

**Cedar Highlands Homeowners Association Annual Meeting
Highlands Subdivision, Cedar City, Saturday, August 19, 2006, 12:00 p.m.**

The Cedar Highlands Homeowners Association held their annual meeting in the meadow of the upper common area of the Cedar Highlands subdivision, on Saturday, August 19, 2006. The meeting was called to order by President Dave Rowles at Noon.

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

1. **Welcome:** President Dave Rowles welcomed the members to the annual meeting and introduced the current Board members. President Rowles thanked several of those present for their service to the Association.

2. **Approval of Minutes:** Terry Porter made a motion to approve the minutes of August 20, 2005. Martin Haeberle seconded the motion. The vote on the motion was unanimous.

3. **Treasurer's Report:** Richard Dickinson, Board Treasurer, presented the Treasurer's report. Financial statements covering revenue and expenses for 2005 and the first seven months of 2006 were presented. The water account is down this year because of the substantial cost of the rehabilitation of Spring #1 in the fall of 2005.
Mr. Dickinson went over various items in the report, including road costs, membership dues, the independent audit and the increasing costs of the water system and road repairs.
Ann Bersi made a motion to accept the Treasurer's Report as presented. Clive Newell seconded the motion. The vote on the motion was unanimous.

5. **Committee Reports - Roads:** At the 2005 annual meeting, those members present voted to investigate the cost of paving the roads within and to the subdivision. The county required a clear majority of votes on the issue, so ballots were sent out to those members absent from the meeting. 90% of the ballots returned were in favor of investigating the cost. Gary Rosenfield reported on the progress with the County on the paving issue.
Mr. Rosenfield said he had met with the County Commissioners several times, and they have commissioned the county engineer to present a detailed estimate of the costs involved. The engineer was asked to estimate four different costs to widen and improve to Iron County standards:
 - a) the road from Cedar City to the subdivision
 - b) all subdivision roads
 - c) from the subdivision to Right Hand Canyon Road or
 - d) High Cedar Highlands Drive, which is the main road.

Steve Platt, the county engineer, said the first option, widening the 2.15 miles from Cedar City to the subdivision, would require a wider Title V right-of-way from the BLM, which might take a few years to acquire. Mr. Platt felt he could not give an estimate on this option without further information from the BLM.

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5. Committee Reports - Roads, continued:

The second option, widening and improving all subdivision roads except High Cedar Highlands, is estimated at \$400,104 for gravel, and \$1,223,176 for pavement.

The third option, widening and improving the .69 miles from the subdivision to Right Hand Canyon Road, is estimated at \$86,255 for gravel, and \$227,185 for pavement.

The fourth option, improving 1.26 miles of High Cedar Highlands Drive, is estimated at \$157,625 for gravel, or \$415,163 for pavement. Engineering costs, costs to move meters, and legal and administrative fees have not been included in these estimates. Jacqueline Tully said the road is considered summer use only at this time, and the status of the roads would need to be changed to full time. There is no guarantee that the county will take over maintenance of the roads once they have been improved to county specifications, but they have always done so in the past. The county is willing to do an SID, (Special Improvement District), and is asking for direction from the Association on what kind of improvements to proceed with. The county will prepare and send a letter to all lot owners by registered mail, asking if they agree to an SID. A non-response will be considered a yes vote. Ann Bersi said she felt that having the county send out the survey was circumventing the Association bylaws, and that most of the lot owners did not understand the situation with improving the roads. Dave Rowles said county law superseded the bylaws. The vote would not be on a Cedar Highlands assessment, but a county SID.

Currently about \$30,000 per year is being expended on road maintenance, and that amount has not been enough to keep the roads in good shape. Costs will also continue to rise. Clive Newell said there is a safety issue involved, as it is difficult to get emergency vehicles and fire suppression equipment to the subdivision on the current roads.

Members discussed improving the roads. Concerns expressed if the roads were improved included increased taxes, increased traffic, a possible reduction in maintenance, and losing the rural feel of the community.

Martin Haeberlie made a motion to send options out in writing to all lot owners, asking for a response within the next two weeks. Richard Synko seconded the motion. The vote on the motion passed by a majority.

Gary Rosenfield asked the members to participate in a straw vote to determine interest. Four votes were taken, with the following results:

All paving options, at an approximate cost of \$13,000 per lot

In favor - 21 Against - 23

All roads to county specs, paving on main only, at an approximate cost of \$8,000 to \$10,000

In favor - 20 Against - 21

All roads to county specs, in gravel, at an approximate cost of \$7,000 per lot

In favor - 33 Against - 2

Making no road changes

In favor - None Against - Unanimous

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5. Committee Reports - Roads, continued: Linford Nelson, chairman of the Road Committee, said the reason the roads were not in optimum shape is due to a lack of sufficient funds. Mr. Nelson said when Roger Murie retires, road work will become even more expensive. The cost to repair the plugged culverts was \$6,619 this year. Mr. Murie will put 12 tons of gravel on the roads this fall, mixed with mine tailings, at a cost of \$13,2000.

5. Committee Reports - Water: Paul La Broad reported for the Water Committee. Mr. La Broad said some illegal water and electrical taps had been found, which had created a cross-connection violation. Cross connection problems can shut down a water system because of the risk of water contamination. Two options for expanding the Cedar Highlands water reserves were discussed at the 2005 meeting, a new well and a new tank. Mr. La Broad said it would take three to five years to obtain approval for a new well. Obtaining a new tank is less complicated, involving the payment of permit fees, engineering, and the actual tank and installation. However, the cost for a new tank is rising. A recent quote for a new water tank included costs of \$110,000 to \$114,000 for the tank, and site prep and a pad which will run from \$25 to \$30 thousand, making a total of approximately \$150,000.

Water master Bob Havens reported that a recent water break had been caused by a frozen valve, and that an increase in chlorination was needed because of the heavy rains. A stream had been created by the rains auguring a hole into the spring, polluting the system with dirt. The State has suggested creating a catch basin at the bottom of the stream.

Jacqueline Tully said more volunteers are needed in water emergencies.

Committee Reports - Architectural: Manny Mosqueda reported for the Architectural Committee. He asked the members to send in updated phone numbers, addresses and emails as soon as possible. Currently there are 68 homes in the subdivision, with 16 under construction. Two major revisions have been made in the last year to architectural committee building applications. The Board has legal authority over the lot owner, not the builder, so all contracts and deposit agreements are made with the lot owner.

Committee Reports - Fire: Clive Newell reported for the Fire Committee. Mr. Newell thanked those members who had turned in the fire wise forms, and asked those present to remember to turn in all receipts for fire retardant devices and the number of hours spent in fire related work. These figures are used for matching grant monies.

The Utah Department of Forestry is treating lots now. Those with homes on the mountain were encouraged to create a 35' defensible space around their homes, and to thin out dead trees. The best thing for fire safety is to reduced the fuel available for a fire. Mr. Newell said the fire department will save homes if they can, but will abandon them if they are too difficult to save. Having the defensible space makes the home easier to save. There was one house fire on the mountain last year, which fortunately was contained. Placing a fire shed and pad for a truck was discussed. Dave Rowles said he had spoken to some fire department volunteers who were willing to help find a surplus pumper. Discussion: Maintenance issues might be a problem with a fire

truck, and placing more hydrants might be a better use of fire prevention monies.

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6. Loose Dogs: Dave Rowles said there have been complaints about loose dogs from homeowners in the subdivision, as well as complaints from the livestock committee about dogs bothering sheep grazing on the mountain. It is not known if the problem dogs belong to homeowners, to contractors, or are feral. Iron County has a leash law, which requires all dogs to be on a leash when off their owner's property. Those present were encouraged to keep all dogs on a leash.

7. Board Member Elections: Vacancies were open on the board for the position held by Paul La Broad, who has resigned, and for the positions held by Linford Nelson, Gary Rosenfield, and Jacqueline Tully, whose terms of office have expired. Mr. Nelson, Mr. Rosenfield, and Ms. Tully ran for reelection.

The meeting was opened to nominations from the floor. Paul La Broad nominated Steve Gray. Mr. Gray accepted the nomination. Ken French nominated Martin Haeberle. Mr. Haeberle accepted the nomination. William Bible nominated Clive Newell. Mr. Newell accepted the nomination. The nominations were closed. Mr. Gray, Mr. Haeberle, and Mr. Newell spoke for a few minutes on their experience and goals.

The ballots were filled out and counted. Clive Newell, Linford Nelson, Gary Rosenfield and Jacqueline Tully were elected to the Board.

The meeting adjourned at 2:30 p.m.