

Cedar Highlands Homeowners Association Board Meeting
2215 S. High Mountain View Drive, Cedar City, UT May 9, 2009 at 6:30pm

The Cedar Highlands Homeowners Association Directors held their monthly board meeting on May 9, 2009 at 6:30 p.m. at the home of Stan and Beth Gaines.

Cedar Highlands Board Members Present: Beth Gaines, Manny Mosqueda, Linford Nelson, John Tully, and Janet Webb. Clive Newell was absent.

Others Present: Stan Gaines, Paul Leddy and Bob Havens

The minutes were taken by Janet Webb.

1. The meeting was called to order at 6:44 p.m.; Welcome and Introduction of visitors – John Tully

2. Approval of Minutes: Manny had a correction on the minutes from April 2009 to remove D-2 under Fire in the committee report section. Janet motioned to approve the corrected April 2009 minutes. Manny seconded the motion. The vote on the motion was unanimous.

3. Committee Reports:

A. Water Report – George Mason (Given by John Tully in the absence of George)

- 1) We had a positive bacteria test in the upper tank last month, which has already been corrected. The lower tank was never affected. We now meet all state requirements for drinking water. The problem most likely occurred from the warm weather, which created a fast run off.
- 2) John spoke to Nolte on Thursday. We are on the second tier right now and should be on the State's agenda for June's meeting. Kelly is still on the job.
- 3) Water was shut off on Block 3 Lot 1 due to delinquent HOA dues. The owner had placed their private lock on the meter. This lock was cut off and an HOA lock installed. There is still a leak at the meter that needs to be fixed. Manny said he received a call from a Title Company wanting to know what the amount of past dues is. The amount owed from previous years is \$2,147.00 and \$896 for this year plus interest and the \$80 cost of the lien. Total given was \$3,178.00
- 4) George Mason has maintained our water rights and they are intact until 2012. Springs 5 & 6 are on Linford Nelson's land. As previously discussed with Linford, and mentioned again to him at tonight's meeting, if a potential hazard were to occur within the protection zone of either spring, we would protect the water flow and quality by any means allowed by law. Linford stated he understood our intentions to protect the water.
- 5) PRV work starts May 13-14 2009. The 1st PRV work will start on the main road and intersection of High Mountain View Drive. The second one will be by Lot 33 Block 2. Bob rebuilt the old PRV, which saved the HOA about \$2,500.00. We will need another rebuild kit to complete the last PRV replacement. The job will require water shut off for maybe 8 hours per working day. John & Janet will figure out which homes will be without water and place notices on their doors.

B. Financial Report– Beth Gaines

- 1) Collections – Beth has re-mailed the letter to Mr. Richard Marotte, President of Abraham Roth & Associates, Inc. by certified mail, return receipt requested as discussed at the April meeting.

Cedar Highlands Homeowners Association Board Meeting

2215 S. High Mountain View Drive, Cedar City, UT May 9, 2009 at 6:30pm

- 2) The April 2009 “Cedar Highlands HOA Financial Accounts” report and the “Cedar Highlands Home Owners Association Comparative Balance Sheet” were presented to the Board. The Board also reviewed the e-mail Richard Dickinson sent to Beth which included some general financial items to be discussed and/or attended to.
- 3) HOA dues collection status. We reviewed each board members list and the status. Anyone who didn't pay will now get a 7-day demand letter. If not paid, water will be shut off if the lot includes a home. 72 hours after water shut-off a lien will be placed. Mail was received from owners of Lot 10 Block 8 stating they owe nothing else for HOA dues per agreement. Letter received from private party, Chris Newberry asking to purchase water rights. We will not respond. Janet agreed to write the collection policies, which will strictly adhere to the CC&R's, to be used by the current and new Board members for delinquent owners.

C. Architectural Report – Manny Mosqueda

- 1) An application was received from the owner of Lot 2 Block 10 to build a hay shed. After discussion, no decision was reached and the owner will be asked to attend the next meeting to discuss options. It is also suggested that the owner have to get written permission from surrounding neighbors before the Board approves.

D. Fire – Clive Newell

- 1) Each Board member needs to try to get 10 “In Kind” forms filled out by attending members at the annual meeting. John Schmidt will be at our June meeting.

E. Roads – Beth Gaines, Manny Mosqueda & John Tully

- 1) Our request for road signs has been completed. John dropped it off at the County Commissioners office. John has a meeting with Steve Platt on May 13, 2009.
- 2) Roadwork starts approximately May 15, 2009. Greens Lake Road will be closed during the time of the work. Everyone will have to enter the subdivision from Right Hand Canyon.
- 3) John contacted Wayne Smith to provide gravel for our road project. The county has made no commitment so far. A Cedar Highlands homeowner has volunteered to repair existing road signs that are damaged. He will need to submit a request before the HOA will allocate any reimbursements.

F. CC&R's – Janet Webb

- 1) Each Board member will need to complete their review of the CC&R's and all proposed changes will need to be voted on at the annual meeting. The draft changes will be sent out 30 days in advance of the annual meeting to all CHHOA members. Any changes need to be approved by a 2/3 vote of the lot owners, and shall require the approval of 2/3's of the institutional lenders as well.

4. Other Business/Discussion

1. Everyone reviewed the great job Manny has done on the HOA website. Janet will go through the website and let Manny know of any owner names that need to be removed.
2. Due to last year's successful neighborhood clean-up project, discussion is underway for another one. Date and time to be determined.

Cedar Highlands Homeowners Association Board Meeting
2215 S. High Mountain View Drive, Cedar City, UT May 9, 2009 at 6:30pm

3. John has asked all Board members to review his prepared “code of professional ethics” form and be prepared to sign it at the June meeting.
4. John contacted Jennifer Weaver, Bureau Chief of the Spectrum News regarding a picture of our subdivision sign being included with an article written by Samantha Arnold about a potential landslide on the face of Cedar Mountain. Janet made a motion to contact our attorney regarding the unsubstantiated claims made by Carl Palmer of the Mountain Valley Water Protection Association about the instability of our subdivision at the County Planning Commission meeting held Thursday, May 7, 2009. Beth seconded the motion. Linford abstained, Manny voted no. The motion passed by majority vote. Janet and another concerned homeowner will meet with our attorney.

5. Action Items:

- a. John and Janet to door knob H2O shut off notices.
- b. Bob to send PRV rebuild information.
- c. Beth to repay difference in Lien payment to owner of Lot 10 Block 3.
- d. Beth to send collections letter to 5 members - (now make it six to include the owner of Lot 19-20 Block 8 whose letter should request a copy of his cancelled check to Abraham Roth.)
- e. John to forward Richard's emails to Board.
- f. Janet to write collections procedure.
- g. John to contact Lot 2 Block 10 owner about hay shed.
- h. John to contact owner of Lot 14 Block 8 about repairing street signs.
- i. John, Janet and Paul to contact Attorney about newspaper article.
- j. Janet and John to write and mail letter to owner of lots 12-15, Block 4.
- k. Beth to notify Nassau County A.G.'s office. Beth already has the form to be filled out.
- l. All Board members to read the draft of the May minutes.

7. Public Comment: There were no public comments.

8. Time and place of next meeting: The next Board meeting will be held June 20, 2009 at 6:00 p.m. at 838 E. Cedar Highlands Drive at the home of Janet Webb and Tom Kosakowski.

9. Adjourn: Beth Gaines motioned to adjourn the meeting, Linford Nelson seconded the motion. The vote on the motion was unanimous. Meeting adjourned at 8:06 pm.