

Approved
05/06/2017

Governing Documents Committee
Minutes for 1 April 2017
Pool Pavilion
9:00 a.m.

1. Call Meeting to Order.

Meeting was called to order at 9:00 a.m. by Secretary Grace Wollemann.

Present were members Richard Ballard, Finn Myggen, Richard Throckmorton, Grace Wollemann (Secretary) and board liaison John Cantley. Connie Baldin (Vice Chair) and Lee Krimm (Chair) were excused.

2. Approval of minutes for 4 March 2017 meeting.

MOTION by Finn Myggen, **SECONDED** by Richard Ballard to approve the minutes of March 4, 2017. **MOTION** carried unanimously.

3. Review bylaw 9.02E: Rules

Board liaison John Cantley discussed the history on the reasons behind the changes to bylaw 9.02E.

The governing documents committee agreed with the following changes to bylaw 9.02E.

9.02

E. Rules. Consistent with the CC&Rs and applicable statutes, the Association shall adopt, amend and repeal rules governing, among other things: (a) the use of Association property owned by the Association, (b) the environmental and architectural control and the rules of the Environmental Control Committee, (d) the regulation of animals within the development (e) the collection and disposal of refuse, (c) the burning of open fires, (f) the conduct of disciplinary proceedings, (g) the regulation of road use, vehicle parking, pet ownership and other matters subject to regulation and restriction under the CC&Rs, and (e) other activities in the development which would adversely affect the peace and enjoyment of residents in the development.

Association Rules may be adopted, amended or repealed from time to time by majority vote of the Board, provided, however, that no Association Rules or amendments thereto shall be adopted by the Board until at least thirty (30) days after **the text of the proposed rule or amendment and a description of the purpose and effect of the proposed rule or amendment** has been ~~(a) published in the Association newsletter, if any, or otherwise communicated to all owners in writing and (b) posted~~ in the Association office for inspection by the owners. The notice describing the proposed rule or amendment shall also set forth the date, time, and location of the Board meeting at which action on the proposed rule or amendment is scheduled to be taken. Any duly adopted rule or amendment to the Association Rules shall become

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effective immediately following the date of adoption thereof by the Board, or at such later date as the Board may deem appropriate.

The Association Rules shall not be inconsistent with or materially alter any provision of the other governing documents or the rights, preferences and privileges of members under them. In the event of any material conflict between any Association rule and any provision of the other governing documents, the conflicting provisions contained in the other governing documents shall be deemed to prevail and control.

~~A copy of the Association Rules, as they may from time to time be adopted, amended or repealed, shall be mailed or otherwise delivered to each owner.~~ As soon as possible after making a rule change, but not more than 15 days after making the rule change, the board shall deliver general notice pursuant to §4045 of the California Civil Code of the rule change.

A copy of the Association Rules shall also be available for inspection during normal business hours at the Association office.

4. Review Rules 3.10 and 5.02

Association Rule 3.10

The governing documents committee was requested by the board to review the following changes to 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. ~~No filming or picture taking of any kind shall be conducted of PMCPOA staff by members or guests without staffs written permission.~~ In addition, drunkenness, threatening action or behavior will not be permitted on Association property at any time. – Not concur (What does "not concur" mean?)

The governing documents committee discussed rule 3.10 and agreed to revisit rule 3.10 pending research on whether we can legally stop a person from filming or taking a picture of PMCPOA staff.

Association Rule 5.02

The governing documents committee agreed by consensus to the following changes to rule 5.02:

5.02 Definition. Filming means the act of recording images, stills or live action, on or for any media known or unknown. The filming of home movies or videos intended for the exclusive use of the owner and his/her immediate family, filming ~~by and for~~

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initiated or conducted by the Association, ~~filming in support of local events~~ and filming for local property sales are exempt from this provision and are not included in the definition of "filming." All filming with drones must comply with local, state and federal regulations.

5. Business Policies and Procedures to be reviewed

A-10 Membership Carding Rory Worster

The governing documents committee postponed A-10, Membership Carding, pending the general managers' attendance at a future governing documents committee meeting.

C-3 CCC Box (Revisit) Connie Baldin
**H-1 Board of Director Meeting Review open items for
December meeting**

The governing documents committee approved policy C-3 and H-1 by consensus:

H-2 Rules of Procedure Finn Myggen

Discussion ensued regarding renters, guests and members not in good standing and their rights when it comes to Association meetings. It was suggested that policy H-2 and the discussion continue next month as the first item on the agenda before making a final recommendation to the board.

The following are still pending review by the governing documents committee:

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	
D-11	Member Addresses	
D-13	Purchase Orders	

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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
C-8	Electronic Signs	Completed 03/2016
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*

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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

*Submitted to the board

7. Adjournment.

MOTION by Finn Myggen, **SECONDED** by Richard Throckmorton to adjourn at 11:30 a.m. **MOTION** carried unanimously.

The next governing documents committee meeting will be held at **9:00 a.m. on May 6, 2017 in the Pool Pavilion.**

Grace L. Wollemann
Secretary, Governing Documents Committee