

Old Mill Village HOA Board Meeting

October 24, 2022, 8:30PM

Zoom Meeting

Attending: HOA Board: Scott Collins, Nate Easthope, Chandler Peterson, Scott Vincent and Jordan Cammack. HOA Manager: James Durrant. Homeowners: Several homeowners attended via Zoom.

Agenda:

1. Welcome and introductions. *Scott Collins conducted the meeting.*
2. Open comments. *There were no open comments.*
3. Question on trailers parked in the driveway by homeowner: What is an appropriate amount of time to have a trailer at your house? Getting it ready for the season, winterizing. Packing to go for the week etc. *The board discussed and decided that they wanted to be flexible to homeowners as long as they are not permanently parking the trailer. Vehicles should not be stored or parked but homeowners can load and unload.*
4. Tiffanie Huntley request for home and deck addition to their home. The city has granted approval. Does the board approve this work? *The board approved this request 4-0.*
5. Request from a neighbor adjacent to the HOA pond: From neighbor adjacent to the park:

James,

Back in June we connected about remediation of the noxious weeds across the fence on the back of our lot.

You had someone come out and spray, which was greatly appreciated.

During your phone conversation with Christie, there was discussion about connecting with the HOA to clear the growth a few feet back off of our fence line.

We wanted to circle back around to see if this was going to happen.

Fall is a perfect time to remove the growth as the poison hemlock is not currently growing. It will return next year, as it takes several years to kill off.

We can send pictures if needed, as the weeds and phragmites continue to overtake the chain link fence, and into our turf.

The board discussed this and decided to table it.

6. Items from Scott Collins:
 - a. Monthly Cash Flow-*James and Nate to work on this.*
 - b. Nate helping to create reserve fund financials.
 - c. Expense approval process update.
 - d. Ready to circulate park strip amendment and rule? Need definition for "mulch". What will be the process? *See Exhibit A and B below for reference. The board*

reviewed the two docs. Defined mulch as the state defines in. James will send it out to homeowners to review and share their thoughts. Once they receive any feedback, they can make any changes and then send out the amendment for a vote.

- e. Homeowner repair of damaged walking trail (from homeowners who bought HOA property). Who is driving? Plans? *James shared vendors with Chandler. He will follow up with him.*
- f. Damaged park strip by Kaysville City property? Update: James talked to Dan from ProGreen about this. They will fix it at no cost within the next couple of weeks.
- g. Spring plans to repair bad grass spots in common area. Update: Scott Vincent, Nate and James inspected the HOA common areas together several weeks ago. Here are the bids and thoughts from the contractors that they met with:
 - i. I reached out to a few grass seeding companies and have heard back from one so far. His name is Travis: Green Gro Hydroseed 801-394-3286 He strongly recommended seeding right when the water turns on next spring as the seeds need a constant water source to germinate and you are up to mother nature if you don't do it when sprinkling is available. He's seen a lot of lawns not work by dropping seeds in the fall before the snow hits. He said it works for pioneer seeds but not for the bluegrass lawn varieties. If we did it in the spring it would take six weeks or so to thicken up and be ready for use. He recommended not to hydroseed in our situation. Power raking and clearing the dead debris is a good idea. The best thing is to till but most don't do that because of the amount of work involved. He is going to give us a bid with several options (power rake, till, spread the seed, etc.) and we can choose what we want him to do vs. what we can do ourselves.
 - ii. I met with David Zidon from A-Plus Power And Hydroseeding Inc last week at the park. He had a lot of things to say.... First, he said the perfect time to spray for weeds is in a week or so when the ground temps are 50-55 degrees. This is when the weeds start retracting for the winter and the spray will get down to the bottom of the roots. It's most effective then. He wasn't a big fan of aeration. He said it didn't go deep enough for the hard clay soil we have and it provides an opening for weeds to grow. Instead he said to apply granular gypsum periodically throughout the year, including this fall. I looked it up on the usu extension and I'm not sure that's the best route, but he swears by it. He said it would break up the soil and prepare it well for seeding. He gave a name we can get some from. If we don't do the gypsum, tilling is another option to break up the soil in preparation for seeding. He also said seeding/hydro seeding as soon as the sprinklers turned on was the best route. There are several seed varieties out there, some are a lot more drought tolerant than others, although if we want to be consistent with what's currently in the park we will have to use the cool bluegrass variety that's not the best

water wise. At any rate, after talking with two contractors, it sounds like right now we should spray for weeds, and then the seeding/prep work will be a springtime project.

- iii. Ammon at Lawn Doctor can do the Fall Winterization and Weed Control on all grass surfaces and optional berm area in the next week for so for \$2133 + \$530 for the optional berm. Do we want to get them scheduled? for an HOA grass areas and at least 2 treatments for the berm, we can always do more: Schedule: For all grass areas:

1. Early Spring Fertilizer and Weed Control + Pre-emergent: \$2,133 + Optional \$530 for the berm
2. Late Spring Fertilizer and Weed Control: \$2,133
 - 2.a. Grub Control: \$2,452 (May or June)
3. Late Summer Fertilizer and Weed Control: \$2,133 + Optional \$530 for the berm
4. Fall Fertilizer and Weed Control: \$2,133
5. Total for the year: \$10,984 + 1060 for the Optional berm
6. Optional Berm area along Deseret Drive add additional \$530 per service to any of the services above.
7. Further, the grass strip and 4 ft into and along the undeveloped lots along Country Mill Dr, Kays Dr, and Water Mill. Pre and Post Emergent Spray - \$610 (best done in the late spring and potentially another time in the late summer)

The board discussed this item and decided to talk about it in January and put a plan in place.

7. Pickleball court update and gate issue. *Nate will contact the company and request that the gate be fixed. Scott Vincent has the rackets to tighten the nets. The board discussed the possibility of installing lights. Some homeowners had requested them.*
8. Annual Meeting. Date, time, place, assignments. Update: James has reserved Boondocks for November 10th at 7 PM.
9. Scott Vincent discussion items: Here are my few minutes' worth of Discussion Points. *Scott shared his thoughts on the below items:*
 - A. Establish Teams for various HOA activities:
 1. Finance and Expense Approval Process Team, Two board members (e.g. Pres. & Treas & Manager.)
 2. HOA Homeowner Approvals Team, Two Board members (e.g. VP & Secretary & Manager)
 3. HOA Landscape Team, One Board member VP and Two, Three or Four HOA Volunteers & Manager.
 4. Compensation for extra ordinary effort by board members or ability to encourage volunteer work rewards.
 - B. HOA common areas:
 1. Are HOA common areas automatically considered easements for the use by any one HOA member?
 2. Are back yard fence gates that egress across HOA common area allowed?

3. Are back yard fence gates allowed if for access on an infrequent basis?
4. Are back yard fence gates allowed for continuous/continual egress across HOA common areas?
5. Do HOA members have an absolute right to use HOA common areas as their own property?
6. If HOA allows members to egress across HOA common areas, should the home owner have to sign a waiver/lease agreement that negates the creation of any easement type and that said use can be terminated at any time by the HOA at the Homeowners cost?
7. Should compensation be paid to all other non-adjacent homeowners for said use by just one homeowner?
8. I have more questions.

C. HOA purpose statement: Should we have one?

Proposal: The HOA is to provide for the common recreational and landscape areas in order to better the enjoyment of community areas for the HOA members while further enhancing home valuations within our HOA community.

D. HOA realization statement:

Proposal: "The HOA desires to further the purpose statement by decreasing dues by leveraging available property acquisition/disposition to create a perpetual dues funding and/or increased HOA services."

Realization by:

1. Lot development: Working with the state, county, irrigation companies and city to divert pond water to the much needed Great Salt Lake and then developing the land with some 20-24 lots. Advantages: reduce mosquito population in our HOA, decrease HOA maintenance costs, and generate revenue that could fund a perpetual dues escrow.
2. Swimming Pool: Use the North Park and build a HOA swimming pool.
3. North Park: Sell the North Park, if no swimming pool is created.

E. Other items:

1. Plant grass seed along berm.
2. Mow around pond 4 times a year.
3. Establish landscape requirements.
Tree Pruning/trimming, Grass, Mowing, Sprinkler controls, Sprinkler maintenance, Fertilize, and Insect control.
4. Establish contractor requirements for each of the Landscape requirements.
5. Seek new bids for landscape requirements, and Evaluate ProGreen performance.
6. Moving sprinkler controllers out of back yards.
7. Replacing all sprinkler controllers with cellular controllers.

F. HOA performance review:

Question we should ask at every HOA meeting: is the HOA performing as HOA members desire?

If yes, how can we make it better?

If no, what should we be doing or should we disband the HOA?

10. Other items

11. Adjourn meeting.

Exhibit A
PROPOSED DRAFT

Old Mill Village CC&R Amendment

CC&R Section 3.16 as enacted on Aug 6, 2014:

3.16 LANDSCAPING. All rocks are prohibited in park strips and side yards, including but not limited to: a) gravel – defined as a loose aggregation of small water-worn or pounded stones, where the size of each rock is less than 1 inch in diameter (includes "pea" gravel); b) landscaping rock – defined as natural or manufactured rock or stone whose size is less than 8 inches but more than 1 inch in diameter, and c) decorative rock – defined as natural or manufactured rock or stone whose size is greater than 8 inches in diameter [removed in Amendment]. Concrete, whether stamped or otherwise, is also prohibited in the park strips [Amendment allows concrete up to 20% of park strip and grandfathers current concrete status unless changes are made]. All lots that have installed concrete in park strips prior to the recording of this Declaration shall be grandfathered in, but such grandfathered Lots are prohibited from installing any concrete in their respective park strips or side yards where such did not exist prior to the recording of this Declaration. Any homeowner that desire to install concrete in their side yard(s) must first obtain approval from the Board of Directors in writing. Specific details, including size, type and placement of landscape elements shall be determined by the homeowner. Street trees shall meet applicable Kaysville City standards for street trees. All front yard landscaping shall be completed within one year of the occupancy date of the dwelling, including the installation of an outdoor automatic sprinkler system for irrigation in the front yard of each lot. Any Owner who does not commence construction within two (2) years of its purchase of the applicable Lot shall install a park strip pursuant to City ordinances. All Owners shall keep their Lots free of debris and weeds and shall cause the same to be mowed on a monthly basis, as necessary.

Proposed Amendment to section 3.16 as Follows (changes only to landscaping rocks and concrete sections--other changes are formatting only):

3.16 LANDSCAPING.

- (a) Gravel – defined as a loose aggregation of small water-worn or pounded stones, where the size of each rock is less than 1 inch in diameter (includes "pea" gravel) is prohibited in park strips and side yards.
- (b) Concrete, whether stamped or otherwise, in amount exceeding 20% of the park strip is also prohibited. All lots that have installed concrete in park strips prior to the September 1, 2022 shall be grandfathered, but subsequent removal of said concrete shall constitute a loss of grandfathered status and require subsequent compliance with this Declaration and the Rules and Regulations adopted by the Association
- (c) Street trees shall meet applicable Kaysville City standards for street trees when installed in the Park Strip.
- (d) Any Owner who does not commence construction within two (2) years of its purchase of the applicable Lot shall install a park strip pursuant to City ordinances.
- (e) Any homeowner that desires to install concrete in their side yard(s) must first obtain approval from the Board of Directors in writing. Specific details, including size, type and placement of landscape elements shall be determined by the homeowner.

(f) All front yard landscaping shall be completed within one year of the occupancy date of the dwelling, including the installation of an outdoor automatic sprinkler system for irrigation in the front yard of each lot.

(g) All Owners shall keep their Lots free of debris and weeds and shall cause the same to be mowed on a monthly basis, as necessary.

END AMENDMENT

Exhibit B

Old Mill Village Homeowners Association, Inc.

Water Wise Park Strip Landscaping Rules

The Board of Trustees (“Board”) for Old Mill Village Homeowners Association, Inc. (“Association”) hereby adopts these “Water Wise Park Strip Landscaping Rules” as authorized by Section 3.19 of the First Amended and Restated Declaration of Protective Covenants, Conditions, and Restrictions for Old Mill Village Homeowners Association, Inc., as amended, (“CC&R’s”) and Article XI of the Amended Bylaws of the Old Mill Village Homeowners Associations, Inc. for the benefit of the Association, the Owners, and all residents.

These rules pertain to the non-grass landscaping design, installation, and maintenance of a Park Strip considering recent amended Section 3.16 in the CC&R’s and were adopted to be in conformity with Utah Code section 57-8a-218(16) and section 57-8a-231 as of (insert Amendment adoption date) .

Definitions:

- “Park Strip” is defined as the narrow strip of land between the sidewalk and the street, generally the park strip is about 4 ft in width but not exceeding 8 feet set back from the front side of street curbing.
- “Landscape rock” is defined as a natural material being used to fill in areas or to create borders between areas and is at least 1 inch in size and not greater than 4 inches in size. Landscape rock as used in this rule does not include lava rock, white rock or any rock used as a construction ingredient in concrete.
- “Landscape stone” is defined as nearly flat stepables made of natural material and having a size between 6 and 24 inches of any shape, where

the size is determined by adding the greatest length and the narrowest width and dividing by 2.

- “Mulch” is defined as _____ and is wind resistant up to 30 miles per hour.

Purpose and goal:

These Rules shall be known as the “Water Wise Non-Grass Park Strip Landscaping Rules.” The goal of these rules, together with the CC&R’s, is to allow homeowners flexibility in their design while ensuring non-grass park strips are water wise, well-maintained, and compliment the landscape of the home and neighborhood.

While most park strips are currently grass, this Rule provides flexibility should the homeowner decide to change to a non-grass water wise park strip.

Rules:

1. Non-Grass Park Strip Designs must follow these rules when applicable:

- Drip line Irrigation system is required for any included plants: no spray, pop up or rotary heads,
- Drip line irrigation system components must be hidden from sight,
- Included plants must not be wider than $\frac{1}{2}$ park strip width and must not exceed 24 inches in height at maturity. (Taller plants block views, impede safety, and can interfere with city maintenance. Plants wider than $\frac{1}{2}$ park strip width tend to grow over curbing and sidewalks causing obstruction to foot traffic.)
- Trees are allowed. (Recommended tree spacing between trees is at least the fully mature diameter of the tree if not even greater.)
- Landscape rock must compliment the colors of the home and neighborhood.
- Landscape stone must compliment the colors of the home and neighborhood.
- Mulches must be of natural colors.
- Completed projects must have a 3-4 inch depth when using rock or mulch that is 2 inches in size or less, or have a depth of at least 5 inches for rock or mulch that is 2 to 4 inches in size.
- Concrete (including stamped concrete), non-cinder pavers, or flagstone used must compliment the color scheme of the home and neighborhood must not to exceed 20% of the park strip area and may

be used for ingress from curb to sidewalk. (Driveways are excluded from this calculation.)

- The completed surface shall be generally flat from curb to sidewalk.
- Any landscape fabric used must be permeable to water and air. (Landscape fabric is not recommended by the state of Utah in areas where plants are growing since it deprives the soil of oxygen and inhibits plant growth.) (Landscape fabric, if utilized, must be fully covered and not visible.)
- Approval by the HOA Board is not required so long as design, installation and maintenance are in conformity with these Rules. Optionally, a can submit a design plan for approval from the Board in a situation where clarity is desired to ensure compliance to this Rule.

2. Materials that are NOT allowed to be used in park strips:

- Artificial Turf.
- Pebbles, gravel, pea gravel, or lava rock. Only landscape rock, stone and mulch as defined herein and compliments the color scheme of the home and the neighborhood may be used.
- Bare ground.

3. Required Park Strip Maintenance:

- Must be kept weed free.
- Cut back plants as needed; no plants are allowed encroach on the sidewalks or curbing.
- Water as necessary (as allowed) to maintain healthy appearance.
- Replace mulch as needed each year.

The Homeowners Association, acting though its Board, will enforce compliance with these rules pursuant to Section 5.6(e) of the CC&R's.

Resource links as of ____ [insert date rule passes (since these may change in time)] ____

Utah Water Savers: <https://utahwatersavers.com/>

Local Scapes: <https://localscapes.com/>

Weber Basin Water: <https://weberbasin.com/Conservation/LearningGarden>

Slow the Flow: <https://slowtheflow.org/>

Conservation Garden Park: <https://conservationgardenpark.org/>

Water Wise Plants for Utah Landscapes: <https://extension.usu.edu/cwel/water-wise-plants>