

**MONTGOMERY MUTUAL, INC.**  
**LANDSCAPING ADVISORY COMMITTEE**  
**TERMS OF REFERENCE**

**INTRODUCTION**

Under provision of Article V, Section 2 (g) of the Montgomery Mutual, Inc, By-Laws, the Board of Directors has the power to “establish one or more standing Advisory Committees to consider matters of concern to the Board and to report its or their conclusions and recommendations to the Board. Such committees shall function in an advisory capacity only and shall have no authority to act for the Board in the management of the business and affairs of the corporation.”

The Landscaping Committee is a standing Advisory Committee created by the Board of Directors of Montgomery Mutual, Inc.

**I. PURPOSE**

The primary purpose of the Landscaping Advisory Committee is to advise and assist the Board of Directors and Management in the maintenance, preservation, and enhancement of the landscaping and grounds of the Mutual. The Committee shall function in an advisory capacity only and shall have no authority to act for the Board in the management of the business and affairs of the Corporation except under specific circumstances which have been approved by the Board.

**II. FUNCTIONS and RESPONSIBILITIES**

As a standing advisory committee, the functions and responsibilities of the Committee are not described in the By-Laws but are specified by the Board of Directors as follows:

1. Ensure that residents abide by Mutual rules and guidelines regarding landscaping and foundation plantings;
2. Assist Management and Area Directors in yearly Area walk-throughs to evaluate landscaping needs;
3. Assist Management in the implementation of the Mutual Landscaping Oversight Plan;
4. Work with the landscape contractor and Management to ensure that the grounds are maintained in satisfactory condition and that the contractor is performing to the terms of the Leisure World master and Montgomery Mutual landscaping contracts;
5. Review Architectural and Landscaping (A & L) applications regarding landscaping and/or foundation plantings and recommend action;
6. Ensure that the property’s landscaping and grounds are well maintained within the guidelines of the Mutual budget.

**III. MANNER OF ORGANIZATION and OPERATION**

**A. Membership**

The Committee shall consist of the Chairperson and Vice Chairperson and a minimum of seven, but not to exceed nine, other Montgomery Mutual residents who are not in default of any obligations to the Mutual and who are interested in and/or knowledgeable in the area of landscaping.

Upon recommendation of the Chairperson, appointment of Committee members shall be made by the President with the concurrence of the Board of Directors.

At least one member of the Committee shall be a member of the Board of Directors.

Vacancies in the membership shall be filled by appointment made by the President with concurrence of the Board.

Prospective committee members shall attend at least two consecutive committee meetings prior to their appointment to the Committee.

## **B. Tenure**

Once approved by the Board of Directors, the Committee members, Chairperson, and Vice Chairperson will serve a term of three years, ending on December 31, and may be renewed for an additional term with approval by the Board.

Any unexcused absences of Committee members from three successive regular meetings shall constitute grounds for removal from the Committee. A member may be removed by the Board on its own volition or upon request of the Chairperson. Resignation from the Committee is to be made in writing to the Chairperson.

## **C. Chairperson and Vice Chairperson**

The President, with concurrence of the Board, shall appoint the Chairman and Vice Chairperson of the Committee.

The person appointed as Chairperson will have served on the Committee for at least one year. The Chairman and Vice Chairperson shall serve at the discretion of the Board.

The Committee may recommend to the Board President the removal of the Chairperson or Vice Chairperson.

**Vacancy of the Chairperson** created by removal, resignation, or death shall be filled by the Vice Chairperson until an appointment is made by the President, with concurrence of the Board, for the remainder of the term.

**Vacancy of the Vice Chairperson** created by ascension, removal, resignation, or death shall be filled by a Committee member appointed by the President, with the concurrence of the Board, for the remainder of the term.

**Functions of the Chairperson include, but are not limited to, the following:**

- Schedules and presides at meetings
- Prepares, in conjunction with the Property Manager, the meeting agendas
- Arranges for minutes of the meetings to be kept and for copies to be distributed to Committee members and members of the Board. Minutes of meetings shall be included in the agenda packet distributed to Board members prior to monthly Board meetings
- Prepares, in conjunction with the Property Manager, a list of any items or projects approved by the Committee that require Budget and Finance Committee expenditure approval, and Committee recommendations to the Board
- Attend monthly meetings of the Board and report to the Board matters to be acted on by the Board, recommendations of the Committee, and other matters related to Montgomery Mutual's property maintenance and landscaping.
- Ensures that all Committee and prospective Committee members are familiar with the Committee Terms of Reference.

**The Vice Chairperson will assist the Chairperson in the activities of the Committee and will conduct the business of the Committee in the absence of the Chairperson.**

## **D. Secretary**

The Secretary shall be responsible for keeping a Committee membership roster, recording minutes of all Committee meetings, names of Committee members attending each meeting and those absent, any Committee recommendations to the Board, and in general, maintaining written documentation of Committee decisions and activities.

### **E. Conflict of Interest**

Any Committee member with a real or perceived personal or financial conflict of interest related to any aspect of the Committee's work should state it and recuse him/her self from discussion, recommendation, decision, or vote related to it. If any member's undisclosed conflict of interest is later determined, he/she will be removed from the Committee.

### **E. Meetings**

1. Regular meetings of the Committee will be held monthly. Special meetings may be called by the Committee Chairman or upon the request of twenty-five percent (25%) of the Committee members.
2. A majority of the Committee membership constitutes a quorum necessary to conduct business. All decisions of the Committee will be based on a majority of those present.
3. The agenda as prepared by the Chairperson shall guide the manner of the meeting.