

**Cedar Highlands Homeowners Association Board Meeting
2011 High Cedar View Dr., Cedar City, September 29, 2006, 6:00 p.m.**

The Cedar Highlands Homeowners Association Directors held their monthly board meeting on Friday, September 29, 2006 at 2011 High Cedar View Dr., Cedar City.

The meeting was called to order by Gary Rosenfield at 6:00 p.m.

Members Present:

Board members, Manny Mosqueda, Gary Rosenfield, Jacqueline Tully, Clive Newell.

Others Present: Ann Bersi, Stephanie Mosqueda, Shelly Newell, Teri Saa.

Late Arrivals: Bob Havens, John Tully, Board President, Dave Rowles.

1. Approval of Minutes: Jacqueline Tully made a motion to approve the minutes of July 21, 2006. Gary Rosenfield seconded the motion. The vote on the motion was unanimous. The minutes of the Annual Meeting held on August 19, 2006 are set for approval during the next annual meeting in August of 2007.

2. Discussion of Contract for Secretarial Services to replace Linda Midgley. At the request of Dave Rowles, Teri Saa agreed to replace Linda Midgley and to take over her services for the same rate as paid to Ms. Midgley, \$25.00 per hour. Gary Rosenfield asked for discussion on the subject of secretarial services.

Jacqueline Tully, presented a letter from Linford Nelson stating that he felt that the secretarial services should be a volunteer position and should be handled by one of the homeowners. A discussion ensued.

Jacqueline Tully made a motion that the position in question now be called The Recorder and that it be a volunteer position that is coordinated through the Board Secretary. The responsibility of The Recorder will be to take notes at the monthly HOA meetings, type the notes, email typed notes to all of the Board members, email monthly agenda to all board members, and assemble as well as mail information to all homeowners as required. Manny Mosqueda seconded the motion. The vote on the motion was unanimous.

Volunteers were asked for. Shelly Newell and Teri Saa volunteered to be co-recorders for the upcoming year.

**Cedar Highlands Homeowners Association Board Meeting
September 29, 2006-Page 2**

3. Committee Reports - Fire Safety: Clive Newell reported for the fire committee. Mr. Newell stated that burning within Cedar Highlands and outside of an appropriate container is illegal. A burn permit can and must be obtained from Ryan Riddle, Iron County Fire Marshall. Mr. Newell also mentioned that any homeowner having piles of wood to be burned must call the Bureau of Land Management and make arrangements to have them burn the piles.

Mr. Newell went on to say that the Iron County Fire Marshall, as part of fire mitigation, will be taking out several aspen tress as well as thinning brush around the lower water tank. There will be no charge to the homeowners.

4. Committee Reports - Architectural Committee: Manny Mosqueda reported for the architectural committee. Mr. Mosqueda presented a complaint from Donna Bowmann, homeowner. She stated that her next door neighbor, Mr. Taylor, had imported a large amount of dirt that she felt would change the contour of his land. The board agreed that this in not an architectural committee issue. Mrs. Bowmann further stated that she desired Linford Nelson to change the color of the roof on the home he is currently building in her neighborhood from green to either brown or bronze. Mr. Mosqueda stated that both the architectural committee and Mr. Nelson agreed to the change.

5. Committee Reports - Roads: Jacqueline Tully presented a \$17,540.00 bill from Roger Murie for current road repair.

A discussion was held concerning the road committee, which was, up to this point, primarily the responsibility of Linford Nelson and Gary Rosenfield. The discussion led to an agreement by the board to spread out the responsibility for the roads by enlarging the road committee. John Tully agreed to assist with the road committee.

6. Road Paving SID - Gary Rosenfield presented the first draft of the Road Paving Communication to Association Members pursuant to direction received during the Annual Meeting of the Association. A lengthy discussion ensued leading to a motion put forth by Jacqueline Tully. Mrs. Tully moved to:

- a. have Mr. Rosenfield reword the letter following the suggestions made by the board and others present;

**Cedar Highlands Homeowners Association Board Meeting
September 29, 2006-Page 3**

- b. to present the completed letter to the attorney for clarification of two points, first, as to liability, is a non-response considered to be a yes or a no vote and second, does the board need two-thirds of the homeowners to agree before it can move forward?
- c. to run the completed letter past the county commissioners for their approval;
- d. and finally, to send the letter out as certified mail.

Clive Newell seconded the motion. The vote on the motion was unanimous.

7. Beehive Telephone: Steve Gray read the response from Beehive Telephone to the letter sent by Dave Rowles, Board President in response to Beehive's original letter requesting approval of a Limited Utility Line Easement and Right of Way. A discussion ensued and several concerns were address. The prominent one being that Beehive's responses to the letter sent to them by Dave Rowels were too vague leaving room for misunderstandings.

A motion to create a committee to communicate with Beehive and to address the concerns of the Board was made by Jacqueline Tully. The motion was note seconded.

Dave Rowles suggested sending Beehive's current response to the Association's lawyer, Mr. Cory for review. The Board agreed on this and on continuing to use Steve Gray as the Board's communication link with Beehive.

8. Insurance: Jacqueline Tully presented the written opinion and recommendations of Paul Leddy concerning Liability/Errors & Omissions in Insurance coverage for the Board and/or its agents. Mr. Leddy stated that the policies held by the Association are underfunded. He suggested that the liability policy be raised from one-million over two-million to five-million over ten-million and that the replacement value of all current assets need to be updated in the commercial lien policy.

A discussion was held on how to define Bob Haven and his duties in order to insure him. It was decide to have the lawyer, Mr. Cory review the CC&R'S as well

**Cedar Highlands Homeowners Association Board Meeting
September 29, 2006-Page 4**

as all insurance paperwork and so to receive a recommendation as to proper wording. This issue is to be further reviewed at the next board meeting.

There is a possibility that National Flood Insurance may be necessary because of non-coverage for landslides.

All insurance policies renew in November. The Board requested the insurance company to provide quotes on all issues before that time.

9. Committee Reports – Water: Bob Havens reported for the Water Committee. Mr. Havens stated that he continue to will keep chlorine levels high in order to combat any potential contamination. He further stated that spring 1A is producing 5 gallons per minute for the lower tank and that spring 5 is doing the same for the upper tank. The results of the latest water samples have not come in.

Dave Rowles brought up the departure of Paul LaBroad as Chairman of the Water Committee. Mr. LaBroad is planning on moving from the area. Mr. Rowles suggested that an invitation be extended to Mr. LaBroad asking him to continue on the water committee until he actually moves.

John Tully spoke up and was recognized by the board. He suggested that in the case of an emergency, instructions for valve procedures be posted in the pump house. There was a unanimous decision to the fact that this was a good idea.

10. Treasurer's Report: and review of Check Register. Jacqueline Tully, Treasurer reported that other than the previously mentioned check to Roger Murie and the regular monthly checks, no other check was written.

11. Election of New Officers and Committee Chairpersons: Gary Rosenfield opened the floor for nominations. Nominations were opened for the position of President. Dave Rowles nominated Gary Rosenfield. Mr. Rosenfield accepted the nomination. Manny Mosqueda nominated Jacqueline Tully. Jacqueline Tully accepted the nomination. Dave Rowles moved that the nominations for President be closed. Clive Newell seconded the motion. A vote was taken. Jacqueline Tully was elected to the position of President by a 4 to 2 vote.

**Cedar Highlands Homeowners Association Board Meeting
September 29, 2006-Page 5**

Newly elected President, Jacqueline Tully opened the floor for nomination for the position of Vice-President. Dave Rowles nominated Clive Newell. Mr. Newell accepted the nomination then nominated Gary Rosenfield. Mr. Rosenfield accepted the nomination. A vote was taken. A majority elected Gary Rosenfield to the position of Vice-President.

A discussion was held about the position of Secretary/Treasurer. It was agreed that the Board as well as the homeowners were best served when a Board member who lived in the community on a full time basis held the position. The only Board member beside the already elected President and Vice President who filled these qualifications was Manny Mosqueda. Mr. Mosqueda declined the position.

After a further discussion, the Board agreed to change the duties of Secretary/Treasurer. It was agreed that many of the duties performed by the Secretary/Treasurer duplicated those of Richard Dickenson, the acting Accountant. The duties of the Secretary/Treasurer were then defined as:

- a. to collect mail from the PO box on a weekly basis, open it and make copies,
- b. to divide the mail sending all appropriate mail to Mr. Dickenson,
- c. to bring all bills and correspondence directed to the Board to the monthly meetings where the bills would then be paid and signed by the Board members and correspondence be addressed,
- d. and to coordinate the newly created position of Redorder.

Clive Newell suggested that the monthly agenda be changed to reflect a period for addressing correspondence and paying bills. The Board agreed to this suggestion.

President, Jacqueline Tully asked for volunteers to take over the position of Secretary/Treasurer under these new guidelines. Manny Mosqueda agreed to take this responsibility with the assistance of his wife Stephanie Mosqueda.

Through a process of open discussion and mutual agreement, the Chairmen for the Fire, Roads and Architectural Committees were chosen.

Committee-Fire: Clive Newell will continue as Chairman.

**Cedar Highlands Homeowners Association Board Meeting
September 29, 2006-Page 6**

Committee-Roads: Gary Rosenfield will be chairman with Linford Nelson and John Tully assisting.

Committee-Architectural: Manny Mosqueda will continue as Chairman.

The position of Chairman for the Water Committee was left open, however, Dave Rowles agreed to be the board liaison to the water committee.

Dave Rowles suggested the formation of a committee to review the CC&R's and the Bylaws with the goal of updating, streamlining and rewriting. The improved Bylaws and CC&R's would be presented at the next annual meeting.

Clive Newell made a motion to create such a committee. Both Manny Mosqueda and Gary Rosenfield seconded the motion. The motion was passed unanimously. Dave Rowles was given the position of chairman.

12. New Business & Public Comment: President, Jacqueline Tully brought up the writing of the yearly newsletter. Teri Saa was recognized and suggested that the newsletter contain a section explaining each of the committees and their duties and then ask the homeowners for volunteers to fill these committees. The Board agreed.

The meeting adjourned at 9:20 p.m. The next meeting of the Board will be held on November 4, 2006 at the home of Manny and Stephanie Mosqueda. The following meeting will be held on December 1, 2006 at the home of Clive and Shelly Newell.