

Cedar Highlands Homeowners Association Board Meeting

2323 High Aspen Drive, Cedar City, UT 6:00 pm Saturday December 2, 2006

The Cedar Highlands Homeowner's Association Board of Directors held their monthly board meeting on Saturday, December 2, 2006 at 2323 High Aspen Drive, (Cedar Highlands Subdivision,) Cedar City, UT. President Jacqueline Tully called the meeting to order at 6:00 p.m.

Cedar Highlands Board Members Present: Jacqueline Tully, Gary Rosenfield, Linford Nelson, Clive Newell, Dave Rowles and Manny Mosqueda.

Others Present: Tom Kosakowski, Denise Rosenfield, Bob Havens and Stephanie Mosqueda

1. **Appointment of Board Member:** Manny Mosqueda made a motion to appoint Bob Havens to the Board to fill the unexpected vacancy created by Ron Reber's resignation. Dave Rowles seconded the motion. Bob accepted and the vote was unanimous.

2. **Approval of Minutes:** Gary Rosenfield made a motion to approve the minutes (with corrections) from the meeting of November 4, 2006. Bob Havens seconded the motion. The vote was unanimous. Under #7 of the November minutes, an addendum was added stating that an extra \$600 was approved by the Board members to move a portion of the existing log fence to the property line when it was discovered, after a recent survey, to be on neighboring property.

3. **Committee Reports**

A. Architectural – Manny Mosqueda:

1. An application to build a garage was received from Lot 1 Block 4 (Berndt.)
2. The Hamptons' emailed a request for their Deposit back, stating that their home is finished. Manny will do an exterior inspection.
3. The Slitz' at Lot 5 Block 9 are changing their roof from blue metal to Mission Brown architectural asphalt shingle.
4. Manny rewrote #5D of the Owner's Construction Requirements regarding dumpsters on the road right-of-way.

B. Fire – Clive Newell:

1. John Schmidt of the Division of Forestry and the BLM will be working on the piles of brush cut from lots. They will also be burning these piles and doing controlled burns throughout the Winter.
2. Clive will look into leasing sheep or goats to keep the ground cover cropped on our common areas.

C. Water – Bob Havens:

1. The fee to hook up a water meter to a lot will be \$4,500 starting 1/1/07.

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2. The water tanks are full.
3. Any leaking valves will be capped.
4. All shut off valves need to be clearly marked, with an access view hole.
5. Tom will replace the door on the pump house with a more secure one.
6. Bob will purchase heater probes for the water tanks.
7. The Tier Two testing requirements for water are now more stringent.
8. Scott Hacking will contact us regarding approval of the InSite Engineering drawings for the springs.
9. From December 19 to January 1, Tom Kosakowski will take over Bob's duties.
10. The Water Committee: Bob Havens, Dave Rowles, Martin Haerberle and Tom Kosakowski, will all meet prior to the next Board meeting, to set long and short term goals.

D. CC&Rs – Dave Rowles: Dave researched an HOA web site that represents 10,000 associations. After some research, he discovered that two important issues to consider for the updating of CC&Rs and By Laws are dispute resolution and due process. There is an ombudsman from Nevada who may be a resource for us as we start updating our current CC&Rs and By Laws. Other issues to consider are proxy votes and adding additional Board members.

E. Roads – Gary Rosenfield:

1. Ballot Results – 53 lot owners voted for some type of improvement of the roads and 53 voted for no improvement of the roads. Gary stated that the county wanted a clear majority. Because this was not a clear majority, the SID paving project will not proceed at this time.
2. Gary stated that if the SID to improve the roads never gets approved, we could go to Plan B, which would be to use reserve money to pave the road in the subdivision a ¼ mile section at a time. We would slowly bring the road to County Specs., so that the county would eventually take over the road. The work would start above the 1st cattle guard. Discussion followed on the pros and cons of paving, with 3 Board members agreeing and three disagreeing. No action was taken on this item. The Roads Committee will meet sometime before the January Board meeting to prepare a Plan B acceptable to all of them.
3. Roger Murie asked for permission to purchase a large salt bin so that he may buy salt in bulk for the roads this winter. The salt reduces the amount of grading that will have to be done. Gary made a motion to allow \$4,000 for Roger to purchase the salt box. It will be taken out of the 2007 Budget. Dave Rowles seconded the motion. The vote was unanimous.

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4. Clive Newell made a motion to remove the summer home designation from the plat map of Cedar Highlands. Dave Rowles seconded it. The vote was unanimous. Dave Rowles said that a 2/3 vote may be needed to change the plat. Gary said that he would look into what it would take to change it.
5. Clive met with the BLM regarding widening their portion of the road (from the lower cattle guard of the subdivision to Greenslake Road.) to 28 feet of drivable space. The BLM said they would agree to this with a few conditions:
 - a.) The 28 foot section must stay within the already designated 40 foot right-of-way.
 - b.) They will not participate financially.
 - c.) The road has 10 archeological sites along it, three of them major. Clive met with the man in charge of reviewing these sites, who must be present to flag and mark the sites prior to the start of any road work.

4. 2007 Budget Update / Approval

- A. Manny Mosqueda made a motion to approve the 2007 Budget Update. Clive Newell seconded the motion. The vote was unanimous.
- B. Wording for late fees/liens - Board members will work on appropriate verbiage for the 2007 HOA bills to let lot owners know that penalties or liens may be levied for late or non-payment of HOA assessments.

5. Other Business

- A. Reserve Study - Clive made a motion that Cedar Highlands have a Reserve Study performed to determine what our reserves should be for future costs of maintenance and replacement. Clive will contact the company to start the paperwork. The cost is \$1,480. Gary Rosenfield seconded the motion. The vote was unanimous.
- B. Wire fencing – The wood fence on the meadow has been completed. A wire fence will extend beyond the wood fence to enclose the meadow. Linford Nelson agreed to pay half of the cost of the wire fencing.
- C. Greenbelt Designation - Linford Nelson will file the \$30 application to re-qualify our common area for Greenbelt status so that our taxes will be reduced. This will be reflected on the 2007 bill.
- D. Beehive Tower – The vote on the tower was 49 of the lot owners in favor and 52 opposed. Linford Nelson made a motion to let Beehive know that we do not have the support of the membership to proceed with the tower or sign the Conditional Use Permit. Bob Havens seconded the motion. The vote was unanimous.
- E. Insurance Update - Michael Marlin of American Family Insurance will be the new carrier for both the HOA D&O and general liability policies. Both policies have increased limits. The cost will be approximately \$3,000 per year. Paul Leddy will review the policies and they will be discussed at the next meeting.

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F. HOA specialty Attorney - The Board discussed the possibility of hiring a lawyer who specializes in HOA law, as this may better serve our association. Dave Rowles made a motion for Manny and Stephanie Mosqueda to contact HOA specialty lawyers to gather information. Bob Havens seconded it. The vote was unanimous.

6. **Public Comment** : Stephanie Mosqueda suggested having a volunteer at the HOA picnic whose only job is checking mailing addresses and getting phone numbers and email addresses of the lot owners.

7. **Action Items Review**:

- a.) **Clive Newell**: 1. See about goats and sheep for our common areas. 2. Set up a Road Committee meeting with the BLM. 3. Arrange for the Reserve Study.
- b.) **Gary Rosenfield**: 1. Remove the summer homes designation on the plat. 2. Let Roger Murie know he may buy the salt spreader. 3. Meet with Roads Committee to formulate Plan B.
- c.) **Bob Havens**: 1. Get heater probes for the tanks. 2. Meet with the Water Committee to discuss marking the valves on the side of the road. 3. Check with Scott Hacking on the drawings 4. Cap any leaking valves.
- d.) **Tom Kosakowski**: 1. Replace door on pump house.
- e.) **Manny Mosqueda**: 1. Check on Hampton door. 2. Write Synko about dumpster. 3. Call HOA lawyers.
- f.) **Dave Rowles**: 1. Find out about OCR scanning of the CC&Rs versus having them typed. Denise Rosenfield volunteered to type the CC&Rs.
- g.) **Roads Committee**: 1. Decide what to do about Synko driveway. 2. Discuss possible "Plan B" for roads and bring to next meeting. 3. Determine a cost to plow driveways.
- h.) **Jacque Tully**: 1. Write Beehive regarding the No vote on tower construction.
- i.) **Linford Nelson**: 1. Turn in Greenbelt application 2. Determine distance for wire fence.
- j.) **Water Committee**: 1. Meet with all members to discuss long and short term goals.

8. **Time and place of next meeting**: Saturday, January 13 at 6 PM at **Bob and Terry Haven's house**, 2017 S. High Mountain View Drive (Tel. 662-2990)

9. **Adjourn**: Meeting adjourned at 9:25 PM.