

**Cedar Highlands Homeowners Association Board Meeting
286 North Main, Cedar City, March 24, 2006, 6:00 p.m.**

The Cedar Highlands Homeowners Association Directors held their monthly board meeting on Friday, February 17, 2006 at 286 North Main, Cedar City. The meeting was called to order by President Dave Rowles at 6:01 p.m.

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

Others Present: Stephanie Mosqueda

1. Approval of Minutes: Jacqueline Casey made a motion to approve the minutes of February 17, 2006. Gary Rosenfield seconded the motion. The vote was unanimous.

2. Beehive Easement Contract: A right of way easement grant was sent to all the subscribers in Cedar Highlands by Ms. Hooper, the Chief Executive officer for Beehive Telephone. The easement did not contain all the items discussed with and agreed to by Art Brothers. Dave Rowles invited Ms. Hooper to attend a Board meeting to discuss the contract, but did not hear back from her. Manny Mosqueda said he had spoken to Mr. Brothers, who said that the easement needed to hold for any assignees, or Beehive could not obtain financing. The Board discussed the conditions necessary for granting a right of way easement. After some discussion, the following five conditions were set:

- 1) Beehive must provide the Board with specific detail as to what structures or building will be moved, removed or relocated, including the dimensions of the new switching office, dimensions of any concrete pads, and the height of the tower to be constructed.
- 2) Nor other construction of any kind (i.e., a second tower or building) will be built without prior notification and approval by the Board.
- 3) Should Beehive sell or assign any of their Cedar Highlands holdings, these conditions must be accepted by the purchaser or assignee.
- 4) Premises from which structures are removed or on which partially constructed pad materials exist must be returned to near original conditions and grade level.
- 5) Beehive must provide a 'Hold Harmless' clause protecting the Board and the Association from any acts by Beehive or its employees that endanger Association residents or visitors, as well as any disruption or damage caused directly or indirectly by Beehive's equipment, actions or employees.

Paul La Broad made a motion to give Dave Rowles the authority to contact Beehive with the five contract conditions. Manny Mosqueda seconded the motion. The vote on the motion was unanimous.

3. Treasurers Report: The Board approved by consensus the list of February/March expenses submitted by Jacqueline Tully. Dave Rowles said the 2005 budget had been adopted by the Board in January for 2006, and he hoped to do tracking of current budget items within the next month.

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3. Treasurers Report- continued: About \$19,000 in dues has not yet been remitted. The Board discussed setting a due date on bills, with interest penalties for late remittances. After some discussion on timing and penalties, Jacqueline Casey made a motion that beginning in 2007, assessments be marked with a due date of March 31. Beginning April 1, 2007, late penalties of \$25 per month would be applicable. Manny Mosqueda seconded the motion. The voting was as follows:

Jacqueline Casey	Aye
Paul La Broad	Nay
Manny Mosqueda	Aye
Linford Nelson	Aye
Gary Rosenfield	Aye
Ron Reber	Aye
Dave Rowles	Aye

The motion on the issue passed by a majority vote.

The Board discussed the treasurer position. Dave Rowles said the bylaws permit the Board to hire a treasurer. By consensus, the Board agreed to have Mr. Rowles approach Richard Dickinson on the idea of serving in the position of paid treasurer.

4. Committee Reports - Roads: Linford Nelson reported for the Road Committee. About \$8,400 has been billed for snow removal this month. More roads and footage are being maintained this year, and the cost will continue to rise as more homes are added. Roger Murie has asked what road work the Board would like him to do this spring. Some of the homeowners have not been happy with the driveway snow removal service. Because of the difficulty of using a CAT to plow them, it was suggested a snow blower might be more effective. Mr. Murie will send in the bill for driveways after the last snowfall. Gary Rosenfield said he has not yet received a response from the county on the road survey. He has received a bid from Ashdown of \$61,000 per mile for paving a three inch base, 14 foot wide strip. Paving the four miles of main road would cost approximately \$242,000, with an additional \$20,000 to lay gravel. Mr. Rosenfield said he had spoken with Zion's bank, and they would be willing to finance the paving at 8 ½ % on a 15 year note. The Bank would be willing to accept a guaranteed lien on dues or individual guarantees for collateral. Mr. Rosenfield proposed that the Board consider paving the road to this standard. The Board discussed paving the main road. The issue of liability if the road is paved was raised. A sign that stated travel was at individual risk might mitigate this liability. Concerns about county regulations were also considered.

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- 4. Committee Reports – Roads, continued:** Linford Nelson said the BLM would not charge engineering fees for their portion of the road if the county was paving it, but might charge the Association. He was also concerned that if the road was partially paved by the Association, it might never be finished to county specifications, and therefore the county would never take over the upkeep of the roads. The county has not guaranteed to upkeep the roads if they are paved to county specifications, but they will not do so if the roads are not up to specs. Gary Rosenfield said he will talk to the county representatives again and see at what point the County is in the survey process, and what they would like the Association to do at this point. In the April meeting, the Board will make a decision on going forward with the road. Some alternate proposals will be readied for the Association members to consider at the annual meeting. Mr. Rosenfield will work with Stephanie Mosqueda and Ron Reber to see what kind of payments could be made on a loan. Some money would be saved on road maintenance, which could be put toward loan payments.

Committee Reports - Water: Paul La Broad reported for the Water Committee.

The upper tank's ice cap severed the probe, and the water committee is looking at upgrading installation with a new one. The water system has been re-approved. Scott Hacking said that the Association needs to have someone certified as a distribution operator by the end of the year or the State will pull the Association's water certification. There is a \$370 certification class that will be held April 24 - 27. Mr. La Broad will ask Bob Havens if he is willing to obtain the certification. Paying a full-time watermaster was discussed.

Linford Nelson said Mt. Valley Water Protection group is suing the State engineer, Mr. Nelson and another landowner, trying to prevent wells from being drilled. Mr. Nelson said if the judge shuts down drilling Cedar Highlands may not be able to get a permit. Mt. Valley protests all well permits in the area.

The copper levels have been exceeding the allowed amount in recent water tests. Mr. La Broad suggested committee regulations be strengthened in regard to non-copper piping in new homes.

Committee Reports - Architectural: Manny Mosqueda reported for the Architectural Committee. The house plans for Lot 2 Block 12 have been approved. A water meter has been purchased for the lot.

The owners of Lot 4 Block 4 have said they will submit their house plans in April. One of the homeowners, whose plans called for gray siding, has built a home with blue siding. The Architectural Committee will ask the owner for an explanation, which the Committee will then review, as the color change may be a breach of agreement.

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4. Committee Reports – Architectural, continued: Mr. Mosqueda suggested adding a provision to the Architectural Committee Application stating that once construction commences, it must be finished within two calendar years. Some narrow exceptions might be allowed on appeal to the Committee and substantive documentation of need. Mr. Mosqueda will work on the provision and bring a proposed version to the next meeting.

5. New Business: No new business was brought to the attention of the Board.

The meeting adjourned at 8:27 p.m. The next meeting of the Board will be held April 21, 2006 at 6 p.m.