

Board Minutes Aspen Cliff Homeowners' Association

Held: July 8 –23, 2020

Place: Email correspondence in lieu of meeting

Board Attendance: Doug Heinz Carla MacPhail
 Ian Ramshaw Babak Baharikia

A Board review of the front entry area maintenance was conducted by email correspondence and these minutes reflect the final position of the Board and the position shared with the homeowners of #4 Aspen Cliff Close.

In late June, Raj (owner of #4) commented to Doug (HOA Board president) that the landscaped area at the entrance was not being maintained well this year as the landscape bed was very weedy. In 2020 the HOA was cutting all the grass at the entry, both the city owned and #4 property (portions on each side of the sidewalk) but excluded any care of the landscape area. Raj indicated agreements with past HOA boards that the landscape benefited the community and would be split with the HOA. Doug was surprised by this and followed up with the current board reviewed for decision.

Background Information

- The entry area shrub/tree landscape and lawn strip to the sidewalk is part of the property of #4 Aspen Cliff Close and owned by the homeowner.
- There is no obligation contained in the HOA documents for the maintenance of the entry area shrub/tree landscape or the private lawn area or the city owned lawn area (between street and sidewalk). The documents reference the “Entry Features” as meaning the monument sign and decorative fences only as a community feature and to not allow to fall into disrepair.
- There has been past practice for the HOA doing some amount of maintenance or sharing in the upkeep of the entry area. There is no HOA documentation for any past arrangements.
 - Past president John (2014 – 2016) – Agreement covering the landscape that was based mostly off a discussion with the Developer (Fatima) but that in practice was a minimal requirement in addition to the grass.
 - Past president Mark (2016 – 2018) - A gray area as the arrangement was before his time and was never discussed by the Board. Spring cleaning of the landscape was done as part of maintenance, but minimal other work was performed, and several other homeowners had periodically done some weeding.
- The home has been rented over the last number of years and the overall care of the yard areas has not been a priority with the renters and is seen as contributing to the deteriorated condition.
- An attractive and non-weedy entrance area benefits the community; however, this is not necessarily unique in that the condition of all homes reflects on the overall community.

Current Board Position

In consideration of the entrance area being a benefit to the community and past practices by the HOA, the current Board supports a shared approach with the homeowner to the maintenance of the entrance area landscape.

The landscape is owned by the homeowner and they must take primary responsibility for the ongoing care of the trees, shrubs, and the overall landscape. The HOA has no decision-making authority or liability for these. The homeowner is responsible to care for trees and shrubs and perform the necessary spring/fall cleanup of leaves and debris, just as every other homeowner does.

The HOA will share in the maintenance by:

- continuing lawn care for the home property grass along the sidewalk, as cutting with the city grass at the same time makes sense for a uniform look.
- performing the ongoing weeding of the landscape beds as required during the season.

As this subject is not within the content of the HOA documents, the Board cannot make obligations in perpetuity and this is an open agreement and subject to any future Board changes. However, the current Board has three members continuing for the next year and as such the Board will act within the above terms through to at least the fall 2021.

The above information and Board position were shared with the homeowners July 22 and acknowledged with the response below:

Thanks for your message and for spending the time on this matter. The outline you've provided below is consistent with our discussions and meets a shared approach to the entry area.

As a footnote to below, we will continue with the watering of these entry area grounds and also authorize the board to use power from our home for holiday lighting in the entry area through to at least the Fall of 2021. We would require the HOA to ensure that any contractors hanging xmas lights have appropriate insurance/WCB coverage prior to conducting any service (we cannot be held responsible as we are not the parties engaging this contractor).

Doug Heinz
President
Aspen Cliff Homeowners' Association