

Cedar Highlands Homeowners Association Board Meeting
838 E. High Mountain View Drive, Cedar City, UT February 20, 2009 at 6:00pm

The Cedar Highlands Homeowners Association Directors held their monthly board meeting on February 21, 2009 at 6:00 p.m. at the home of Tom Kosakowski and Janet Webb.

Cedar Highlands Board Members Present: Beth Gaines, Manny Mosqueda, Linford Nelson Clive Newell, John Tully, and Janet Webb. Steve Gray has resigned.

Others Present: Bob Havens and George Mason.

The minutes were taken by Janet Webb.

- 1. The meeting was called to order at 6:02 p.m.; Welcome and Introduction of visitors – John Tully**
- 2. Approval of Minutes:** January's minutes won't be approved until the next meeting as not everyone had received them prior to this meeting.
- 3. State and Federal Funding for Water System:** Kelly Crane of Nolte Engineering was invited to our meeting to discuss what he could do to assist us with applying for State and Federal Funding to improve our water system. Kelly has five years experience assisting subdivisions and HOA's from the application process all the way through and including construction management. He came highly recommended by our current water master George Mason. Kelly gave an overview of the process then answered our numerous questions. Kelly said the State has a rating system which looks at the amount of money we currently pay on a monthly basis for water, condition of our current system and potential contaminants. Low interest rates run from 1 to 3 percent with 20-30 year amortization. Grant money is usually for those with public health risks and the inability to obtain a loan. It is possible that we could be approved for both a low interest loan and principal forgiveness grant money. The deadline to submit an application is March 16, 2009. Funding approval or denial is held at the State's meeting in May. Nolte Engineering's fees would be 10-20 percent of construction cost and is regulated by the State.
- 4. Committee Reports:**
 - A. Water Report – George Mason**
 - 1) Shelly Newell is unable to attend the March "Rural Water 28th Annual Conference". Beth made a motion for Janet Webb and John Tully to attend. Clive seconded the motion. The motion passed by a unanimous vote.
 - 2) Beth provided historical water meter cost of \$200 to \$1,200.
 - 3) The water shut off notice was placed on the door of the home at lot 1 block 3 for non-payment of HOA dues. George will shut the water off on Monday, February 23, 2009. Janet will write a letter for John to sign letting the owner know the water has been shut off per the CC&R's for non-payment. The letter will be sent out certified, return receipt requested.
 - 4) Water was shut off on the lot Block 2 Lot 28 due to a water leak in the driveway. As of this meeting, no one has been able to contact the owner. Manny will continue to try.
 - 5) Manny motioned that John replace Steve Gray as Chair of the Water Committee since Steve has resigned from the Board. Linford seconded the motion. The motion passed by a unanimous vote.

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- 6) John wanted to make sure each Board member has given a great deal of thought to procuring an approximate loan amount of \$400,000 plus to fix and enhance our current water system. Some of the items on the wish list are developing the new well which includes buying a pump, building a pump house and running power to the pump house. Replacing the last two old pressure reducing valves, visibly marking all water meter locations, replacing old piping to meet code and building cement collars around the
- 6) It was discussed and agreed upon by all Board members that decisions made at the October 18, 2008 meeting regarding water shut-off, reconnect fees and liens for non-payment as well as accrued interest on late payments of HOA dues will be upheld regardless of circumstances.

B. Financial Report– Beth Gaines

- 1) Collections – Shelly e-mailed a log of her numerous attempts to contact and work with Mr. Kahn of Abraham Roth & Associates, Inc.
- 2) The “Cedar Highlands HOA Financial Accounts” report for December 2008 and January 2009 was presented to the board. A copy of this is included as an attachment to the minutes.
- 3) To date, \$93,512.64 of the 2009 HOA dues have been collected. There are still 35 owners who have not paid. Four letters have been received as well as several e-mails questioning the water usage fee on vacant lots. These owners will be referred to their CC&R’s for policy.
- 4) Janet has been sending Board members samples of information available to us by HOAleader.com and has suggested we purchase a membership. The membership would cost \$120 per year and gives access to their website for up to 10 Board members. The site provides invaluable information several different topics common to HOA’s. Manny made a motion that we purchase the membership. Beth seconded the motion. The motion was passed unanimously.
- 5) Clive read a section from the HOAleader.com pertaining to using Collection companies to collect on past due HOA dues. The article recommends against using any third party and promotes using an Attorney who specializes in such collections. After much discussion, Beth motioned that she write a letter on behalf of the Board advising Abraham Roth & Associates, Inc. that we are ending our contract due to contractual breaches. Manny seconded the motion. Clive opposed. The motion was approved by majority vote.
- 6) Beth has agreed to write a letter to Owner of Block 8 Lots 19 and 20 stating the need for a copy of any payments claimed to have been sent to Abraham Roth & Associates, Inc. Without it, he will not be given credit as we are unable to obtain proof from the Collection Company. Owner will also be directed to the CC&R’s as to why he must pay the water usage fee on a vacant lot.

C. Architectural Report – Manny Mosqueda

- 1) Manny reported there are now 71 homes in the subdivision, which includes two under construction. The “ARC Committee Report for February 2009 Board Meeting” was discussed. This document is included as an attachment to the minutes.
- 2) Security deposit of \$3,000 was returned to Linford Nelson for Lot 2 Block 4.

D. Fire – Clive Newell

1) Per Clive Newell, John Schmidt of the Utah Division of Forestry will be attending our April meeting.

E. Roads - Linford Nelson

- 1) The fees for snow removal and cinder spreading for the period December 1, 2009 through the first week of February, 2009 was \$10,500.
- 2) The county has agreed to fund the cost of road signs for the main road leading through the sub-division. John was not sure if that will include installation. John will tell Manny what signs he wants and Manny will print out pictures of them for County Engineer Steve Platt.

F. CC&R's – Deferred

5. Other Business/Discussion

1. Clive volunteered Shelly to look on the web for published ads for county projects that may affect Cedar Highlands Subdivision in place of Steve who resigned.
2. Manny volunteered to replace Steve as our web master. He will get the password from Steve and give it a try for a month.
3. Janet made a motion not to replace Steve Gray's position on the Board until elections at the next Annual meeting. Clive seconded the motion. The vote on the motion was unanimous.

6. Linford Issues – Linford offered no new information on agenda items 6-a or 6-b.

7. Action Items –

- a. Manny to continue trying to reach Suzanne Clark regarding her water leak.
- b. Manny to obtain password and attempt to update the CCHOA website.
- c. Janet to write a letter to owner of Block 3 Lot 1 informing of water shut-off.
- d. Janet to update water shut-off notice & draft standard letter for owners.
- e. Beth to write response to Mr. Yost regarding dues for water usage fee on vacant lot and the need for him to send copies of any payments he made to the Collection Agency.
- f. All Board members to read CC&R's about permissible building on lots.
- g. All Board members to read the January minutes.
- h. John & Janet to attend the water conference on Tuesday, March 3, 2009.
- i. John to check with Paul Leddy on additional insured on Nolte Engineering Co. contract.
- j. Beth to provide the amount Richard Dickinson is paid and for what services.
- k. Beth to write letter to Collection Agency informing them of our cancellation of the contract.

8. Public Comment – There were no public comments.

9. Time and place of next meeting

1. The next Board meeting date, time and location will be scheduled by e-mail after all Board members verify their availability:

H. Adjourn:

Linford Nelson motioned to adjourn the meeting, Clive Newell seconded the motion. The vote on the motion was unanimous. Meeting adjourned at 9:03 pm.

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