

## Tree Brush, Vegetation and Noxious Weed Committee

Minutes October 20, 2017

**Call to Order:** 1:00 PM

**Present:** Peggy Olds (Chair), Karen Pachman(Secretary), Annette deLeest (Trustee), Laura Frazier (Compliance Officer/Business Manager). Guests: Chris Hanson and Gil Gonzales

**Introduction and Welcome:** Peggy Olds (Chair) welcomed members and guests.

### Old Business:

- **September Minutes:** Draft September minutes were circulated to committee members by e-mail for corrections. Minutes were unanimously approved by the committee for forwarding to the BOT for final approval.
- **Information/Education Outreach:** Peggy Olds and Pam Harris researched information on invasive species given recent member concerns. The committee requested Kimber post information on control of English Ivy and Bamboo in the Weekender, and create a pamphlet for the CRC's new member greeting bag. The committee discussed the need to review our charter and covenants to address control of invasive plants, similar to that of noxious weeds. Further discussion on this next month.

Peggy Olds and Annette deLeest attended a workshop by Bev Arnoldy, Master Gardner, at Grays Community College on Tree and Shrub Care. Bev knew about Surfside's Tree height covenant restrictions. They appreciated her philosophy about selecting the right plant for the right place. She indicated a willingness to do a special presentation for our community on tree and shrub tree maintenance.

- **Members Request follow-up:** Laura has put a link on Surfside's Home Page titled **Tree and Building Height Limits**. Members can now easily find their covenant limits by doing the following:
  - Click on the Surfside Homepage link titled: "**Surfside webmap**"
  - Click "**OK**" on the legal disclaimer page
  - Check "**Maximum Building Height**" box on the GIS page

A color-coded map appears with a color key indicating maximum building and tree heights. A member simply locates their property on the map can instantly see their maximum building and tree heights. Many thanks to Laura and member Mark Scott for providing this quick link access and improved transparency for Surfside members.

- **Policy & Procedure: Property Boundaries and Tree Markings.** A draft policy was reviewed by the committee and several changes were recommended. See attached . policy as revised. This revised draft will be proposed to the Board by our trustee, Annette deLeest, at the November Board Meeting.

#### **New Business:**

- **Tree Report/Discussion:** Laura presented her report for October, 2017. See attached. Zero (0) new complaints were added to the existing Twenty-Six (26) complaints. Nine (9) complaints were closed. We currently have Seventeen (17) outstanding Complaints. Chris Hanson provided some historical perspective for the committee. He recalled the committee had over 350 complaints to deal with when he was on the committee ten years ago!

**Meeting adjourned at 1:45 PM**

**The next meeting: November 17, 2017, 1:00 at the HOA office.**

kp/po 10/20/17

## BOARD POLICY – CONFIRMATION OF RESTRICTIVE COVENANT VIOLATIONS

**BACKGROUND:** When a covenant violation complaint is submitted to the business office, confirmation of the complaint is done prior to sending out the initial complaint letter. Surfside representatives/person(s) making the confirmation will do so to the best of his/her knowledge without going onto the violator's property. In many instances, it is difficult to verify the location of all over height trees, brush or noxious weeds or other items due to lack of clearly defined property line boundaries. After receiving an initial letter, property owners sometimes request Surfside compliance or volunteer representatives determine property lines or mark specific over height trees because they do not believe the violation is on their property. There is considerable legal risk to Surfside volunteers and/or staff in performing this function, especially if trees are removed on a neighbor's property, there is no complaint on an adjacent property, or trespass issues are a concern. This policy is intended to reduce those risks.

This policy provides for a Board approved procedure for staff or volunteers to address concerns that over height trees appear to stand on more than one member's parcel or it is not clear where property boundaries exist when a complaint is filed.

### **POLICY:**

Volunteers and/or staff will not go onto member properties to mark property boundaries or mark over height trees, brush or noxious weeds. If it appears that the violation is not on the property which received the complaint, that complaint will be dismissed. At that time, the compliance designee will contact the complainant and provide an explanation as to why the complaint was dismissed.

In the event the complaint is confirmed but the member claims that the violation does not belong to him/her, it will be up to him/her to prove that the violation is not his/hers by confirming the location of the property line. Determining the property line can be done by:

- Working with the neighbors to confirm property boundaries/lines
- Locating the property pins and stringing a line or mark between the markers
- Having a licensed surveyor locate property markers then mark the property line
- Having a registered survey done then personally mark the property line
- Other legally acceptable means.

Adopted 11/18/2017