

Cedar Highlands Homeowners Association Board Meeting
2437 S. High Maple Circle, Cedar City, UT September 29, 2007 6:00pm

The Cedar Highlands Homeowners Association Directors held their monthly board meeting on September 29, 2007 at 6:00 p.m. at 2437 S. High Maple Circle, Cedar Highlands, Cedar City, UT. The meeting was called to order by President Jacqueline Tully at 6:00pm

Cedar Highlands Board Members Present: Bob Havens, Linford Nelson, Clive Newell, Gary Rosenfield, Manny Mosqueda, and Jacqueline Tully. Martin Haeberle was out of town.

Others Present: Terry Havens, Stephanie Mosqueda and Beth Gaines

The minutes were taken by Beth Gaines.

A. Call meeting to order; Welcome and Introduction of visitors – Jacqueline Tully

B. Approval of Minutes: Manny Mosqueda motioned to approve the July 2007 minutes. Bob Havens seconded the motion. The vote on the motion was unanimous.

C. Election of Officers and Committee chairs

1. **President**—Manny Mosqueda motioned for Jacqueline Tully to retain the office of President. Bob Havens seconded the motion. The vote carried unanimously.

2. **Vice President**—Jacqueline Tully motioned for Clive Newell for Vice President, and was seconded by Manny Mosqueda. The vote was unanimous.

3. **Secretary/Treasurer**—Stephanie and Manny Mosqueda were nominated to the office of Secretary/Treasurer by Jacqueline Tully and seconded by Clive Newell. The vote carried unanimously.

It was agreed that board members would remain as chairs of their current committees.

4. Committee Chairs

a. **Fire**—Clive Newell

b. **Water**—Bob Havens

c. **Roads**—Linford Nelson

d. **Architectural**—Manny Mosqueda

D. Financial Report—the Cedar Highlands Expenses and Deposits report for August 2007 was distributed to board members. Manny Mosqueda motioned to approve the August checking account register. Gary Rosenfield seconded the motion, which carried unanimously.

E. Beehive Contract—A draft contract supplied by Beehive was distributed to board members for review and discussion. President Tully led a full review of the document. The draft contract has been updated with changes recommended by the board, and is attached to the minutes. The revised contract will be submitted to Beehive for their consideration.

F. Reports (Committee Membership)

Discussion ensued regarding adding interested home owners to all committees with the benefit of more input and less liability for board members. It would be desirable to have regular committee meetings to promote awareness of issues and gain consensus for recommendations to the board. New committee members were suggested by the board as follows:

1. **Fire**—Clive Newell, chair; Shelley Newell, Paul Leddy, Jacqueline Tully, Elaine Monaco

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- a. Chipping will continue as homeowners clear brush on their lots
 - b. Linford Nelson will take care of the pile of brush on High Mountain View Dr. by Monaco's.
 - c. Oregon State University and the University of Chicago have contacted homeowners and expressed interest in the community fire project at Cedar Highlands. It is one of the few such projects in the nation with a successful cooperative effort between states and communities.
 - d. Homeowners are encouraged to turn in all documented hours and purchases related to brush clearing for fire safety. The Fire Committee will meet in the spring to strategize for the next fire season.
2. **Water**—Bob Havens, chair; Terry Havens, Martin Haeberle, Tom Kosakowski, Janet Webb, Judy Haeberle
- a. The Water Report was distributed to board members. Bob relayed information on the current status of the system—water levels are 30 feet in both the upper and lower tanks. Spring 1 is shut down when the lower tank overflows. He also provided information on government water tests being conducted on the system and new tests that will be required in the future, relayed the verbal results of the Sanitary Survey, completed by the State of Utah on August 18, 2007.
 - b. System problems and resolutions were outlined and discussed. None of the PRVs have been rebuilt yet.
 - c. Work Projects— Pressure Distribution System: an upgrade to the system is necessary to establish correct water pressures system wide. Gary Rosenfield motioned to contract with Sunrise Engineering to perform a system survey to begin this project. Clive Newell seconded this motion. The board voted unanimously to proceed with the contract. The contract amount will be \$3,000. Other work projects include a culvert at spring 1, a pump at spring 1A, an upper tank heater, a new well, and the installation of an electronic monitoring system for tank levels and distribution pressures.
3. **Roads**—Linford Nelson, chair; Gary Rosenfield, Michael Burndt, Beth and Stan Gaines
- a. Linford reported that only the Synco's and Gaines' have signed up for regular snow removal
 - b. Discussion of Ann Bersi's request for additional gravel resulted in a consensus that no additional gravel would be placed on the roads at this time.
4. **CC&R**—Ann Bersi, chair; Teri Saa
- a. Ann Bersi was contacted by phone during the meeting and consented to chair the CC&R committee which will review and update the existing CCRs.
5. **Architectural**—Manny Mosqueda, chair; Stephanie Mosqueda, Karl and Donna Bauman, Gary Rosenfield, Jacqueline Tully
- a. The security deposit was returned to the Slitz's, Synko's, and Haeberle's
 - b. Manny contacted Paul Fife regarding construction debris.

G. Other Business

1. The number of real estate signs in the subdivision has exploded. Signs 18"x24" are allowed by the CC&Rs. Gary Rosenfield will draft a letter to the various companies explaining the noncompliance issues.
2. President Tully will contact Judy and Janet to get them started with a Neighborhood Watch group for Cedar Highlands

H. Time and place of next meeting

1. The next meeting dates are:
 - a. Friday, October 26, 2007, 6 p.m.
The home of Manny and Stephanie Mosqueda
1147 E. High Cedar Highlands Drive
Cedar Highlands Subdivision
 - b. Saturday, December 8, 2007, 6 p.m. (combining November and December)
The home of John and Jacque Tully
2011 S. High Cedar View Drive
Cedar Highlands Subdivision

I. Adjourn:

Gary Rosenfield motioned to adjourn the meeting, Manny Mosqueda seconded the motion. Meeting adjourned.

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Draft Only

BEEHIVE TELEPHONE COMPANY, INC. AND CEDAR
HIGHLANDS HOMEOWNERS ASSOCIATION STIPULATION

This agreement dated this _____ day of _____, 2007, between Cedar Highlands Home Owners Association (“HOA”) and Beehive Telephone Company, Inc., (“Beehive”) incorporates all terms and agreements between the two entities (“the Parties”) concerning the relocation of Beehive’s Cedar Highlands Central Office Building and the placement of a new telecommunications tower.

Particularly, the subject of this agreement concerns a new 50’ by 50’ site south of an area referred to commonly as “the Cattle Trail” in the Cedar Highlands development to the east of Cedar City, Utah (see plot map, exhibit A). The purpose of the site is the relocation of the Beehive Central Office (“CO”) that is currently serving the area and the placement of a 40’ lattice tower (“the tower”) to support certain Beehive telecommunications equipment. The 50’ by 50’ parcel of land (“the parcel”) has been designated by the HOA, and is located within the HOA common area to the south of the Cattle Trail. The exact location has been designated by the HOA and agreed upon by Beehive, and further defined by the attached survey. Wherefore, the Parties agree to the following:

1. The HOA will grant a lease to Beehive for the 50’ by 50’ parcel. The HOA will grant to Beehive an easement for telecommunications purposes. Easement will also include a path by which cable may be extended from existing CO cable to the new CO and tower site.
2. The lease of the 50’ by 50’ parcel will be for 10 years and will be renewable. A lease payment of \$500 per month will be paid by Beehive to the HOA. The lease payments will increase by 3% every twelve months.
3. Beehive will relocate its existing CO to the parcel along with all required telecommunications cabling to a minimum of three feet below grade.
4. Beehive will place a 40’ lattice tower on the parcel along with ancillary building, generator, and fuel tanks as needed. Beehive will notify Cedar City Fire Department of all fuel tanks on site.
5. Beehive will place two 10’ parabolic antennas as well as smaller ancillary Motorola Canopy and GPS synchronization antennas on the tower. Any antennas greater than five feet in diameter will require HOA approval before installation.
6. Beehive agrees that each transmitter at this site will not exceed a power output of 50 watts RMS.
7. Beehive agrees to limit equipment to 5’ above the 40’ tower, and 5’ to all sides of the 40’ tower.
8. Beehive agrees that this tower will not be used to provide cellular telephone service.
9. Beehive agrees all RF emissions will conform to FCC regulations.
10. Beehive will pay for the survey of the newly designated construction site.
11. Beehive will pay to build an access road to the Cattle Trail, suitable for moving the Central Office Building but not to county road specifications, in that Beehive will not need a road after relocation of central and construction of tower is complete.
12. Beehive will provide a 6’ culvert and will be responsible for construction of access to the new tower and CO relocation site.

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13. Beehive will provide at no charge to all its Cedar Highlands customers custom calling features: Caller ID, Call Waiting, Call Forwarding, and 3-Way Calling for the duration of the lease.
14. Beehive will provide high speed wireless broadband to all Cedar Highlands customers.
15. Fill for the culvert area and access from the Cattle Trail to the new construction site will come from the area excavated for the new construction site and any area in the common area designated for such use by the HOA.
16. Beehive's buyers or signees will be governed by this contract.

Signed:

Chuck McCown
Beehive Telephone Company, Inc.

Signed:

Cedar Highlands Homeowners Association

Article I. Cedar Highlands Water Report September 29th 2007

A. Current Status on Water System

1. Water levels are 30 ft in both the upper and lower tank. Spring 1 is shut down when the lower tank overflows.
2. Upper tank is being supplied by Spring 5 and pumping from lower tank
3. Lower tank Spring 1 (10-15 gpm) due to my emergency repairs to Spring 1 the state gave us permission to use this spring. (after two negative tests for Coliform)
4. Spring #1A water is not being used. The 5 gpm is diverted to Crawford's pond.
5. Many system shut off valves have been located and marked.
6. Several valves need to be located for system isolation operations.
7. Water output of springs 7,8 and 9 was 0 gpm as of August 15.

B. Government Water Tests

1. Bac-Ti water tests completed in September were compliant with state regulation2.
2. ***Volatile Organics*** will be completed this Fall – this test is preformed every three years
3. I have petitioned the state for a waver if our test if it comes back negative this year
4. ***EPA is implementing water rule R307-205-7 for Radium 228***
5. We will need to take two-quarter samples from Oct 1, 2008 – Sept 30, 2009.
6. I will attend a meeting Oct 18th for training on this test
7. After the two quarter tests Radium 228 will be added to our list of our current schedule tests for EPA
8. ***EPA is requiring two new test for 2008 - Giardia and Cryptosporidium***
9. Two test per year – previously it was required for large community water systems now it is required by smaller systems such as ours

C. Verbal Results of the Sanitary Survey completed by the State of Utah on August 18th

1. Spring 1A and 1 are being considered as one not two due to influence to each other
2. Spring 1 culvert project must be completed to use water from Spring 1 or 1A long term
3. Due to the location of Spring 1A to the tank the state is requiring a pump be installed to use the water
4. This will create enough head to keep the water from backing up in Spring 1A
5. The State inspector required us to replace our Collection Box Lids (100 points)
6. These were completed and installed this month.
7. The State inspector required us to install a air release valve in the pump house
8. This was completed this month
9. The inspector wanted most of the trees and deep rooted bushes removed over the Spring 5 field.
10. He showed concern about the drainage above Spring 5
11. All required paperwork was found to be complete and within requirements

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12. He wanted me to update our Emergency response to include sabotage of our system
13. It was my understanding that our system will not exceed the 150 point ‘not approved’ rating with the new shoebox lids on spring 1 and removal of deep-rooted vegetation at spring 5.
14. I am waiting the final paperwork from the State

D. System Problems and Resolutions

1. Lower pressures on the lower water system
2. Still have not been able to lower the lowest 1/3 of the distribution system.
3. Fire Hydrant needs to be installed between Tully and Sheets
4. On list of projects
5. Springs, collection areas need weeds, thistle and trees removed
6. The weeds have been cut
7. Cutting of the trees and large bushes are to be finished before winter.
8. We need to install a new door on the pump house.
9. Completion will be before winter.
10. Need to purchase lower cost Chlorine for our system
11. Reviewing options

E. Cedar Highlands Water Report September 29th 2007

Work Projects in order of importance

1. ***Spring 1 Culvert***
2. Known source of water and good year round producer
3. Plans will need to be resubmitted to State for approval
4. ***Pressure Distribution System***
5. Upgrade system to establish correct pressures system wide
6. Sign agreement with Sunrise Engineering.
7. ***Spring 1A pump***
8. Needs for this 1 ½” pipe connection from collection box 1A to collection box 1, power from pump house to collection box 1A pump.
9. ***Upper Tank Heater***
10. Prevent freezing in tank and tank compromise by freezing

F. New Well

1. Where to dig well, power needs, storage needs, distribution to which tank
2. ***SCADA – Supervisory control and data Acquisition upper tank***
3. Remote monitoring of tank levels and distribution pressures.