

CEDAR HIGHLANDS HOA BOARD MEETING MINUTES

252 N 200 W, Cedar City, UT

October 29, 2019 AT 6PM

APPROVED

1. Welcome/Quorum established – LynAnn Imlay called the meeting to order, in Mike Brask's absence. Board members present were Jim Hilton, Rob Shelton and Regina Tashjian. Other members in attendance were Karl & Donna Baumann, Jeanne Shelton, Dayleen & Larry Miracle, Tom & Monica Wooten. Jim made a motion to approve the September meeting minutes, seconded by Rob. Vote was taken and unanimously approved.

2. President's Report- Mike Brask was out of town therefore no report was presented.

3. New Business- Discuss/motion/vote on letters for violations of CC&Rs and By Laws and authorize possible legal expense. LynAnn presented drafts of 2 letters, which she used the wording taken directly from the Rules for Enforcing the Governing Documents and Fines (also referred to as the Fine Schedule). One is a friendly reminder of a possible violation and the other is a written formal warning, which would be used when there is a written complaint of a violation that has been verified. There was discussion on the draft letters and corrections/additions to the letters re: website and also adding a sentence advising the member to contact us if they want to further discuss the violation. Rob made a motion to accept the letters with the changes noted, seconded by LynAnn. Vote was taken and unanimously approved. Rob will draft a Witness statement for members who want to advise the board of a violation. We can post it on the website. It was discussed the importance of members to be willing to document the violations and assist the board with curing the violation. A member stated that we should also consider associated ordinances to short-term rental issues for noise and nuisance if the renters have late night parties. For noise and nuisance, Iron County Sheriff should be called. It was also discussed that this winter, members should refer short-term rental customers to towing services rather than assuming the risk of pulling them out. The friendly letter can be sent via US Mail and email if known. The written warning can be sent email, US Mail and certified mail or preferably Fed Ex as some people will refuse to sign for a certified letter and the cost for Fed Ex is close to that for certified mail. Prior to Mike leaving town, he asked Regina to make a presentation to discuss approval of legal expense for the HOA attorney to send warning letters to the 3 short-term renter violations. There have been written complaints from members on 2 violators; all 3 are currently advertising on the internet; reservations were able to be made on each; reviews on 2 were dated after the members received the executed fine schedule and one had a review posted September 1. Rob made a motion to approve legal expense for the attorney to draft the written warning letters to each of the 3 short-term renter violators, in accordance with the governing documents, and the HOA attorney will email his proposed letter to all board members for review prior to mailing. Regina seconded the motion. Vote was taken and unanimously approved.

4. COMMUNICATIONS:

A. With members – status of committee for new signs and beautification efforts. Rob spoke with Mayor Byler who suggested a workshop to address. Ray Bulloch and Linford Nelson

have offered to assist and have offered suggestions. We will post the date of the workshop on the website. The HOA, in conjunction with the town, will have the entire winter to come up with a plan to begin in the late spring.

B. With Town- joint effort to mitigate speed and resulting dust on roads. There has been discussion with Ray Bulloch but some materials will require the road to be closed down which is not realistic. Discussions will continue to find a solution to the problem. A difficult part is that many vehicles using the main road do not have 4WD, which damage roads just repaired. It was discussed that without enforcement, additional speed signs usually don't do much good.

C. With attorney - Discussed with New Business

5. COMMITTEE REPORTS:

A. Financial

1. Expenses for review and approval- Iron County Property Tax \$26.83; \$400 Hinton Burdick; American Family Insurance Renewals \$546 (non-profit directors & officers liability), \$2295 (umbrella - liability) and \$391 - contingent upon clarification with agency. Regina made a motion to pay the bills as stated with the \$391 contingent upon verification with email consent by the board, seconded by LynAnn. Vote was taken and unanimously approved.

2. Quickbooks training with CPA - discuss if needed & authorize expense. Discussion about need for training to use Quickbooks properly and there are questions about how to code some items. Rob suggested we should write off interest charges less than \$10 as was previously agreed in email exchanges amongst the board in the spring and the CPA never did it. Rob made a motion to approve 2 hours to start of training with the CPA for he and Regina. Jim seconded the motion. Vote was taken and unanimously approved. Rob discussed the \$215 check from Block 2 Lot 15 that we held as the owner originally was in the country and then the house was in escrow. Now that escrow has fallen through, Rob made a motion to deposit that check and credit the owner towards 2020 dues. Seconded by Jim. Vote was taken and unanimously approved. The engagement letter with the CPA was received. No hourly rate was addressed in the contract. We will withhold doing anything on the engagement contract until Mike returns.

B. ARC

1. New Applications for review and vote. Getman's have submitted an application for an attached garage. The setbacks are good and they are using the same material & color as the garage. Jim presented the plan for the board members to review. They have submitted their plans to the town through mycityinspector.com but are having problems with the website.

The Silvas submitted an application for their retaining wall. Wall is completed. The Silvas were unaware this type structure needed ARC approval. Jim looked at the wall and it was beautifully done and complies with guidelines. Jim made a motion to approve both of these applications, seconded by Regina. Vote was taken and unanimously approved.

Jim brought up that there are other members that have not submitted for ARC approval such as a shed, another lot that was graded and cut out for utilities across 2 adjacent lots, colors to the exterior houses changed, landscaping, area in front of the house graded.

Jim reminded everyone that exterior projects also need ARC approval. CC&Rs Article 7, Section 11 was read regarding the requirements. Discussion about friendly or warning letters should be sent to the members. Member raised concerns that some of these projects may have an effect on the flow of water. It was agreed that friendly letters should

be sent to the individual members to advise that ARC approval is required for their projects. Jim will send the draft letters via email to the board. Also, it was agreed to post a reminder on the website and send mass email to members of ARC requirements.

2. Status of existing construction-

No change for the following: **Nelson Block 2 Lot 32 ; Thomas Block 2 Lot 10; Nelson Block 9 Lot 1; Henson Block 3 Lot 10.**

Butler Block 8 Lot 12- now has roof on the house.

Palanza Block 4, Lot 1 shed may or is close to being finished.

***All residents are reminded of the CC&R requirements when building or making any exterior improvements/changes to their structure(s). CC&Rs and the forms to submit are listed on the HOA website (www.cedarhighlandshoa.org).

3. Establish procedures to approve & vote within Town mycityinspector.com time frames and CC&Rs that require approval prior to board meetings.

The CC&Rs state the ARC committee has 14 days to approve an application once submitted. Regina made a motion that after Jim has thoroughly reviewed the ARC application for compliance with the CC&Rs, he will present it with his recommendations to 2 other board members for their review and approval. With the approval by 3 board members, Jim can approve the application for the HOA and with mycityinspector, if permits are required, so as not to hold up construction. Jim will then email all board members to advise of the application approval and it will be placed on the agenda for the next meeting for formal board vote. Seconded by LynAnn. Vote was taken and unanimously approved.

C. Roads - roads were discussed previously with the communications with the town.

D.Fire & Safety

1. Iron County Community Preparedness App- Jim encouraged members to put the APP on their phones.

Jim advised fire season has been extended to November 15. No burning is allowed.

A discussion about the wood that was cut near the water tower, which was not dragged to the road and has not yet been chipped. Last meeting, we discussed possibly renting a chipper that nothing has been followed up on that as yet. Paul Starks has talked to DNR about possibly coming up one more time to chip. If they do, we need to get the wood to the road. Some of the wood cannot be chipped and needs to be hauled to the dump. We should have a workday in the spring.

Jim should put on the website recommendations for fire safety and awareness day. Jim will present a plan to the board for individual assistance on fire safety in their homes.

E. Website- Jim asked for bios from the board members to post.

1. Security Certificate? (SSL) Google marks as our "insecure". Jim said it is not really needed. There is no financial information on our website. It is \$80 a year. The board agreed it is an unnecessary expense.

2. Update Email hosting- will allow for archiving old emails and traceability in the event there is ever a lawsuit. The cost is \$55 per month/\$660 annually. The board agreed to add it to the 2020 budget for consideration.

Jim asked if we are interested in having advertising on our website. Discussion whether this is a good idea. There is a carry over vendors from the past and it was decided to take it off the website.

F. Water – Jim said he will be able to get water quality information to post on the website.

6. Member Questions – Open Discussion

Member asked about any additional culvert/drainage issue near High Mountain View & Greenslake between Block 9 and Lots 2 & 8.

7. Date and Time for Next Meeting - Wednesday, November 20 at 6pm.

8. Adjourned at 8:07pm

Respectfully submitted by Regina Tashjian, Secretary