

CEDAR HIGHLANDS HOA BOARD MEETING AGENDA

APPROVED

252 N 200 W, Cedar City, UT

July 29, 2019 at 6pm

1). Welcome/Quorum established – Mike Brask, LynAnn Imlay, Linford Nelson and Regina Tashjian were present. Other members in attendance: Jim & Cynthia Byler, Jim Hilton, Rick Silva, Jim Newberry, Nick Palanza, Fred & Sherrie Getman, Bruno Gary, Ann Bersi, Bob Shelton, Rob & Jeanne Shelton, Beth Gaines, Sam Tashjian. LynAnn made a motion to approve June 2019 meeting minutes, seconded by Linford. Vote was taken and unanimously approved.

2.) Vacant Board Seat-

A. The board accepted the resignation of Jim Byler effective July 21, 2019 as he was appointed Cedar Highlands Mayor. We wish Jim Byler the best of luck.

B. Discussion about the need to appoint a replacement for the approximately 5 weeks remaining on Jim Byler's term. LynAnn is running again, Jim Hilton and Rob Shelton are on the ballot to fill the open seats, in addition to any floor nominations. The board felt it was necessary to have a full board voting on the important decisions remaining concerning the ballot process, annual meeting agenda and fine schedule. Linford nominated Jim Hilton as he felt Jim was very much up to speed on HOA matters. Regina seconded the nomination. Vote was taken and Jim Hilton was unanimously approved to fill the remainder of Jim Byler's vacancy and joined the board for the remainder of the meeting.

3). Communications

A. with members –

I. Discussion of the draft ballot that will be mailed &/or electronically available on the HOA web page on or about August 1, 2019. Mike made a motion to approve the ballot, seconded by LynAnn. Vote was taken and unanimously approved. The proxy was reviewed. Jim Hilton made a motion to approve, seconded by LynAnn. Vote was taken and unanimously approved.

B. with Town-

I. Finalize the permission letter to the town for road work. The permission letter is on the Cedar Highlands Town Agenda for August 1.

C. with attorney

I. Short term rentals and other violations of CC&Rs- Discussion of the documents prepared by the HOA attorney regarding the fine schedule and it's implementation. Mike explained the process required by Utah Code to adopt a fine schedule for violations of the CC&Rs and By Laws. We are required to send out the proposed document for the fine schedule a minimum of 15 days prior to the meeting in which the members have the opportunity to discuss. The board members agreed to individually review the document addressing any changes via email. It will be mailed, along with the ballots, in addition to posting it on the HOA website. At the annual meeting, we will openly review and discuss it with the members. The Board then votes on whether to adopt it. Some members present voiced concerns about over regulations based on their experience with HOA's in CA. Mike advised of the discussion with Randy Allen (our attorney) on enforcement. The HOA Board is responsible to enforce the CC&Rs and By Laws and cannot be

selective on those violations that are. Perhaps, the CC&Rs and By Laws need to be revised. Our current CC&Rs require 2/3 vote to change. Most of the violations will be as a result of members filing a complaint. The document is written to give the board discretion on whether to send "friendly reminder" or a warning letter.

II. Trash containers- discuss & vote on implementing the fines; sign selection. It was agreed that after the annual meeting and the board votes on the fine schedule and order the appropriate sign.

4). President's Report

I. Annual members meeting - organization and plan. The meeting will be in the upper meadow on August 31, 2019 with the picnic lunch starting at 11 a.m. The meeting will begin at 12 noon. With the issues to be discussed it will probably go 3 hours.

II. Agenda for annual meeting – The fine schedule and Road options will be the primary discussion with the members.

III. Guests to speak at annual meeting (CPA, Fire, etc.). Jim Hilton will contact John Schmidt (Fire) and Regina will contact CPA (Financials)

IV. Road Options - Mike will present the information from Mark Imlay regarding his discussion with Steve Platt about Iron County potentially taking over the repair/replacement/realignment and maintenance of the main road should the town dissolve. Other options will also be discussed. Mike will ask members for their input of how the HOA wishes to proceed.

5). Committee Reports

A. Financial

I. Expenses for approval- Hinton Burdick \$400, Hilton Host \$132.56 and \$160 for legal expense Jensen Bagley. Jim Hilton abstained from voting on his invoice which is for the costs for the HOA webpage; no labor is charged. Linford made a motion to approve the invoices for payment, seconded by LynAnn. Vote was taken and unanimously approved.

Status of payments from members for culverts- tabled

II. Delinquent dues- collections efforts and suspension of voting rights. There are only 2 are outstanding. Regina has sent follow up letters on both. The one which is 3 years past due, a notice of suspension of voting rights was also included.

B. ARC-

Under construction: Nelson (2), Henson and Thomas. Henson is taking longer than expected due to difficulty with getting sub-contractors. Mike will discuss with Rob Henson about the possible need for a culvert due to drainage issue.

New Construction: Butler Block 8 Lot 12 The due date on the town website mycityinspector.com for HOA approval was prior to this HOA meeting. Regina was unaware until contacted by Jim Butler of the problem with the permit system. The former mayor did not facilitate Regina's access to mycityinspector.com and therefore she had no knowledge of the proposed construction. The Butler's permit application had been delayed by the town. Because the permit could not be issued without HOA approval, Regina thoroughly reviewed the plans. The set backs are in accordance with CC&Rs Article VII, Section 5. The home is log construction with an acceptable color palette of amber hue and green metal roof which is commonly used in the HOA. Therefore, Regina gave HOA approval on mycityinspector.com in order that Jim Butler could obtain his permit. Mike stated a motion to approve

the ARC submittal is pending receipt of the ARC application from the Butlers which Regina was advised has been mailed.

Other structures for ARC approval:

Block 11, Lot 4- Tuff Shed 12 x 30. Matches exterior of garage. The HOA Arc application was submitted. Regina made a motion to approve the application, seconded by Mike. Vote was taken and unanimously approved.

C. Roads

I. Report from Mark Imlay following the Road Committee meeting held on July 19- attached to the minutes and discussed further during President's Report

D. Fire & Safety

I. Fire Wise- discuss issuing permits to people that want to cut firewood, how to manage, and potentially collect FireWise hours. Jim Hilton will do studies to see what is entailed to put together a plan.

II. First Aid- concern over use of chain saws and potential for bleed out. We should consider requiring safety gear/apparel use during FireWise events.

III. Emergency Contact Lists- tabled

5). Member Questions – Open Discussion. Member questions occurred throughout the meeting and no one had any further questions or comments.

6). Date and Time for Next Meeting- the annual meeting August 31, 2019

7). Adjourn. At 8:45 pm, Jim Hilton made a motion to adjourn, seconded by LynAnn. Unanimously voted.

Respectfully submitted by Regina Tashjian, HOA Secretary