

Cedar Highlands Homeowners Association Board Meeting 286 North Main, Cedar City, June 17, 2005, 6:30 p.m.

The Cedar Highlands Homeowners Association Directors held their monthly board meeting on Friday, June 17, 2005 at 286 North Main, Cedar City. The meeting was called to order by President Dave Rowles at 6:36 p.m.

Members Present: President David Rowles, Board members Richard Dickinson, Linford Nelson, Jacqueline Tully. Gary Rosenfield was excused.

Others Present: Ken French, Bob Havens, Manny Mosqueda, Clive Newell, Richard Peterson.

1. Approval of Minutes: Linford Nelson made a motion to approve the minutes of May 20, 2005. Jacqueline Tully seconded the motion. The vote was unanimous.

2. Treasurer's Report: Richard Dickinson distributed financial reports to the Board.

Transactions and account balances are the same as last month with the exception of one additional check clearing the bank. A second copy of the annual billing has been sent to Mike Berndt and Mike Falkowitz, who have reported their original bills were lost.

\$697.15 will be remitted to Glen Crawford for the gas hookup refund.

The deposit of May 12 contained two construction deposits and two annual fees remittances.

A check was written to transfer the \$35,819 owed to the water fund from the general account.

The CPA firm, Kemp-Burdick, has finished its findings for the Association, and has been paid. Kemp-Burdick's written report has not been received as yet.

3. Committee Reports - Water: Dave Rowles reported for the Water Committee. Richard Peterson has submitted a proposal to replace the damaged fire hydrant and place a liner around the water tank. The bid for replacing the hydrant, which has a bad check valve and would need a new thrust block, is \$2,850. Mr. Peterson said he could have the hydrant installed by the end of June. The hydrant would serve as part of the first line of defense in the event of a fire.

Jacqueline Tully made a motion to approve the amount of \$2,850 to be spent on replacement of the broken fire hydrant by Richard Peterson/Aqua Designs. Linford Nelson seconded the motion. The vote was unanimous.

The Water Committee has recommended that a liner be placed around the water tank in order to keep water from flowing under the tank, which can lead to both ground and gravel shifts, causing the tank to settle. Mr. Peterson said he would dig the drain line up and add leach rock to help the water circle away from the tank. 40 to 50 millimeter thick plastic will be buried, then sloped up, almost completely around the tank, avoiding the pipe area. It will be less expensive to have the liner done now, as Mr. Peterson's company is already in the area finishing the redevelopment of Spring #1. Mr. Peterson estimates the liner would be finished around July 8. Jacqueline Tully asked Mr. Peterson if 24 hours notice could be given in the event of a water shut-off.

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- 3. Committee Reports - Water, continued:** Jacqueline Tully made a motion to approve the amount of \$6,900 for the placement of a liner around the tank by Richard Peterson/Aqua Designs. Richard Dickinson seconded the motion. The vote was unanimous.
- Bob Havens said there was 13' of water in the upper tank at the last check. Spring #5 is now open. Green's lake is so full from the wet weather this year, the lake water has been getting into the pipes, especially into water from Springs 7,8, and 9. There has been a lot of chlorine demand because of the groundwater. Mr. Havens has also added some chlorine shock to the water. Chlorine demand is dropping slightly now.
- Mr. Havens took an investigative test by the Ton's property, and the results were negative for bacteria. Steve Gray will be running the June tests.
- Recently the Iron County Commission re-zoned the area above the subdivision that is owned by Linford Nelson. Mr. Nelson plans to build homes and install septic tanks in this area. Some concerns have been expressed to the Association regarding the possible contamination of spring water. Joe Jarvis, a former Board president, wrote to the Iron County Commission about this issue. Another individual, who is not a member of the Association, has also contested the re-zoning. Linford Nelson said he will have to have studies done and work with Scott Hacking on water concerns. Ken French asked what recourse the Association would have if the water system was contaminated. Dave Rowles said he would ask Mr. Corry, legal council to the Board, about the options available if contamination occurs. Clive Newell said because of the shallow aquifer, the integrity of the water needs to be ensured in any case, whether it is done by chlorination or by drilling a new well. Mr. Newell felt the deer and other animals roaming the spring protection area were more of an issue at this time than septic tanks.
- Information on the feasibility of digging a new well or installing a new water tank will be presented to the members at the August annual meeting. Richard Peterson estimated the cost of a 400 foot well at \$30,000 to \$40,000. Mr. Peterson also recommended the use of a water finder rather than engineers to determine the best location for a well.
- Some of the water account reserves could be used to offset the cost of water system improvements. Richard Dickinson was asked to estimate the amount that could be used while leaving sufficient funds for emergencies in the water account.
- Dana DeMille said he paid for a water meter but has not had one installed yet. To prevent missing an installation in the future, Jacqueline Tully will inform Dave Rowles and Bob Havens when water hook-up fees are paid. Mike Arner, who formerly installed water meters for the Association, has moved to Las Vegas. Richard Peterson said he will give the Board a list of names of individuals who are able to install water meters.

Committee Reports - Roads: Linford Nelson reported for the Road Committee. Roger Murie has not yet been able to do any road work. Finding someone else to help with the roads when Mr. Murie is too busy to do so was discussed. Linford Nelson suggested sending a letter asking for bids on road work. Mr. Nelson will give a list of names of those possibly interested in working on the roads to Dave Rowles.

At the July meeting, Gary Rosenfield will discuss the progress on the SID. He has obtained the county road specifications.

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3. Committee Reports - Architectural Committee: Jacqueline Tully reported for the Architectural Committee. There has been some resistance from the contractors to following the guidelines set forth by the Committee. As the homeowner is the only person the Association can hold accountable for damage, Ms. Tully plans to work with the homeowners rather than the contractors in the future.

D & S Construction has tapped into the water system without authorization from the Architectural Committee. Linford Nelson will check with D & S on the tap.

A question has arisen on whether the notice given and passage of the \$2,000 architectural fee was done appropriately. Dave Rowles has asked Mr. Corry, legal council to the Board, to address this issue. When the legality of the new contractor's fee increase is settled and/or amended as needed, the Board will revisit the fee structure. A sliding scale for the deposit amount, perhaps based on square footage or manner of dwelling, will be considered. The Board discussed whether a larger, refundable deposit would encourage greater compliance with the guidelines.

Committee Reports - Fire Safety: Clive Newell reported for the Fire Committee. Larry LeForte has moved to Arizona. Ryan Riddle is taking over some of Mr. LeForte's previous responsibilities. The Forest Service is looking for a new grants person. Mr. Newell said that Jon Schmidt is still looking for a few lots to clear. Most of the lot owners on the list have not as yet had their lots cleared, so it is possible Mr. Schmidt has not received the new list of those wishing to do so.

All receipts for fire prevention related work still need to be turned in order to receive matching funds.

As a demonstration project, goats will be used in the thick underbrush to clear the areas. Some homeowners will be asked if they would be willing to have part of their lots cleared so emergency vehicles will have better access to the subdivision.

The Forest Service plans to re-seed some of the cleared areas with ground cover plants.

4. Annual Meeting: The annual meeting will be held Saturday, August 20, 2005 in the meadow of the Cedar Highlands subdivision. Jacqueline Tully suggested having the luncheon first, as it would allow people to get to know one another and meet the board candidates before the meeting. The luncheon will begin at 11:30 a.m., with the meeting to start at 12:30 p.m. Ms. Tully will head the lunch committee.

5. New Business/Public Comment: Dave Rowles distributed copies to the Board of Mr. Corry's legal opinions concerning: the possible expansion of the Board from 5 to 7 members; the Board's enforcement authority; amendment procedures of the bylaws and the passage of the construction fee increase. The Board will study the opinions and discuss them at the July Board meeting.

The meeting adjourned at 9:12 p.m.