

October 7, 2015

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Recd 9/07/15

Attention, General Manager and Secretary of the Board

Dear sir and madam,

this letter shall serve as notice of my intention to run for a vacant three year term on the board of directors for the election to be held in June of 2016.

Sincerely yours,

William H. Gurtner

A handwritten signature in cursive script, appearing to read "William H. Gurtner".

APPENDIX E

CANDIDATE FILING FORM
For the 201_ Election of Directors

Filing Deadline: This form must be submitted to the Association office by no later than 5:00 p.m. April 11, 2016.

NAME: WILLIAM H GURNER

Ownership. Are you on title to a lot in the Association?

YES NO (See note #1)

Assessments. Are you current in the payment of all regular and special assessments due and payable to the Association as well as late fees and interest (if any)?

YES NO (See note #1)

CANDIDATE BIOGRAPHY/RESUME: Please include a one page biography/resume of yourself to be included in the election package that will be mailed to all members. The biography/resume shall be typed on one side of one 8 1/2 x 11 piece of paper. Include experience, qualifications, and election platform.

QUESTIONNAIRE. Your answers to the following questions will be included in the election packet to the membership.

1. **Co-Ownership.** Are you a co-owner of a lot in the Association with another candidate or anyone who will be on the board if you are elected?

YES NO

Describe if YES: _____

2. **CC&R Violations.** Do you have any outstanding fines or suspensions for violation of the Association's CC&Rs or Rules and Regulations?

YES NO

3. **Litigation.**

a. Are you currently an opponent in any litigation or administrative proceeding against the Board of Directors, Association Staff or the Association? (See Note #2 and #3)

YES NO

Case Name: _____

b. Are you threatening litigation against the Association?

YES NO (See Note #2 and #3)

Describe if YES: _____

4. **Criminal Record.** Have you ever been convicted of a felony?

YES NO

Describe if YES: _____

5. **Conflicts of Interest.** (See Note #2 and #3 below.)

a. Is any member of your immediate family employed by the Association?

YES NO

Describe if YES: _____

b. Do you have any ownership interest in or serve on the boards of any of the vendors providing services to the Association?

 YES X NO

Describe if YES: _____

c. Are you an employee of any of the vendors who provide services to the Association?

 YES X NO

Describe if YES: _____

d. Do you have family members employed by or with ownership interests in any vendors providing services to the Association?

 YES X NO

Describe if YES: _____

e. Are there any matters pending before the Board in which you have a personal, financial or familial interest?

 YES X NO

Describe if YES: _____

Note #1

If you are not on title or current in your financial obligations, you are not qualified to be nominated.

Note #2

Immediate family is defined as: spouse, co-habitant, children, siblings, parents, and in-laws. A director shall be deemed to have a conflict of interest if that director or member of his/her immediate family is a principal, officer or employee of a party or entity involved in a matter or dispute with the Board of Directors, Association Staff or the Association. A conflict of interest also exists if the candidate has a material financial interest in a matter before the Board.

Note #3

If a conflict of interest is discovered during a meeting of the Board of Directors, it shall be disclosed immediately. If it is discovered between meetings, it shall be disclosed not later than the next meeting after the discovery. The conflict shall be reflected in the minutes of the meeting at which it is disclosed. In addition to the preceding, any affirmative answers to 3A or 3B above shall be similarly disclosed.

Truthful Answers. I hereby file as a candidate for the election of directors. I declare that each of the answers above is complete and true to the best of my knowledge.

Signature: William H. Gustafson

Date: 2/4/16

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For office use only. The following information will NOT be printed and included in the Election Packet.

CONTACT INFORMATION

Name William H. Gustafson

Date Received: 2/4/16

Mailing address _____

City PMC State OR Zip 93222

Home telephone in office Work in office

E-mail address in office

APPENDIX G

PMCPOA BOARD DIRECTOR CODE OF ETHICS

As a prospective Board member, you need to be aware that more is expected of those in leadership roles. Review the following statements. Signing this Code of Ethics solidifies your commitment to honest Board service.

As a Director of the PMCPOA Board, I will:

1. Be committed to fulfilling the mission and vision of the PMCPOA.
2. Keep all confidential Board information confidential.
3. Focus my efforts on the PMCPOA and not my personal goals.
4. Serve as a liaison on a committee and /or task force.
5. Refrain from using my service on this Board for my own personal advantage or for the advantage of my friends or associates. No Director shall seek to use the powers or authority of office to advance, endorse, promote or support the interests of any Director or any group or faction within a membership of the Association except where such action is pursued in connection with a matter pending before the Board or being considered for presentation to the Board.
6. Respect and support the majority decisions of the Board.
7. Immediately disclose to the Board any perceived or real conflict of interest as soon as I have knowledge of the potential conflict.
8. Approach all Board issues with an open mind, prepared to make the best decisions for everyone involved.
9. Do nothing to violate the trust of those who elected or appointed me to the Board or of those we serve.
10. Never exercise authority, issue any statement or take any action as a Board member except when authorized or directed by Board action at a meeting or as I am delegated by the Board or its Chairperson. This provision shall not be interpreted to restrict or prohibit statements or other comments made by a director, whether pro or con, in any meeting of the Board or of the membership on any issue presented for consideration by the Board or by the membership. Furthermore, this provision shall not be interpreted to restrict or prohibit statements or other comments made by a director in writing or in person as to his/her personal rationale for having voted, or for intending to vote, on any issue presented to the Board, or being considered for presentation to the Board, except in the case of ongoing litigation, pending contracts with third parties, and cases of personnel of member discipline in which privacy must be respected.

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APPENDIX G CONTINUED

11. Continue to maintain the PMCPOA Board member candidate qualifications.
12. Consider myself a trustee of this organization and do my best to ensure that it is well maintained, financially secure and always operating within the best interests of those we serve.
13. Except as authorized by the Board, no Director shall communicate to any person who is not a director the deliberations or discussions or the substance of deliberations or discussions by the Board of Directors which take place in executive session on matters pertaining to litigation, formation of contracts with third parties, personnel or member discipline. Only the general subject matters of such discussions as they appear on the agenda of each executive session in minutes of the open board meeting and the ultimate decisions made on those matters may be communicated to persons who are not directors. To the extent possible under this paragraph, the privacy of individuals shall be respected.
14. Legal opinions and advice obtained from attorneys for the Association which are considered by the Board in taking action in an open meeting or which are obtained for the guidance of a committee or employee of the Association shall be communicated to the membership or to the appropriate committee or individual. All other communications between the Board and counsel which are covered by the attorney-client privilege shall not be communicated to persons not entitled thereto unless the privilege is waived by the Board.
15. A director shall disclose to the Board or membership all facts known to him/her that are material to any matter being considered by the Board or by the membership except for facts that may be privileged pursuant to law.
16. Actions taken by the Board and statements of policy made by the Board shall be promulgated by the Chair of the Board acting for the Board as a whole. No director shall act individually to announce any such action or policy statement.


Board of Directors Candidate Signature


Date

**APPENDIX H
PMCPOA BOARD DIRECTOR
COMMITMENT PLEDGE**

I, WILLIAM H. GUETNER, recognizing the vital responsibility I am undertaking in serving as a member of the Board of Directors of the PMCPOA, hereby pledge to carry out in a trustworthy and diligent manner the duties and obligations of my role as a Board member.

My Role:

1. I acknowledge that my primary role as a Director is (1) to understand, support and ensure fidelity to the PMCPOA mission and vision, and (2) to carry out the functions of the office of Board Member and /or Officer as stated in the Bylaws.
2. My role as a Director will focus on the development of the broad policies (e.g., long term vision, overall financial philosophy, etc.) that govern the implementation of institutional plans and purposes.

My Commitment:

I will exercise the duties and responsibilities of this office with integrity, fidelity and care.

I pledge to:

1. Maintain a good working relationship with other Board members.
2. Keep up to date on the organization's major programs and services.
3. Follow trends and important developments in the POA. Educate myself about the needs of the constituents I serve.
4. Act knowledgeable and prudently when making recommendations.
5. Recommend qualified individuals with relevant skills and experience as possible candidates for the Board.
6. Prepare for and participate in Board meetings and Committee meetings.
7. Participate in the strategic planning process.
8. Willingly volunteer and use my special skills to further the organization's mission and vision.
9. Complete all assignments in a timely manner.
10. Listen respectfully to others points of view.
11. Speak for the Board or PMCPOA only when authorized to do so.
12. Suggest agenda items for future Board and committee meetings.
13. Aid and advise the Chairperson when my help is requested.
14. Avoid burdening the staff with requests for special favors.
15. Follow the chain of command by presenting my questions and issues to the Chairperson for referral to the General Manager.
16. Ensure that any communications with the General Manager do not undermine the relationship between the Board and the Manager.
17. Avoid, in fact and perception, conflicts of interest that might embarrass the Board or organization, and disclose to the Board, in a timely manner, any possible conflicts.

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APPENDIX H CONTINUED

18. Attend all open and executive meetings of the Board, both regularly scheduled and specially called, monthly Board and Committee meetings and Committee Meetings on which I serve as liaison.
19. As a mark of my desire to do my fiduciary duty for the Association I accept my obligation to attend all Director Training and Orientation sessions, that I am able to, scheduled during my entire term as a Director. I understand that these sessions are vital in making sure that Directors are informed of all current legal, legislative and procedural matters that affect decisions the Board will make in conducting Association business.

If for any reason, I find myself unable to carry out the above duties as best as I can, I agree to resign my position as a Board member/officer.


Board of Directors Candidate Signature


Date

**APPENDIX I
ACKNOWLEDGEMENT OF ELECTION MATERIALS**

The following documents shall be read, and agreed to. Any nominee that fails to meet any of these requirements shall be deemed in violation of the PMCPOA Election Rules and shall not be included on the ballot that is presented to the membership for consideration.

ELECTION RULES AND ELECTION PROCEDURES

I have received and read a copy of the Election Rules and Election Procedures and agree to conduct my campaign for candidacy according to the rules and procedures contained in them.

CANDIDATE FILING FORM (APPENDIX E)

The nominee must truthfully answer all questions on the Candidate Filing Form and submit the required Biography/Resume. My submitted Candidate Filing Form and biography/resume are a truthful and full representation of my qualifications and disclosures.

OATH OF OFFICE (APPENDIX F)

The nominee agrees to take the Oath of Office which is contained in the Fair Elections Manual.

CODE OF ETHICS (APPENDIX G)


The nominee agrees to read and sign the Code of Ethics document contained in the Elections Procedures. The nominee, if elected, further agrees to abide by this document.

BOARD DIRECTOR COMMITMENT PLEDGE (APPENDIX H)

The nominee agrees to read and sign the Board Member Commitment Pledge document contained in the Elections Procedures. The nominee, if elected, further agrees to abide by this document.

This document, Appendix I, must be included in the information submitted to the Corporate Secretary by the deadline for filing. If this document is not included the nominee will be deemed in violation of the PMCPOA Election Rules and shall not be included on the ballot that is submitted to the memberships for consideration.


Signed


Date

APPENDIX J
ON ELECTION DAY

1. The General Manager makes arrangements for equipment and supplies that are required by the Inspector of Elections.
2. Property Owners who approach the Receptionist, or other PMCPOA personnel, to submit a ballot will be directed to the Inspector of Elections.
3. When the Chairman of the Board announces the closure of the ballot box, the Inspector of Elections shall remove the ballot box from member access and retain custody thereof.
4. Proxies to be voted by the Board of Directors or by a member of the Board of Directors shall be handled as follows: If a proxy designates the Board, it shall be voted by the majority vote of the secret ballots of all directors present at the time the vote is taken. If a proxy designates an individual director it shall be voted by the secret ballot of that director.
5. The Inspector of Elections will retire to a private room in the PMCPOA Patrol Office to tally the votes. At this time, the Inspector of Elections shall tally the votes cast by the Board of Directors on behalf of the proxies given to it, if any.
6. The Inspector of Elections will type the election results on 8-1/2" by 11" paper and provide a copy for the Chairperson, Secretary of the Board, and the Bulletin Board. The complete election results shall consist of the total votes for each candidate, listed by highest number of votes first, total "yes" and "no" votes for each Bylaw proposition, the names and total for each write-in candidate. The certification is signed by the Inspector of Elections. (See Appendix G sample.)
7. The number of votes for the candidates elected, the term of office to which elected, and Bylaw proposition results shall be announced at the Annual Meeting of the Membership by the Inspector of Elections. The tally of all votes shall be posted in the PMCPOA Clubhouse lobby. Within 15 days of the election, the board shall publicize the tabulated results of the election in a communication directed to all members (California Civil Code 1363.03.g).
8. The ballots shall remain in the custody of the Inspector of Elections, until after the tabulation of the votes and expiration of the time allowed by Section 7527 of the Corporations Code for challenging the election, at which time custody shall be transferred to the board or General Manager and retained by the Association in a secure place for at least one year after the date of the election. Ballots will be destroyed as provided for in the California Civil Code.

RESUME/POSITION PAPER

BILL GURTNER

BOARD OF DIRECTORS PMCPOA

2016

My wife, Ann, and I have owned a home in PMC since 1990. In 2006, when I retired from the University of California, Office of the President, we moved to PMC full time. As you know, it is a wonderful place to live, and I believe we all have an obligation to participate in the hard work required to keep it that way.

My background includes a Master's degree in Public Health and Hospital Administration from UC Berkley, 10 years as President of Mount Zion Hospital and Medical Center in San Francisco, several years as CEO of the full service law firm of Weisberg and Aronson, 7 years with Blue Cross as a Senior VP, and 11 years at UC Office of the President as VP Clinical Services, responsible for the Administrative and Financial oversight of the 5 Medical Centers of the University.

I have also been active in the affairs of PMC having served previously on the Board, first, in the 90's, and again in 2008 and 2012. I have served as Chairman, Treasurer, and Board Member during those years. Ann and I have both served on the recreation committee and I am currently a member of the Planning and Governing Documents committees. I have also served on the Budget and Finance committee and various task forces. Over the years, we have participated in many activities, whether we were weekenders or full time residents.

I believe that I bring to the Board a strong management background and many years as a member of a number of Boards in the private, public and nonprofit areas. Because of that experience, I believe that I have a real understanding of how a Board should function.

At the end of the day, what we all want is a well-run, financially sound Association. The job of the Board is to provide us the assurance that the organization is in fact well-run and that there is solid oversight of the activities and finances of the Association. In these tough economic times the Board has a very difficult balancing act. It must maintain and protect our assets as well as provide careful oversight of our limited resources. I believe, with your support, I can contribute as a Board member as we face our current and future challenges.

My pledge to you is to approach every issue with an open mind, to apply sound business practices to our problems, and to act in the best interests of all members of PMC. I will listen to your ideas, I will make myself available to you and I will do my best to represent the interests of the entire community.

Pine Mountain Club is a unique place that has attracted a diverse group of individuals who enjoy the opportunity to live here. My desire and reason for running for the Board is to protect that special something that is PMC, for all of us, now and in the future. I ask for your support and vote in that effort. Thank you.