



MAYOR  
STEVEN C. SWANN  
COUNCIL MEMBERS  
SUSAN ALLMAN  
BETH GAINES  
PAUL STARKS  
LINDA STETZENBACH

Monday, October 15, 2018

Dear HOA Board,

As the executive body of the Town of Cedar Highlands, I reached out to the HOA Board last May to suggest a transition of responsibility for snow removal from the HOA to the Town. Since this service is critical to the safety and well being of the community we wanted to ensure its proper transfer.

Because of the preparation needed to determine the service sources, and the projection of a long wet winter, a six month window was considered prudent. Prior to this action the board had discussed informally the needs of making this transition. The contract was proposed, and the vote to transfer the service as a contract was unanimously accepted by all HOA board members.

The contract was made because there was uncertainty of outside contractor availability, also, the HOA cannot now legally plow outside its area without permission, and the towns major funding would not begin until 2019. We also felt it was also inefficient to have two entities plowing for the same community. The town could also guarantee that the work would be done well into next spring when town funds would become more available. By combining the efforts of the HOA and the Town, the resources would be more efficiently utilized for both 2018 and 2019 winters. Under this agreement the Town has agreed to plow HOA roads going forward without additional compensation.

Since there appears to be a threat of legal action from either the HOA board or some other third party, it places the Town and the community in an awkward position. Also, since some of the current HOA board members voted for this contract, it would place them in the legal entanglement. Not to mention the awkward possibility of an HOA bringing suit against its own insurance company and having to plow its own private side streets going forward.

Snow removal and the safety of our roads is a critical and most important service, and we must be careful about any action that is taken against this essential community need.

The Town must ensure the safety of it's residents. We would like to not waste the funds of the community on needless legal entanglement, but we must use the funds to get the right work done.

The Town would be willing to work with the HOA to identify projects within the community that the Town would be willing to credit back up to \$25,000 of services, that the HOA Board identifies, to enhance streets, culverts or other worthy public works projects, to be accomplished in the spring or summer of 2019. I sincerely hope this is satisfactory to the board and community.

If this is unacceptable, the Town will reimburse all funds and rescind the contract and allow the HOA to utilize the funds as the members intended them to be used for this 2018/19 winter season.

Sincerely yours,

Steven C. Swann  
Mayor, Cedar Highlands