

# Meadows-Ferndale Homeowners' Association

## Landscape Committee

### COMMITTEE CHARTER

Date: January 26, 2021

**WHEREAS**, Section 3.2 of the Association Bylaws states that: "The Board shall have the powers and duties provided for the administering authority of the Subdivision in the Homeowners Association Act and in the Declaration, and all other powers necessary for the administration of the affairs of the Association, and may do all such acts and things as are not prohibited by statute or by the Declaration required to be done in another manner," and

**WHEREAS** Section 5.1 of the Association Bylaws states that: "The Board may appoint one or more committees that consist of one or more directors. Such committees, if composed entirely of board members, shall have and exercise, to the extent provided in the resolution establishing the committee, the authority of the Board in the management of the Association. The appointment of any such committee shall not relieve the Board of its ultimate responsibility for the administration and management of the Subdivision," and

**WHEREAS** Section 5.2 of the Association Bylaws states that: "Other committees, not having or exercising the authority of the board in the management of the Association, may be appointed by the President or the directors, and such committees may be composed of one or more members of the Association."

**NOW THEREFORE**, be it resolved that a Landscape Committee shall be established and that the following procedures for this Committee be adopted and implemented herewith:

#### 1. PURPOSE OF COMMITTEE

The purpose of the Landscape Committee (hereinafter "the Committee") is to assist the HOA Board of Directors (hereinafter "the Board") in the landscape management of areas of responsibility within the community. This includes, but is not limited to, advising the Board on issues, concerns and recommendations related to landscaping in the HOA areas of responsibility.

#### 2. DEFINITIONS

- (a) Common property areas. The official common areas are defined by parcel names in the official plat of the development. Additionally, the split-rail fences delineating the Wetland areas are defined as common property and are thereby within the scope of this Committee.
- (b) Wetland areas. Wetland areas beyond the split-rail fences are not included in the scope of this Committee.

- (c) Public property areas. Streets and sidewalks are City property and not within the scope of this Committee. The planter strip areas between the roads and sidewalks are City property, but maintenance and landscaping responsibility has been assigned to the HOA and these areas thereby fall within the scope of this Committee.

### 3. OBJECTIVES

It shall be the responsibility of the Committee to:

- (a) Identify issues related to landscaping of areas of HOA responsibility within the boundaries of the community.
- (b) Assess the issues identified in 3(a) above.
- (c) Define alternative courses of action to address the issue(s).
- (d) Compare the alternatives (costs, pros, cons, etc.).
- (e) Provide recommendations to the Board by means of a written report (see attached report format).

### 4. MEMBERSHIP

- (a) Committee members must be property owners in good standing, as defined by the absence of any liens, penalties, CC&R/Bylaw violations, or pending legal action with the HOA.
- (b) Only one household member may serve on the Committee.
- (c) Committee membership is by Board appointment only. Existing committee members may nominate potential members, but the Board must approve all nominations.
- (d) Terms of membership shall be determined internally by the Committee based on its needs.
- (e) The Committee membership shall be at least three members. With fewer than three members, the Committee is suspended. One Board member may serve on the Committee, subject to approval by the full Board. If there is no Board member on the Committee, the Board will appoint a Board member to be liaison to the Committee.
- (f) Changes in Committee structure, such as new or departing members or officers, shall be reported to the Board as soon as the changes take effect.
- (g) Committee members may be removed by a majority vote of either the Committee or the Board.

### 5. ROLES AND RESPONSIBILITIES

- (a) Committee members serve at the direction of and at the pleasure of the Board.
- (b) The Committee may be dissolved at the discretion of the Board.
- (c) The Committee may establish internal Committee organization as it sees fit.

- (d) The Committee shall appoint a Chairperson from among its members.

## 6. AUTHORITY AND LINES OF COMMUNICATION

- (a) The Committee shall have no authority to speak on behalf of the Board or to bind the Association either financially or contractually – unless authorized in advance by the board.
- (b) The authorized lines of communication for the Committee are internal to the HOA.
- (c) Communication to outside individuals, businesses, or government agencies is by permission of the Board only. The Board, and only the Board, has legal and fiduciary responsibility for HOA business.

## 7. MEETINGS, RECORDS AND REPORTS

- (a) The time and location of Committee meetings shall be determined by the Committee chairperson.
- (b) A majority of the total membership of the Committee shall constitute a quorum for Committee business.
- (c) Committee meetings shall be conducted in general accordance with Robert’s Rules of Order.
- (d) The Committee shall keep a record of all meetings.
- (e) The Committee shall provide a written status report to the Board whenever key information is ready to be shared – but at least monthly on or about the 20<sup>th</sup> of each month.
- (f) The formal assessment of recommendations for Board action shall be presented in the format provided as an attachment hereto.

REPORT FORMAT GUIDE

TITLE OF REPORT

1. Executive Summary. A brief synopsis of analysis objectives and results.
2. Description of problem or issue being addressed.
3. Proposed alternative courses of action.
  - (a) Alternative 1: Do nothing (always an option although usually not viable)
  - (b) Alternative 2: TBD
  - (c) Etc. (there should be several alternatives to consider)
4. Cost of alternatives (both one-time and recurring).
  - (a) Alternative 1:
  - (b) Alternative 2:
  - (c) Etc.
5. Non-Financial Pros & Cons.
  - a. Alternative 1:
  - b. Alternative 2:
  - c. Etc.
6. Recommendation.
  - a. What course of action is recommended?
  - b. Why is it the preferred course?
  - c. Who will do the work?
7. Future tasks. Proposed or anticipated future activities related to this analysis (if none, so state)
8. Signature and Date.