

# Cedar Highlands Homeowners Association

## Board Meeting

February 11, 2016

The Directors of the Cedar Highlands Homeowners Association (CHHOA) held their monthly board meeting on 02/11/2016 at the Cedar City Library, Rare books Room. Board Members present: Peter Combs, Beth Gaines, Jay Hampton, Manny Mosqueda, Linford Nelson, Linda Stetzenbach and Steve Swann. Rick Moser, Mayor of Apple Valley, UT and Ben Ruesch (HOA attorney, Sanders, Reusch, & Reeve, PLLC) attended as invited guests. Property owners Reggie and Sam Tashjian, and Janice Swann were also were in attendance.

- 1. Call to Order:** The meeting was called to order at 5:47 pm.
- 2. Approval of Minutes:** A motion to approve the December 2015 minutes as written was made by Manny and seconded by Jay. The minutes were approved unanimously.
- 3. President's Report**  
Steve stated the goals for the evening's meeting included committee reports, a report by Ben Ruesch concerning review of the HOA Bylaws and Codes, Covenants, and Restrictions (CC&Rs) and a discussion of the restructuring proposal.

#### **4. Committee Reports:**

##### Financial

Beth reported that 2016 dues was still owed on 14 properties. Manny agreed to call on the owners of the property with an outstanding debt of \$600.00 and Ben will contact the owners of the two properties that owe two years of dues. The block 4, Lot 9 property is in the process of being foreclosed on and Ben will contact the bank to schedule a sale date.

Discussion of the budget was tabled until the March meeting so that we can evaluate the upcoming bids for road improvements.

##### Roads

###### a) Road Maintenance

Jay said that the messy, muddy roads need spring maintenance with base materials applied to reduce the slick clay layer. He is awaiting the bids for work from top to bottom from Bulloch's Dirt Works and from Mel Clark. Steve suggested that the board approve spending up to \$2,000 to have Bulloch apply some rock material to a few areas to determine if that is cost effective in

reducing the impact of the melting snow on the clay. The motion included that an email vote would be conducted if the bid exceeded \$2,000 and it was approved 5 to 2.

### Architectural (ARC)

#### a) New Buildings

Manny reported that there were no new house or renovation applications submitted. All residents are reminded of the CC&Rs 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](http://www.cedarhighlandshoa.org)).

### Fire

Peter reported that although John Schmidt (Coordinator for the Wildlands/Urban Interface for the Southwest Area of Utah Forestry, Fire, and State Lands) had previously stated that 2015/2016 was the year that Cedar Highlands Subdivision would receive assistance on fire suppression activities, none has been offered, scheduled, or performed. Peter has left messages but has not received a return call. Linford said he will follow up with John. With fire season approaching, Peter plans to conduct a risk analysis with prioritization for future suppression activity.

### Bylaw and CC&R

Ben Ruesch told the board that there is inconsistent language between the Bylaws and the CC&Rs. He submitted a detailed report discussing the hierarchy of governance for an HOA and the process from amending our subdivision's CC&Rs.

### Future Plans for the Subdivision

A lengthy discussion of possible incorporation of lands surrounding our subdivision prompted inviting Rick Moser to present his experiences with the incorporation of Apple Valley, UT. Rick is now serving as Mayor of that town located within Washington County between Hilldale and Hurricane. Washington County provided a special assessment area for fire approximately 9 years prior to their incorporation. Within the 6 years of their incorporation the town was able to develop a volunteer fire department and through loans and grants built a firehouse and a Town Hall. Rick stated that there are road funds available from the State of Utah for county B and C grade roads (Note: The main road through Cedar Highlands Subdivision is currently classified as a C grade county road).

Apple Valley currently has received \$70,000 for roads and are paving town roads. Rick also stated that through sales tax revenue Iron County would send taxes back to a town and that Apple Valley currently receives \$78,000. Currently Apple Valley has 4 council members (one of which serves as treasurer), a Mayor, a clerk/recorder, a public works director who is tasked with roads and water (Cedar Highlands subdivision water is managed through Central Iron County Water Conservancy, CICWC), a fire chief, and two part-time parks and public works.

Apple Valley contracts out building inspections with 75-80% of the fees going to Washington County and 20% going to Apply Valley. Rick summarized that financially per family; there have been no additional costs due to incorporation. New towns can receive law enforcement services from their county until such time that the town desires to have their own and Apply Valley additionally has an inter-local agreement for emergency services (fire and medical). Rick stated that loans and grants are available for towns and Apple Valley has an attorney and an engineer on retainer as needed to assist in procuring grants for improvements, with their fees incorporated into the grants. Apply Valley has secured a \$5.5 million grant, a \$750,000 loan at 2% interest, and a \$2 million loan at 2.5% over 20 years for improvements to the town. He further stated that fire and state lands are mandated to provide a plan to towns for fire suppression and assistance.

The Board will continue gathering information and discussing options to improve our roads, property values, emergency services and fire suppression.

#### **6. Next Meeting**

The January meeting is scheduled for 03/17/2016 starting at 6:00 pm at the home of Steve and Janice Swann (Block 6, Lot 12).

#### **7. Adjourn**

The meeting was adjourned at 8:00 pm.

Respectfully submitted by Linda Stetzenbach, Secretary.