

CEDAR HIGHLANDS HOA BOARD MEETING MINUTES

OCTOBER 17, 2018 AT 6 PM
252 N., 200 W., Cedar City

APPROVED

1. Welcome/Quorum Established- The meeting was called to order at 6:02pm. Board members present: Mike Brask, LynAnn Imlay, Jim Byler, Linford Nelson and Regina Tashjian. Other members present: Jim Hilton, Louis Cheramie, Sandy Johnston, Jim Newberry, Sam Tashjian, Cynthia Byler, Donna & Karl Baumann, Nichel Palanza, Larry & Dayleen Miracle, Rob & Jeanne Shelton.
Jim Byler made a motion to approve the September Minutes, LynAnn seconded it. Vote was taken and the minutes were approved unanimously.
2. Presidents Report
 - A. Status of collection of 65k- Mike presented the letter from Steve with the offer to resolve. A lengthy discussion ensued with everyone present. It was agreed that we should accept the offer and resume the responsibility for snow removal through May 2019. The town will pay us \$30K now and \$35K in December when property tax money is given to the town. Upon receipt of proof of completion of the backhoe work to clean the culverts and ditches that was agreed upon in the August 2018 meeting, we would reimburse the town \$2500.
 - B. New Snow removal contract. Mike will present the letter of acceptance to the Mayor and town council tomorrow at the town council meeting.
 - C. Discussion of future HOA responsibilities and goals, open format- tabled for next month
 - D. Establish any critical dates or deadlines – reimbursement from town & HOA insurance
3. Communications
 - A. With members:
 - I. Website- We want to post the financials for all members to see. Jim Hilton suggested the financials be password protected so only members can see this information. The board agreed.
 - II. Stream HOA meetings- tabled until next meeting
 - B. With Town
 - I. Short term rental ordinance- tabled for next meeting
 - II. Any other ordinance conflicts with CC&Rs- tabled for next meeting
 - C. With current attorney
 - I. Assess continued use of current attorney. Mike interviewed Jenkins Bagley and Justin Wayment. Both have HOA experience. Wayment fees less than Bagley; however, Bagley appeared more well versed and more responsive. In the long run, Bagley total fees would be about the same. No immediate need to retain as town returning the \$65K. Need to get with Ruesch re: status of filing liens for members in default of HOA dues.
4. Committee Reports
 - A. Financial/Treasurer report by Jim Byler and a copy of the current bank statement was provided to the board. As of 9/28/18 the balance is \$12,812.82 of which \$9000 represents refundable building deposits.

- I. The board unanimously agreed that all expenses be approved by the board prior to payment. This will allow for full transparency on use of HOA funds.
 - II. Expenses presented and approved for payment: annual meeting expenses to Julie & Mike Brask \$407.42; webmaster Hilton Hosting \$119.54 and Hinton Burdick CPA \$386.65. The bill from Ruesch is being questioned so will not yet be paid.
 - III. 2019 HOA dues and budget – tabled until next meeting pending reimbursement of the \$65K from the town.
 - IV. Hinton Burdick accounting services and costs. We will continue to use CPA and revisit continued use of their services early 2019.
 - V. HOA liability insurance policy renewal- Regina and Jim will follow up with American Family Insurance.
 - VI. State Bank checking account/signature cards – Mike will draft corrected letter to the bank requiring 2 signatures on each check and Jim, LynAnn & Regina will be signatures.
 - VII. HOA Financial report relating to creation of the Town – Jim advised that he conducted a complete audit of the books since 2015. Approximately \$17K Was spent for incorporation (marketing, attorney fees and related expenses) and attorney fees for the initial defense of the lawsuit. No expenses were included for campaign expenses (i.e. signs etc) Jim provided examples of unnecessary expenses. When Regina requested to see invoices related to marketing for incorporation, which is allowed in the By Laws, she was sent a 7 page letter from HOA attorney who charged \$460 for this letter. A second example was that the January 2018 minutes reflect that then HOA president, Steve Swann, stated Ben Ruesch did not charge for attending the September 2017 annual meeting, when in fact, he charged \$1160 for his attendance and that payment was made prior to the January 2018 board meeting.
- B. ARC report - Regina reported that 4 houses are currently under construction: Nelson Block 2/Lot 32; Thomas Block 2/Lot10; Nelson Block 9/Lot 1 and Henson Block 3/Lot 10.
- I. Review of town ordinance/building fees vs. HOA fees . The CH Municipal codes has impact fee formula at \$4.12 per sq. ft. 60% of which is for public works (roads). The HOA board agreed to table collection of HOA impact fees until further investigation of these fees is complete to avoid charging any duplicative fees to the members.
 - II. Nick and Patty Palanza proposed project- tabled as Nick left the meeting prior to this discussion. Tabled for next meeting.
- C. ROAD report - The HOA is accepting responsibility for plowing the roads. Linford will meet with Ray Bulloch and discuss the need for itemization of any invoices including plow time, equipment used, areas plowed, etc. Invoices for several thousands of dollars for snow removal with no explanation will no longer be accepted. Linford will also get another company to bid the plowing.
- I. Create a roads committee- . It was agreed that members in various areas of the community will check snow levels on the roads to determine the areas of the HOA plowing is required to avoid unnecessary expense for plowing areas of the subdivision that don't.
- D. FIRE report by LynAnn. The HOA will reach out to the town to coordinate events for Fire Wise.
- I. Create fire committee- Jim Hilton will assist along with other members.

II. Ways HOA can impact Fire & safety for the community- Jim Hilton proposed putting his CH Safety Club on both the HOA and town websites re: acquiring fire equipment. Mike made a motion to allow the posting, LynAnn seconded. Vote was taken and it was unanimously approved.

5. Member Questions- open discussion – the majority of the questions were asked during the president’s report which Mike Brask opened to the members.
6. Date and Time for next board meeting- TBD
7. No Executive Session was held.
8. Linford made a motion to adjourn and Jim seconded it. Voted unanimously. The meeting adjourned at 8:23pm