. Discussion**

**Committee procedure.** The procedure for raising hands to be recognized to speak was described for the new members. Also described was the procedure used to edit documents.

**Business Policy/Procedure H-2 (Rules of Procedure)** – Governing documents committee discussed issues with H-2 and decided by consensus to delay reviewing this procedure for a couple of months.

**Skateboarding** – Board liaison John Cantley explained a conversation he had with legal stating the board has a right to construct a rule on skateboarding. Governing documents discussed issues regarding enforcement, specific areas for signage and the Associations' liability whether the Association has a rule or doesn't have a rule.

**ACTION:** Liaison John Cantley to check with legal on what the Associations' liability would be if we had a rule and if we didn't have a rule.

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**Citations** – Governing documents committee discussed the process for citations and the fact that there is no business policy that addresses this subject. Patrice Stimpson discussed CC&R 2.5 citations.

**ACTION:** Finn Myggen will take on the task of writing a business policy for citations to be reviewed by the governing documents committee. It was noted that the EC policy has a procedure for citations which may be included or used to create the business policy.

**Fiscal Responsibility bylaw** – governing documents committee discussed the background on why this was not included in the numbering of the new bylaw. The committee agreed by consensus to number this bylaw 10.11.

**4. Miscellaneous documents to be reviewed**

**Association Rule 3.10 (Harassment) New bylaw 15.08?** – the committee agreed by consensus to the following changes to Association rule 3.10:

~~3.10 Abusive, bullying, threatening and/or harassing language directed at staff or members is not allowed at any time or place within the community.~~ Harassment or abusive behavior is prohibited on Association property. Harassment is defined in California Civil Code 527.6(b)(2) as "unlawful violence, a credible threat of violence, or a knowing and willful course of conduct directed at a specific person that seriously alarms, annoys, or harasses the person, and that serves no legitimate purpose. The course of conduct must be such as would cause a reasonable person to suffer substantial emotional distress, and must actually cause emotional distress to the petitioner."

"Course of conduct" is defined in California Civil Code 527.6(b)(1) as a pattern of conduct composed of a series of acts over a period of time, however short, evidencing a continuity of purpose, including following or stalking an individual, making harassing telephone calls to an individual, or sending harassing correspondence to an individual by any means, including but not limited to, the use of public or private mails, interoffice mail, facsimile, or computer email."

"Credible threat of violence" is defined in California Civil Code 527.6(b)(1) as a knowing and willful statement or course of conduct that would place a reasonable person in fear of his or her safety, or the safety of his or her immediate family, and that serves no legitimate purpose.

~~In addition, drunkenness, threatening action or behavior will not be permitted on Association property at any time.~~

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**Bylaw 3.06 and policy/procedure G-1** – the governing document committee was asked by the board to review bylaw 3.06 and business policy G-1 regarding the definition of an Association sanctioned club and the process for a club to be recognized as such. Discussion ensued regarding a possible new law that would allow anyone to use the facilities, regardless of the political or religious views. Governing documents committee agreed by consensus to postpone pending clarification or adaption of new law.

**ACTION:** Rick Throckmorton to research potential new law and when it might be enacted.

**Bylaw 12.02 (Enforcement generally)** - the governing document committee was asked by the board to review bylaw 12.02 with regard to who is authorized to "86" and how long is a violator suspended from usage of Association facilities. Also, are all facilities included and for how long?

**ACTION:** General Manager Karin Shulman and Patrice Stimpson will take on the task of writing a business policy for 86ing and writing a process in the patrol handbook to be reviewed by the governing documents committee. It was again noted that the EC policy has a procedure for citations which may be included or used to create the business policy.

**5. Business Policies and Procedures to be reviewed**

**A-10 Membership Carding**

Grace Wollemann discussed procedure used for carding. Discussion ensued regarding invitees.

**ACTION:** Liaison John Cantley to check with the general manager on how the Associations' documents invitees to the Association.

H-3	Open Board Meeting Minutes	Connie Baldin
H-3B	Executive Board Meeting Minutes	Connie Baldin
H-4	Reimbursement for Director's Expenses	Lee Krimm
H-5	Legal contact	Lee Krimm
H-5B	Legal Contact II	Lee Krimm
H-10	Alternative Dispute Resolution	Richard Throckmorton
H-11	Board Interaction with Employees	Richard Throckmorton
D4	Quarterly Financial Review	
D-5	Purchasing-General	
D-5A	Purchasing-Office	
D-10	Records Retention	

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D-11	Member Addresses	
D-13	Purchase Orders	
D-14	Check Cashing	
B-1	Contracting	Lee Krimm/Grace Wollemann
B-15	Policy On Employee Discussions	Grace Wollemann
B-16	All Hands meeting	Grace Wollemann
B-17		Grace Wollemann
B-18		Grace Wollemann
C-6	Website	John Cantley

**6. Completed**

A-1	Association Policy & Procedure Admin	Completed 05/2015*
A-2	Project Review	Completed 06/2015/ Revised 06/2016/Revised 03/2017*
A-2	Project Review Form	Completed 01/2017*
A-8	Member Carding	Completed 12/2016*
A-9	Charitable Contributions	Completed 05/2015 Revised 02/2017*
A-11	Hearings Before the Board	Completed 06/2016*
A-12	Access to Records w/o the form	Completed 09/2015 Revised 02/2017
A-12	Access to Records Form	Deleted as a stand-alone document
A-14	Planting of Memorial Trees	Completed 05/2015*
A-14-1	Planting of Memorial Trees Form	Deleted as a stand-alone document
A-15	Election procedures	Completed 02/2016*
B-4	New Employee Hiring	Completed 07/2016
B-10	Time Cards	Completed 07/2016
B-11	Call Back/Call Back Pay	Deleted as a stand-alone document Policy no longer used.
C-1	Communication	Completed 10/2015 Revised 02/2017*
C-2	Condor (Monthly Newsletter)	Completed 10/2015 Revised 02/2017*
C-3	CCC Box	Completed 02/2016 Revised 02/2017*
C-5	Bulletin Boards	Completed 02/2016 Revised 02/2017*
C-7	E-mail and Written Communication to the Board	Completed 03/2016 Revised 02/2017*

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C-8	Electronic Signs	Completed 03/2016 Revised 02/2017*
D-15	Major Expenditures	Completed 11/2016*
D-16	Contracting	Completed 11/2016*
E-2	Sales of Expense Items	Completed 02/2017*
E-6	Bad Debt Expense	Completed 02/2016*
E-11	Expenditure Authorization	Completed 11/2016*
E-14	Annual Plan (Budget) Process	Completed 06/2016*
E-23	Return Check Policy	Completed 11/2016*
E-27	Association Capitalization Policy	Completed 11/2016*
H-1	Board of Directors Meetings	Completed 12/2016 Revised 04/2017*
H-2	Rules of Procedure	Completed 08/2017*

\*Submitted to the board

**7. Adjournment.**

**MOTION** by Finn Myggen, **SECONDED** by Connie Baldin to adjourn at 11:15 a.m. **MOTION** carried unanimously.

The next governing documents committee meeting will be held at **9:00 a.m. on October 7, 2017 in the Pool Pavilion.**

Grace L. Wollemann  
**Secretary, Governing Documents Committee**