

# **Cedar Highlands Homeowners' Association**

## **Annual Board Meeting**

September 2, 2017

The Directors of the Cedar Highlands Homeowners' Association (CHHOA) held the Annual Board Meeting on 09/02/2017 at Darcee and Rob Yates (Block 4, Lot 17). Board Members present: Beth Gaines, Linford Nelson, Linda Stetzenbach, and Steve Swann.

Prior to the Board Meeting the property owners of Cedar Highlands enjoyed a potluck luncheon

**1. Call to Order:** The meeting was called to order at 12:05 p.m.

**2. President's Report:**

Steve welcomed the guests and outlined the meeting format. Steve announced that at the conclusion of the Board Meeting property owner/resident Jim Byler will serve as the moderator for a Candidate Forum where candidates for Mayor and City Council can introduce themselves and be asked questions. Steve then then narrated a slide presentation (see attachment) that included a brief overview of the meeting's agenda and supportive slides to each Board Member's Committee report.

**3. Committee Reports:**

Financial

Robert Cox of Hinton Burdick reviewed with attendees the Compiled Financial Statements for CHHOA for the six months ended June 30, 2017 and year ended Dec. 31, 2016. There were no questions. Steve then began an historical review of HOA Revenues and Expenses from 2011 to 2016, which included charts depicting percentages of the budget spent on snow removal, road maintenance and general expenses. He specifically covered trends in road maintenance and snow plowing, concluding with projections of future revenue requirements (based on historical trends).

Roads

The slide presentation then highlighted the Bureau of Land Management (BLM) Right of Way and history of road maintenance concerns and response to CHHOA Board requests for maintenance proposals (nested within the slide presentation attachment). Linda and Steve reported that fall road repairs will be conducted by Bulloch Dirt Works totaling \$29,905 to work on five areas of greatest concern with application of state specification road base, wetting, compaction, crowning and grading. Additionally \$5,000 had been allocated to repair some

culverts that span roadways. Property owners are reminded that installation and maintenance of culverts that span driveways are the responsibility of individual property owners.

### Architectural (ARC)

Linda reported that five new residences are currently under construction, with a 6<sup>th</sup> residence started prior to 2015 is nearing completion. A site map depicting the location of the five new construction areas is included in the slide presentation attachment.

All property owners 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 CHHOA website ([www.cedarhighlandshoa.org](http://www.cedarhighlandshoa.org)).

### Fire

Steve presented several slides (nested within the slide presentation attachment) concerning the 2016 Hick's Creek fire that involved the north edge of that fire coming within 2.8 miles of the subdivision, safety zones around residential structures, and use of standing sprinklers. He was joined by Ryan Riddle (Forestry, Fire and State Lands [FFSL], Southwest Area Office). Ryan stated that the Hick's Creek fire travelled three (3) miles in four (4) hours so the close proximity of that fire to our properties necessitates property owners to conduct Firewise principles as illustrated in Steve's presentation. He mentioned that the FFSL is planning on chipping in October within the subdivision unless there are fires in the region that require manpower elsewhere. It was stressed that property owners should submit the form found on the FIRE tab of the web site for each activity to remove fuels from their property and to include expenses if the work was hired out. These forms are important as the subdivision gets "in kind" reimbursement for chipping and other FFSL activity within our boundaries. The completed forms should be sent to: John Schmidt, FFSL Southwest area

646 N. Main Street

Cedar City, UT 84721

All property owners are reminded to review the "Guidelines for Clearing Property and Constructing Piles for Chipping or Burning" (see FIRE tab) supplied by the FFSL that included thinning and clearing burnable fuels from their properties to create a zone around structures and place trimmed pieces on the side of the road for future chipping efforts. Ryan also mentioned that FFSL will be scheduling burning of piles in the winter when there is snow cover and that placing brown craft paper across piles to be burned will assist in keeping moisture out of these piles until burning occurs. Ryan also suggested that grazing of cows, sheep, or goats in the meadow common areas would assist in minimizing fuels in those areas. He also said that Greens Lake could serve as a dipping site for firefighting helicopters if they are used in the area. Owners were also reminded that "burn barrels" are illegal in Iron County and stressed that any outdoor burning should be confined within a propane grill or fire pit. He also cautioned anyone

from using charcoal fires within the subdivision or the surrounding BLM property. FFSL will be posting signs to instruct the public when fires are banned in the area and suggested that if property owners observe wood or charcoal burning during ban periods they call the Sheriff's Office. Ryan concluded that the FFSL responds to wildland fires, not residential, structural, or automotive fires. Therefore, it is the responsibility of each property owner to maximize the mitigation of fuels in the area and optimize safety zones at each property.

#### **4. Legal**

Steve reported that a lawsuit filed by Bible and Brown had been served to the CHHOA Attorney, Ben Reusch. Steve stated that the CHHOA has a \$1 million policy with a \$1,000 deductible for lawsuit expenses.

#### **5. Property Owner Questions/Comments:**

- A question was asked about the possibility for a community fire department located within our subdivision/township. This possibility has been discussed among the current CHHOA Board and would likely be an agenda item for the new town council.
- A question was asked concerning the financial trend being dues driven. Is it possible that the new township revenue stream could be a municipal services fee? The new council will have to address this and perhaps a new revenue model will need to be adopted, but a new township should have additional financial avenues not available to CHHOA entities.
- A question was concerning the threats of additional lawsuits. Ben Reusch, the CHHOA attorney, responded that while resolving a case is often the preferable option, it is impossible to speculate on what may be filed or only threatened.
- A question regarding the incorporation petition filing with the Utah Lt. Governor's Office was answered that the vote for incorporation and filing occurred last June.
- A question concerning clarification as to what the \$1 million policy for lawsuits covered was asked. The \$1 million policy is for all legal work concerning damage to the CHHOA. A claim has been submitted to the insurance company, but because the lawsuit was filed less than two weeks ago, their position is unknown at this time.
- A statement was made by a CHHOA member that lawsuits brought by our members are damaging to all CHHOA property owners.
- A question was asked as to what the litigants want and if a cost/benefit analysis has been done to resolve their issues without a lawsuit. Answers included that the Capones' property has not been within the subdivision and they do not want to be part of the town. A process to be removed from town boundaries will be an item for the new town council to address.
- A question was asked about a recent filing. The answer was that the filing was a recording of the ballot regarding dissolution of the CHHOA at the incorporation of the township and transfer of CHHOA funds to the town. There was no transfer of property. When a follow-up question asked why there was such a delay in this filing, the answer was that some of the CHHOA

members had been harassed by those against the proposals and there was a wish to keep the identity of ballot submitters protected.

## **6. Quorum Call:**

In accordance with Article 5, Section 6 of the CHHOA By-laws at least 60% of the lots in the subdivision must be represented by an attending property owner, a proxy ballot from a property owner, or a mail-in ballot received at the CHHOA Post Office Box. The number of lots represented were tabulated by property owners Laura Cohen and Fran Poole, and by continuing Board Members Beth Gaines and Linda Stetzenbach. The quorum was fulfilled with 101 lots represented.

## **7. Board Member Voting:**

A floor nomination was made by Linda Stetzenbach to add Jay Hampton's name to the candidate list. Prior to requesting CHHOA members to cast their ballots for the three (3) open Board Member positions, a CHHOA property owner/resident asked for cumulative voting. Therefore, discussion of what this involved were presented (see voting slides nested within the slide presentation). With cumulative voting, one vote may be cast for each open Board position by each lot (owner). Therefore, if a property owner has one lot then three (3) votes may be cast by that person. Another example is that if an owner has two (2) lots then six (6) votes are given. These votes can be cast cumulatively for a single candidate or they can be divided up among the candidates. Votes were then collected and a panel of members consisting of Cathy Hampton, David Park, and Terry Saa were asked to tabulate the vote with Ben Reusch observing. However, during the counting a concern was expressed that those voting with mail-in ballots did not have the opportunity to vote cumulatively. Ben suggested that his office notify each of the mail-in voters and ask them if they wish to amend their votes. Ben then took possession of all the ballots cast. He agreed to the notification and when all votes were collected he would turn them over to Hinton Burdick for tabulation and certification. Announcement of the results of the CHHOA voting will be announced on the CHHOA website ([www.cedarhighlandshoa.org](http://www.cedarhighlandshoa.org)) after certification.

## **8. Next Meeting:**

The next meeting will be scheduled when the results of the CHHOA Board election is announced and the Board members decide on an October date.

## **9. Adjourn:**

The Annual Meeting was adjourned.

**10. Candidate Forum:**

Property owners were invited to remain for a brief candidate forum where each candidate for Mayor and City Council could present a brief two minute overview of themselves and their vision for the new town. Jim Byler served as moderator for this session. Attendees then were given the opportunity to ask written questions of the candidate.

Respectfully submitted by Linda Stetzenbach.

## Cedar Highlands Financial Account Balances as of June 29, 2017

Money Market Account \$ 22,139.41 earns .25%

General Account \$ 75,608.60 earns .25%

Total Cash

**\$ 97,748.01\***

12 lots owe 2017 dues, 93% pd

All 2016 dues paid!



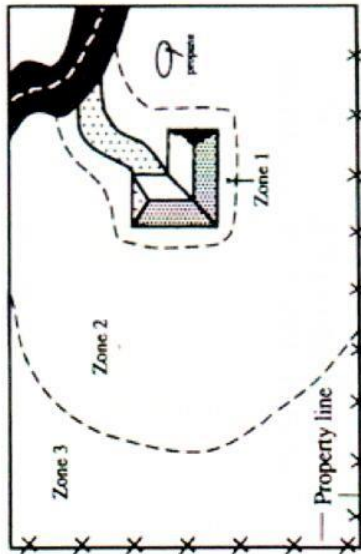


Fig. 1 Refer to Living with Fire Brochure

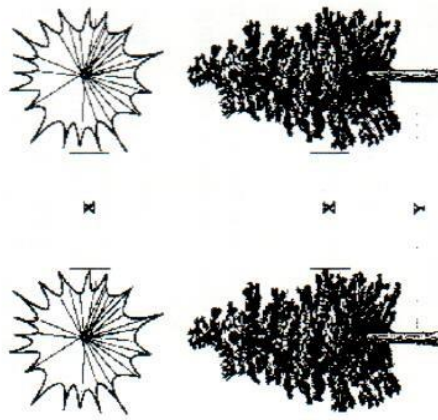


Fig. 2  $x = 10' - 30'$   
 $y = \text{trim ladder fuels to a height of } 4' - 6'$

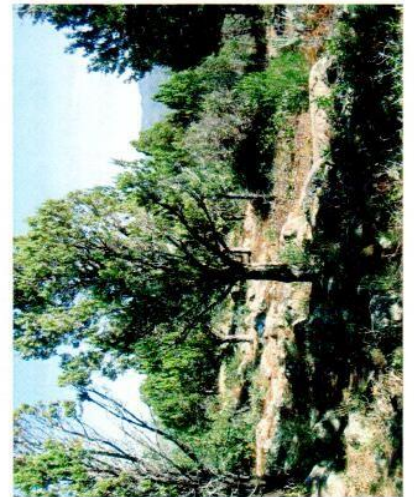


Fig. 4



Fig. 5

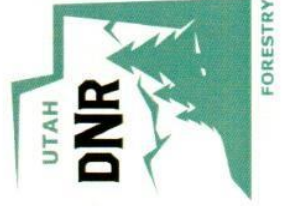


Clean Burn  
FORESTRY, FIRE & STATE LANDS  
SOUTHWEST AREA OFFICE  
585 N. MAIN STREET  
CEDAR CITY, UTAH 84720  
435-586-4408



# GUIDELINES FOR CLEARING PROPERTY AND CONSTRUCTING PILES FOR CHIPPING OR BURNING

Remember!!! Report your  
In - Kind Hours





## GUIDELINES FOR THINNING & LIMBING

1. Remove all dead vegetation, both standing and down on property (See Fig. 1).
2. Thin remaining trees, taking damaged, diseased, or leaning trees first, then trees less than 9 inches in diameter. Next, thin out remaining trees so that all trees are 10 ft. to 30 ft. apart at crowns. (See Fig. 2)
3. Remove limbs of remaining trees from within 4 ft. to 6 ft. of the ground (vary this height from tree to tree.). (See Fig. 2 & 3)
4. Remove vegetation within 10 ft. of any chimney opening.
5. Remove all vegetation, debris, and flammable storage from under wood decks, stairs, or eaves of buildings, or within 25 ft. of propane tanks.

## CONSTRUCTING PILES FOR CHIPPING

1. Limbs should be 1 1/2 inches minimum to 4 inches maximum in diameter for small chipper, and 1 1/2 inches to 14 inches maximum diameter for large chipper, and a minimum of 30 inches long. Logs should be a maximum of 8 inches in diameter and 10 ft. long.
2. Limbs should be placed with the butt (larger) end within 5 ft. and at a 90 degree angle to a good road or driveway.
3. Stacked rows should be no more than 4 ft. high and one row deep. (See Fig. 4)
4. Chips will be left in piles next to the road.
5. **Natural Vegetation Only** - Absolutely no rocks, roots, metal, dirt, lumber, trash, or construction material in the piles.



## CONSTRUCTING PROPER BURN PILES

### REMEMBER—ONLY ALLOW QUALIFIED PEOPLE TO IGNITE PILES

1. Do not place burn piles under power lines or any flammable materials. Keep burn piles a minimum of 50 ft. from all flammable material, propane and fuel storage tanks.
2. Burn piles should be approx. 8 ft. in diameter and 4 ft. to 5 ft. high.
3. Place small limbs on bare ground to light first.
4. Cover with a piece of kraft paper to help keep the pile dry until ready to burn.
5. Form a teepee arrangement with larger limbs & logs around pile. Material exceeding 6 ft. in length should be cut into lengths not to exceed 4 ft.
6. Keep piles 15' away from living trees. (See Fig. 5)



To: NOMINATING COMMITTEE - CEDAR HIGHLANDS HOA BOARD OF DIRECTORS

Re: Candidates Nominated by 5% of HOA Land Owners: Regina Tashjian and LynAnn Ellsworth Imlay for Director Positions.

Date: June 29, 2017

Article VI Section 2 Paragraph 2 of the By Laws of the Cedar Highlands Homeowners Association. Members representing five (5%) of the membership may nominate candidates for the directorships at any time before the (50<sup>th</sup>) day preceding such election. On timely receipt of a petition signed by the required number of Members, the Secretary shall cause the names of the candidates named on it to be placed on the ballot along with those candidate named by the nominating committee. At the meeting to elect directors, any Member at the meeting, in person or by proxy, may place names in nomination.

As Roberta Williams sold her property and is no longer a member of Cedar Highlands HOA, the members would like to replace the position with Regina Tashjian effective immediately.

Signatures

Printed Name/Lot & Block #

Peter T Combs

PETER T COMBS 07-05

Margaret Hilton

MARGARET HILTON 04-07

Teri Saa

TERI SAA 02-30

Mike Brask

MIKE BRASK 04-05

Regina Tashjian

REGINA TASHJIAN Lot 22/Blk 2

LynAnn Ellsworth Imlay

LYNN ANN ELLSWORTH 14 LOTS

Lynn W Brown

LYNN W BROWN 6/7

Roberta Williams Blk 12, Lot 10 6/29/15

Roberta Williams Blk 12/10