

# BANBURY MEADOWS HOMEOWNERS' ASSOCIATION, INC

## Resolution of The Board of Directors Regarding

### Maintenance of Waterway, Stream and Adjacent Banks/Common Areas

Revision/Update #1

August 11, 2025

- A. Purpose: This resolution establishes guidelines, restrictions, and procedures for the maintenance of Banbury Meadows waterway, stream, and adjacent banks/common area.
- B. Location: The Banbury Meadows Waterway is located between Chipper Way and W. Whiff Dr./W. Colchester Dr. The Stream runs from the back of the BBGC, 16<sup>th</sup> Hole (Tee Box), under Chipper Way via culvert to the waterway (Plat Maps attached).
- C. The Banbury Meadows HOA will, at its discretion, perform the following annual/seasonal maintenance of the waterway, stream, and adjacent banks/common area (subject to the availability of funds):
  - Maintain a water aeration system (air pumps or water fountains) appropriately spaced throughout the length of the waterway. This aeration system will operate on a seasonal basis as determined by the HOA and its contracted landscaper.
  - Maintain a set of high-volume sprinkler heads and supporting irrigation lines at the South/Chipper Way end of the waterway. This system will spray/apply water on the surface of the waterway to break up algae and miscellaneous debris for the purpose of enhancing aeration, water quality, and health of the waterway.
  - Cut/trim the weeds/vegetation growing on the banks of the waterway and stream once (1) per season (subject to the availability of funds). The weeds/vegetation will be cut/trimmed to a length of eight (8) inches at the top of the bank and at an even and increasing angle to achieve twelve (12) inches at the bottom or the water's edge.
  - Contract ADA County Weed Control to spray/treat the banks/common area bordering the waterway and stream for noxious and other invasive weeds as needed each season (and when ADA County Services are available).
  - During the landscaping season, treat the waterway surface with an EPA-approved chemical additive to suppress the growth of weeds and algae.
  - Dip-net/rake/remove algae and miscellaneous debris from the surface of the waterway. This service will be performed approximately eight (8) times per season, twice per month (May through August) or as determined necessary by our landscaper based on seasonal conditions.
  - Arrange to have the banks of the waterway and stream inspected (on an as-needed basis, determined by the board) for possible erosion damage and arrange for repairs when required.
  - Engage the services of a certified trapper, approved by Idaho Fish & Game, to trap and control the population of muskrats and beaver in and around the Banbury Meadows waterway and stream.
  - Maintain the Wing Walls surrounding the entrance and exit of the waterway culverts and notify ACHD when the culverts require maintenance or repairs.

D. Contractors authorized to perform maintenance on the bank/common area bordering the waterway/stream (subject to change by the HOA board as it deems necessary or appropriate):

HOA - Most of the maintenance performed and required by the HOA to maintain the waterway/stream banks and common area will be accomplished using the HOA's current contracted Landscaping Company. Work that exceeds the that company's expertise will be outsourced by the Landscaper or the Association's Management Company, as needed and appropriate.

Homeowners - Homeowners who desire to have more frequent limited maintenance performed on the bank/common area bordering their property (as outlined in this Resolution) must independently contract those services using ONLY one of the two Landscaping Companies currently under contract with the Main HOA or The Villas HOA. Due to liability & safety concerns, under NO circumstances is the homeowner authorized to personally perform ANY maintenance on the banks or common area of the waterway/stream.

E. Limited maintenance homeowners are authorized to perform on the banks/common area of the waterway or stream bordering their property line:

Upon written request, the homeowner may be authorized to contract with one of the designated landscapers to cut/trim weeds and other vegetation from the top of the bank to the edge of the waterway or stream. This trimming will not be lower than 8 Inches at the top of the bank and at an even, gradual angle ending at not less than 12 inches at the water's edge.

The landscaper and homeowner are responsible for limiting the amount of cut grass/weeds and other plant debris entering the waterway/stream. Should it be determined that an excessive amount of cuttings/material is left behind on the banks, waterway surface, or enters the stream, the landscaper will be directed (at the homeowner's expense) to remove the debris. In the event the homeowner fails to meet this obligation, the License Agreement will be terminated, and a special assessment levied in the amount of the landscaper's fees to accomplish this task.

F. Procedure for Homeowners to request HOA authorization to perform limited maintenance on the banks/common area of the waterway/stream:

Homeowners with properties/lots adjacent to the waterway and stream may request HOA Authorization to have (at their own expense) additional trimming/grooming of the weeds/grasses between their property line and the edge of the waterway/stream. To obtain this authorization, the homeowner must submit an ARC Application Form accompanied by a signed "Revocable License Agreement". This application must outline the scope of work to be performed and must meet the guidelines and restrictions outlined in paragraphs (D) & (E) above. The homeowner must receive an APPROVED License Agreement Form back before any work is performed on the banks or common area of the waterway or stream.

The cost/price to perform this work will be determined by a separate independent contract between the homeowner and the selected landscaping company. The Banbury Meadows HOA, its board, representatives, or Management Company will not be involved or have any liability for the conditions of the contract. The billing and payment process for this service will also be solely between the homeowner and the landscaping company. Upon the homeowner's request, the HOA's Management Company will provide contact details for the two landscaping companies authorized to perform this service and maintenance.

G. Revocable License Agreement:

The attached Revocable License Agreement MUST be completed by the homeowner and submitted along with their ARC Application Review Form. This Resolution/Policy document, License Agreement, and ARC Application Form can be found on the HOA's website (<http://www.banburymeadows.org>) under "homeowners' Information".

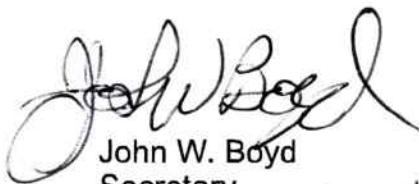
This revised/updated Resolution and License Agreement has been reviewed and approved by the Banbury Meadows Board of Directors on August 11, 2025 (Revised from 14 March 2016)

FOR THE BOARD OF DIRECTORS:



Chuck Page  
President

Date: 8/11/25



John W. Boyd  
Secretary

Date: 8/11/25

Cc: BBM HOA Association Manager  
HOA Records File  
HOA Website, Homeowner Information  
Each Main HOA and Villas Board Member