

**Grounds Committee Meeting Minutes
May 19, 2022 @ 3:00 PM
In-person and Via Zoom
ATTENDANCE**

Members Present

Steve Huffman, Chair
Solveig Toft
Don Ellwanger
Christina George
Nina White

Diane Durawa
Liza Tafoya
Joan Trotta
Don Landsittel
Joleen Hecht

Member Absent

Kathy Waugh

Also Present

Markus Dascher, Board Liaison

Bettsi Ledesma, General Manager

Homeowners Present

Pam Livingston
Diana Vizzard
Cheryl Nelson
Jim Shaw
Ashley Tangeraas
Rick Lawrence
Teri De Gross
Janine Neely
Karen Lowrey
Greg Ruecker
Yvonne Del Biaggio

Tim Taylor
Marcy Best
Karen Lowrey
Paul Keller
Mary Gray
Nancy Cooper
Jackie Grebitus
Rebecca Siiteri
Kelly Cole
Pam DiMaggio

Carson Landscape Industries

Paul DuBois, Oscar Lopez & Nick Shebert

AGENDA ITEMS

Steve called the meeting to order at 3:02.

Minutes of Committee Meeting April 21

On a motion by **Diane** and seconded by, **Don L**, the minutes were approved unanimously.

Comments from Guests

Diana Vizzard stated her opposition to permitting homeowners to plant in the common area, citing past experience when she was a member of the committee.

Nancy Cooper said she favored allowing homeowners to do so, saying a workable plan is possible.

Proposals for Tree Work in Zones 3 & 6

Zone 3

Joleen and **Liza** had met with **Paul** since the April meeting. Subsequently **Paul** had revised his proposal. The new amount was \$11,480. By unanimous vote the committee recommended the Board approve it, provided any tree removals not be done until Board approval of associated remediations, on a motion by **Joleen** and seconded by **Liza**.

Zone 6

Steve reminded the committee that at its April meeting, **Kathy** had stated she looked at the trees in the proposal for her portion of the zone and supported recommending it to the Board. **Joan** said she had looked at the trees in her portion and likewise agreed to the work. Upon a motion by her, and seconded by **Don L**, the committee voted unanimously to recommend the Board approve the proposal, provided any tree removals not be done until Board approval of associated remediations. The amount was \$13,500.

Questions of Landscape Architect Garth Ruffner re: His Design Guidance

Markus introduced **Garth**, stating that the Board had retained him to provide feedback on landscape choices made by the association in recent years and make recommendations that would enhance the community's beauty. He said those recommendations were compiled in the document titled "Design Guidance from Consulting Landscape Architect Garth Ruffner" which was accepted by the Board on May 4th. He said that **Garth** was continuing to work on other projects, mainly having to do with plant selections. He said he was present at the meeting to discuss his recommendations with the committee and answer any question they might have.

Steve added that the Board was seeking feedback from the committee, and also from Carson.

Committee members then asked many questions, and **Garth** responded. Members voiced no opposition to his recommendations. One correction was noted. The last bullet point read, "Most plants between December and early April before new growth begins." Was corrected to read, "Prune most plants between December and early April before new growth begins."

Nick Shebert of Carson said his firm did not agree with all items in the Design Guidance and would so inform the Board.

Questions of Oscar

Members asked several questions of **Oscar**. **Paul** and **Nick** also participated.

Comments from Board Liaison

Markus noted **Steve** would not be part of the committee in the upcoming Board term and thanked him for his service to Nepenthe Association.

Policy re: Homeowner Planting in the Common Area

Steve gave some recent history on the subject. At the committee's April meeting it recommended an outline for such a policy. It was included in the Board's May 4 agenda. It was not well received by some directors, who felt strongly the committee should have considered a policy draft he had been sent in early April. The author was unknown. It was included in the advance materials for this meeting.

He said the Board was asking for not just an outline, but an actual policy draft, for them to consider at their last meeting of the term, on May 25, just prior to the annual meeting. He referred to **John Baker's** message distributed in advance. He noted **Bettsi** had to have the materials for that meeting no later than the next day, including that day's minutes.

To start the discussion, he had produced a spreadsheet, a comparison of policy elements for what the committee had recommended the previous month, and for the anonymous draft. Then for each policy element there was a blank cell where the committee's recommended could be placed. The completed document is attached.

At the end of an extensive discussion, the committee agreed on the following policy outline:

- A homeowner who wishes to install, or have installed, plants in the area around their home will be required to apply for permission from the Association. The Association will be required to reply to the application no later than 30 days after receipt.
- The homeowner will be able to select plants – annual flowers, groundcover, shrubs and trees from an approved list.
- Approval or denial of the request will come from the general manager after consultation with the applicable zone steward and the chair of the Grounds Committee.
- For annual flowers:
 - The homeowner will pay for the plants, and will own them.
 - No plants or irrigation will be removed.
 - Cost to repair damage to irrigation will be paid by the homeowner, per the CC&Rs.
 - The area of planting will be negotiated on a case-by-case basis, not to exceed 15 square feet in area.
 - The flowers will go into shrub beds, and not where turf or ground cover is established.
 - When the flowers become unsightly, the homeowner will remove them.
 - If the general manager believes the plants are unsightly, and the homeowner has not removed them, the manager will have the power to remove them.
- For perennials – groundcover, shrubs and trees:
 - The Association will pay for the plants, the cost of their installation and their maintenance by its landscape contractor.
 - If a plant should die, the Association will either require the contractor to replace it, if under warranty, or will pay for its replacement.
 - There will be no defined limit to the area to be planted, but a request may be denied if the general manager, zone steward and Grounds Committee chair believe it is excessive.

By the time the above outline was agreed to, it was 5:15. The committee concluded there was not enough time to draft a detailed policy.

The meeting adjourned at 5:16.

Respectfully submitted,

Steve Huffman, Chair

Recommendations to the Board

- Approve Carson's proposals for tree work, provided any tree removals not be done until you approve proposals for associated remediations. Amounts follow:
 - Zone 3 \$11,480
 - Zone 6 \$13,500
- Produce a policy and procedure for homeowner planting in the common area based on the following outline:
 - A homeowner who wishes to install, or have installed, plants in the area around their home will be required to apply for permission from the Association. The Association will be required to reply to the application no later than 30 days after receipt.
 - The homeowner will be able to select plants – annual flowers, groundcover, shrubs and trees from an approved list.
 - Approval or denial of the request will come from the general manager after consultation with the applicable zone steward and the chair of the Grounds Committee.
 - For annual flowers:
 - The homeowner will pay for the plants, and will own them.
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 - The Association will pay for the plants, the cost of their installation and their maintenance by its landscape contractor.
 - If a plant should die, the Association will either require the contractor to replace it, if under warranty, or will pay for its replacement.

- There will be no defined limit to the area to be planted, but a request may be denied if the general manager, zone steward and Grounds Committee chair believe it is excessive.

Summary of Policy Elements for
Homeowner Planting in Common Area

By: Grounds Committee
May 19, 2022

| | Our committee April 21 | Supplemental Planting Form (author unknown) | Today's outline |
|--|--|--|---|
| Who is permitted to do the planting? | Owner for annuals; Nepenthe Association contractor for all else | Owner or Nepenthe Association contractor, owner's choice | Owner for annuals, association for all else |
| Who selects plants? | Owner for annuals; otherwise, management | Homeowner does, from a "planting guide." which includes shrubs, ground cover, perennials and annuals. No trees can be planted. | for annuals OR other plantings, owner selects from planting guide submits a request |
| Who pays for plants? | Owner for annuals; Nepenthe Association for all else | Owner | Owner for annuals, association for all else |
| Who maintains plants? | Owner for annuals; Nepenthe Association contractor for all else | Nepenthe Association contractor | Owner for annuals, association for all else |
| Who owns plants? | Owner for annuals; Nepenthe Association for all else | Not defined. | Owner for annuals, association for all else |
| If plants die, who pays to replace them? | Owner for annuals; Nepenthe Association contractor for all else, up to a year. If plants live for more than a year, Nepenthe Association pays. | Owner does if plants die within 3 years. | annuals removed by owner at end of season. First year for all other plantings are under landscaper warranty, afterwards they are the responsibility of the association. |
| If irrigation is damaged, who pays to repair it? | Owner not permitted to modify irrigation in the case of annuals. | Owner does. | CC&Rs provide that damage caused by an owner is levied against the owner. |
| How is "owner's area" defined? | In the case of annual planting, near owner's entrance, up to 10 square feet. | Not defined. | For Annuals, area to be negotiated on a case by case basis not to exceed 15 square feet. Annuals only in shrub beds, not where turf or ground cover is established. |
| Do near neighbors need to be informed of plans? | No | No | No |
| Who approves planting? | Management in consultation with zone steward | Zone steward | Management in consultation with zone steward and Grounds Chair. |