

**Cedar Highlands Homeowners Association Board Meeting
286 North Main, Cedar City, January 17, 2006, 7:00 p.m.**

The Cedar Highlands Homeowners Association Directors held their monthly board meeting on Tuesday, January 17, 2006 at 286 North Main, Cedar City. The meeting was called to order by President Dave Rowles at 7:03 p.m.

Members Present: President David Rowles, Board members Paul La Broad, Manny Mosqueda, Linford Nelson, Ron Reber, Gary Rosenfield, Jacqueline Tully.

Others Present: Karl Baumann, Art Brothers, Bob Havens.

1. Approval of Minutes: Jacqueline Tully made a motion to approve the minutes of December 2, 2005. Paul La Broad seconded the motion. The vote was unanimous.

2. Treasurer's Report: The Board reviewed and approved by consensus the December/January expense sheet submitted by Jacqueline Tully. Ms. Tully said some 2005 dues are still arriving, as well as 2006 dues. Some association members have contacted Ms. Tully concerning the interest charged on unpaid 2005 dues. One member said the property had been purchased in 2004 and they had not received a bill in 2005, and therefore felt they should not be charged interest. The Board discussed the responsibility for notifying members of dues. Linford Nelson said the Title Company has the new homeowner pay a portion of the dues at closing, so the homeowner is aware when purchasing a lot that there are annual dues. After some discussion, the Board agreed that no precedent should be set on removing interest from past due bills.

The Board discussed whether to duplicate the 2005 budget for 2006 or adjust the line item amounts. Paul La Broad made a motion to duplicate the 2005 budget. Manny Mosqueda seconded the motion. The vote was unanimous.

In 2005, fencing costs were paid out of the water fund, as the purpose of the fence is to isolate the water protection area. Paul La Broad made a motion that the fencing continue to be paid from the water fund under the source protection line item. Gary Rosenfield seconded the motion. The vote was unanimous.

3. Committee Reports - Roads: Linford Nelson reported for the Road Committee. Roger Murie's bill for snow plowing from winter 2005 to January 15, 2006 was \$4,430. Ten driveway snow plow waivers have been received, and the list sent to Mr. Murie, who is currently plowing those driveways.

Mr. Murie would like the Association to purchase a large salt spreader, which he said would substantially lower both the cost of purchased salt and time spent doing the roads. The Board will consider this request.

The water in the common area has not yet been drained as the ground is still frozen, so the ditch to Greens Lake cannot be cut at this time.

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- 3. Committee Reports - Roads, continued:** Gary Rosenfield attended the December 12 County Commissioners meeting in Parowan. Mr. Rosenfield said the study to pave Greens Lake Road was discussed in depth at the meeting. Chad Nay asked why the Association was not paying for the study. Mr. Rosenfield told the Commission the Association was complying with the instructions the County had given. The Commissioners voted to go ahead with a limited study. The Commission said Steve Platt, the county engineer, was very overloaded, and they might hire the job out to another firm. There was some discussion at the Commission meeting on whether the use of the road was only by subdivision residents or by others. Mr. Rosenfield said it might be worthwhile to do a poll of road use after the survey. Jack Jenks has expressed an interest in helping with the road issue. The Board will ask him to help with the County issues.
The stolen road signs have been replaced.

Committee Reports - Water: Paul La Broad reported for the Water Committee. Several meters have been set. They are all being set outside the 33' limit, which adds a few hundred dollars to the cost. Jacqueline Tully said the ground is too frozen to set any more meters, so anyone purchasing one now will be subject to an additional charge if any extra materials are needed.

Mr. La Broad said Sorensen's bill for moving two water meters out of the right-of-way was \$7000.

Bob Havens said a lot of water has been spilling out of the tank, so he has shut down most of the water feeding to the tanks. Scott Hacking said there was too much ground water in Springs 7, 8, and 9, so they have been shut down. Only Spring 1 is in use at the present time. There are no major leaks in the system. A drainpipe has cracked, and will be investigated in the spring.

The overflow system for spring 1 and 1A is not working properly. The overflow should empty into Crawford's pond, but it is flowing out of the top of the lower collection box. The chlorine jar test results put chlorine between .1 and .2 parts per million. There is little chlorine demand at this time. Lead and copper testing was done earlier this month. Mr. Havens said he is working on the water use and emergency response reports for the State. At the annual meeting association members approved an additional water tank and digging a well. Well permits will take a substantial amount of time to obtain. Dave Rowles said an engineering study should be done on costs for the water tank, estimated at \$100,000 to \$160,000. Linford Nelson said he obtained a quote from Stout construction some time ago on used tanks. State approval is needed if tanks have been used previously. Possible locations for the new tank were discussed. Situating the new tank by the upper tank has the advantage of gravity, room and convenience. The ground by the lower tank is not as stable.

Committee Reports - Architectural Committee: Manny Mosqueda reported for the Architectural Committee. Mr. Kotyk was unable to attend the hearing scheduled for January 17, and asked if the hearing could be rescheduled or if the Board would accept a settlement.

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3. Committee Reports - Architectural, continued: After some discussion and consideration of the recent clarification of contractor requirements, Gary Rosenfield made a motion to accept the offer of settlement contingent on the clean up of the remaining tree which had been placed on property to the north. Paul La Broad seconded the motion. The vote was unanimous. A letter detailing the Board decision will be send to the Kotyks. When the cleanup is complete, the amount discussed will be refunded.

The Sheetz refund has been sent. Richard Synko said he will be submitting his contract shortly, but his house plans are still being worked on. Mr. Synko plans on putting a long house on a cement pad. The color change for Mohat has been received and approved. Mr. Mosqueda asked Linford Nelson about dumpsters and porta-potties on his construction sites. Mr. Nelson said the sites he is working on are equipped with toilets and have running water. Debris will be cleared up by next week.

The Architectural Committee has revised the Owners Construction Requirements form and the Owners Application to Build form. Jacqueline Tully made a motion to accept and approve the revised Owners Construction Requirements form and the Owners Application to Build form. Paul La Broad seconded the motion. The vote was unanimous.

4. Legal Opinions: Board members reviewed the legal opinions submitted last month by Kent Corry. The Board had no questions or comments.

5. Public Comment: Art Brothers, Chairman of the Board for Beehive Telephone, spoke to the Board concerning a communications tower in the subdivision. Mr. Brothers said one of the things mandated by Homeland Security had been duplication of facilities. Beehive has laid fiber optic cable from Delta, and also from Wendover 150 miles down the state line. Power is obtained from San Francisco, so a tower in Cedar Highlands is needed. The 40 foot, non-lit tower will be an alternate broadband circuit, which will enable Beehive to enhance such things as the 911 system.

Mr. Brothers said he had Bulloch Brothers look at the location problem, and if the tower is placed in the common area to the south side of the gully by the cattle trail, it would be more obscured and still viable. Beehive is willing to smooth out the area next to the cattle trail for 110 feet, and move the office building from its current site to the common area.

Dave Rowles asked Mr. Brothers to submit a document to the Board that summarizes his verbal agreement to use the common area for the tower. The document would then be submitted to the Board attorney for finalization and to the Board for a vote.

If the contract is approved, a non-transferable easement would allow Beehive to use a small portion of the common area for the tower and building. Any additional towers or new owner use would need to be approved by the Board.

Manny Mosqueda asked Mr. Brothers about the possibility of an environmentally sensitive tower. Mr. Brothers said that was not possible with a telephone tower, as there were only two companies that manufactured the towers. Mr. Brothers estimates construction will begin in the spring, and the DSL line will be installed within 30 days after the completion of the tower.

The meeting adjourned at 8:45 p.m. The next meeting of the Board will be held February 17, 2006 at 6 p.m.