

**Cedar Highlands Homeowners Association Board Meeting
286 North Main, Cedar City, October 28, 2005, 6:30 p.m.**

The Cedar Highlands Homeowners Association Directors held their monthly board meeting on Friday, October 28, 2005 at 286 North Main, Cedar City. The meeting was called to order by President Dave Rowles at 6:31 p.m.

Members Present: President David Rowles, Board members Paul La Broad, Manny Mosqueda, Linford Nelson, Ron Reber, Gary Rosenfield, Jacqueline Tully.

Others Present: Lin Drake, Diane Leddy, Paul Leddy, David Miller, Stephanie Mosqueda, Clive Newell, Richard Peterson.

1. Approval of Minutes: Jacqueline Tully made a motion to approve the minutes of September 16, 2005. Manny Mosqueda seconded the motion. The vote was unanimous.

2. Treasurer's Report: Financial statements sent by Richard Dickinson were distributed to the Board and reviewed by the Board members. Gary Rosenfield made a motion to approve the financial statements, check registers and bank statements as related to pages 1 through 8 of the information reports. Ron Reber seconded the motion. The vote was unanimous.

Jacqueline Tully said she had been informed the savings account would be charged a fee if no action was taken on the account for a year. The Board, by consensus, agreed that Ms. Tully would make a deposit and withdrawal to the account each year to prevent the fee charge.

The Construction clean-up account was reviewed. The check returned to Monty Stratton was originally deposited under the name of Falkowitz. One lot and block error was corrected, and an October 22, 2003 deposit credited to Berndt. Construction has been completed on one of Linford Nelson's homes, and the deposit returned to Mr. Nelson.

Fencing costs of \$7060.50 were paid from the water account, as the fence, when completed, will keep the cattle out of the water protection zone. The Board, by consensus, recognized the intent to continue the disbursement of funds for fencing from the water account.

A check was received from Questar in the amount of \$16,073.15 for hook-up refunds. Some of this amount may be duplicate payments. Mr. Dickinson will continue to research the amount of gas hook-up refunds to be disbursed to members.

Annual fees for 2006 were discussed. This year the costs of snow plowing and road maintenance were higher than expected, and costs will continue to increase with the higher fuel prices and additional roads to maintain. Manny Mosqueda made a motion to increase the annual fees by 15%. Gary Rosenfield seconded the motion. The vote was unanimous. Any monies not needed for expenses will be added to the reserves, some of which will be applied to the water tank/well fund.

3. Committee Reports - Roads: Linford Nelson reported for the Road Committee. Four new roads will be maintained this year, as new homes have been built on them. Last year there was a leak under the road by the Jarvis home. A diversion ditch is needed to keep the road from washing out.

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3. Committee Reports- Roads, continued: Last year the water was pumped, which resulted in washing out the road below. Roger Murie can construct the ditch, or, if Mr. Murie does not have time, Pergo Rock can do so. By Board consensus, it was agreed to have the ditch put in place, at a cost not to exceed \$1000.

Mr. Nelson said snow plow waivers need to be signed, as the snow season would begin soon. Forms are available on the website and in the newsletter. The forms can be faxed to Jacqueline Tully or mailed to the Association Post Office box. The Board briefly discussed the driveway fee schedule. Paul La Broad made a motion to keep the fee schedule the same as last year. Jacqueline Tully seconded the motion. The vote was unanimous.

Moving the second fence by the Jarvis home was discussed. Dan Perkins felt it would be as expensive to move the fence as to build a new one. A new bid for moving the fence will be pursued.

Gary Rosenfield said limited progress has been made on obtaining the votes for the County study of road paving costs. He will continue to work on this issue.

Committee Reports - Water: Paul La Broad reported for the Water Committee. Richard Peterson has submitted an invoice for the work done on the spring, the tank liner, the fire hydrant repair, manhole repairs and the hot saddle tap. After deducting previous payments, \$26,472.35 is due Mr. Peterson.

Mr. Peterson discussed the repairs made, and said the biggest concern with the water system now was the pump house. He recommended the pump house eventually be placed underground.

The Association will purchase its own ladder to be used to climb the tanks. At present ladders are being borrowed when needed.

The 5 year water report due in 2005 has been submitted to the State.

Paul La Broad said he has received a bid of \$3500 each to install water meters. All meters should be as similar as possible for ease of maintenance and repairs. David Miller of CDR Construction recently installed three water meters at a cost of \$1200 each, and is willing to install others for around \$2000 each.

The timeliness of meter installation, relative to payment and home construction, was discussed. Mr. Miller said a blackout period in the winter would be necessary, but the rest of the year meters could be set at any time.

Mr. La Broad recommended raising the water meter installation fee to \$5000 with a contingency clause that the fee could be higher in the event an installation was more expensive. Linford Nelson said lot owners paid every year for their water system, even if they did not use it, and he was not in favor of raising the fee. Meter installation fees will be discussed further at the December 2 meeting.

Some concerns were raised regarding purported trading of well rights for surface water.

Stephanie Mosqueda said she would get further information on this issue.

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Committee Reports - Architectural Committee: Manny Mosqueda reported for the Architectural Committee. The Committee has held two meetings this month. The question of whether a construction site must be kept clean during construction or only cleaned upon completion of the work was discussed. The contract is presumptive on keeping the site clean, but not specific. A dumpster is not specified. Dave Rowles said infractions of the construction contract need to be brought to the attention of the lot owner, perhaps referencing the CC & R's concerning appearance of property, as the Board has no authority over the contractor. Mr. Rowles is working on an initial violation of agreement notice, one in which the problem will be stated and a specific date by which corrections must be made. Concerns on trucks blocking driveways and the placement of dumpsters and portable toilets in the right-of-way were also expressed. David Miller said it was not always possible early in the construction process to set the dumpster on the lot, and the portables will not be serviced if they are inaccessible. It was suggested dumpster placement might be a part of the original plan, and provision made for them before construction. Mr. Rowles said there has been some pressure in the past to approve plans quickly, but, with the increasing number of homes in the subdivision, approval cannot be rushed. Rule compliance and consequences need to be clarified before construction can begin.

Committee Reports - Fire: Clive Newell reported for the Fire Committee. In November the Forest Service will begin burning the log piles. Sheep are being used to maintain the fire break on BLM fire land.

6. Board Meeting Time: The next meeting of the Board will be held December 2, 2005.

7. Beehive Tower: Dave Rowles read a letter from Beehive Telephone stating their intent to build a DSL tower next to the shed at the point of the mountain. Beehive was requesting approval from the Board in order to obtain a conditional use permit from the County. The problems with having the tower in the right-of-way were discussed. Linford Nelson said he did not think the County would approve the tower in the right-of-way, although they might if the tower was in the common area. Mr. Nelson felt Beehive should pay rent if they used the common area. Dave Rowles will send a letter to Beehive expressing the Board's concerns about the tower, and setting forth possible options. Those Board members able to will attend the December 1 County meeting where the conditional use permit will be discussed. The Board agreed the service would be beneficial to the subdivision, the question is on the placement of the tower. No contract between the Board and Beehive Telephone has been found.

7. New Business/Public Comment: Lin Drake of D & S Construction said he has an agreement with the Architectural Committee that states when construction is cleaned up on Block 4 Lot 18 his deposit would be returned. Mr. Drake said he had cleaned the area and has not received his deposit back. Dave Rowles said the Architectural Committee has sent a letter to the homeowner with details explaining the status of the deposit, and Mr. Drake will get a copy by fax.

Jacqueline Tully told Mr. Drake the homeowner has 21 days to appeal to the Board after the letter is received. In the event of an appeal, the Board will hold a hearing to determine the final disposition of the case.

The meeting adjourned at 9:05 p.m.

