

# Cedar Highlands Homeowners' Association

## Board Meeting

October 20, 2016

The Directors of the Cedar Highlands Homeowners' Association (CHHOA) held their monthly board meeting on 10/20/2016 at the home of Klaus and Linda Stetzenbach. Board Members present: Beth Gaines, Jay Hampton, Manny Mosqueda, Linford Nelson, Roberta Williams and Steve Swann. Bill Bible, Mike Brask, Jim and Cynthia Byler, Sarah Childs, Mike and Lynn Ford, Bob Havens, Simon Saw, Klaus Stetzenbach, Janice Swann and Stewart Williams attended as property owners. Pam and Bill Capone attended as interested property owners within the proposed incorporation boundary.

**1. Call to Order:** The meeting was called to order at 5:07 p.m.

**2. Approval of Minutes:** A motion to approve the amended September 2016 Meeting minutes was made by Manny and seconded by Beth. The minutes were approved unanimously.

### **3. President's Report**

Steve began the meeting by distributing the agenda for the meeting and welcoming the guests. Steve then explained that the agenda would include information on the upcoming Fire Meeting, the meeting between Board members and the Bureau of Land Management (BLM), an update on the Central Iron County Water Conservancy (CICWC) fencing, an update on incorporation and a proposal for a dues increase for 2017.

- A Fire Meeting was to be held at 7:30pm in town at 4<sup>th</sup> South and 75 East to update area residents on the Hick's Creek/Shurtz Canyon fire south of Cedar Highlands.
- Steve, Beth and Manny met with the BLM team investigating the main road re-alignment, and with Steve Platt (Iron County Engineer) the week before, and that no Iron County Commissioners, that were invited, attended. Heath Oveson of Go Civil Engineering is re-working engineering plans for main road access into the lower portion of the subdivision with "Option 1" that would avoid crossing of private property lots and other grading and curve issues which their previous plans had. Information on options for road re-alignment are available on the subdivision website ([www.cedarhighlandshoa.org](http://www.cedarhighlandshoa.org)). Steve stated that discussion of a gated community concept was likely not workable due to legal and economic considerations owing to prescriptive easement livestock access on the upper road area and from the corral to the green water on the lower portion of the main road. Further discussion of road re-alignment was tabled until after the voters' decision

on incorporation. Manny said that he has uploaded the BLM study to the HOA website in the **roads** link.

- Steve reported that the CICWC is working with local Boy Scouts to include installing a 100' source protection with 6' high fencing around areas on the Upper Common area (approved by the Board at the September meeting) in an Eagle Scout project.
- Steve reported that an anonymous letter had been sent to the Utah Lt. Governor's Office challenging incorporation and requesting that the issue be pulled from the November 2016 ballot. Steve stated that the HOA attorney sent a reply to the letter to the Lt. Governor's Office. No response has been received to date from the Lt. Governor's Office. Bill Bible stated that two letters had been sent to the Lt. Governor's Office with the other one questioning the balloting procedures used by the Board to set up the incorporation vote, but no one on the Board was aware of a second letter.
- A proposal for an increase in the 2017 dues from the current rate of \$440.00 to \$506.00 was presented. Dues had not been increased since the subdivision water had been transferred to the CICWC and the increase to \$506 represented a 15% increase, the maximum allowed yearly according to HOA covenants. Steve presented a chart showing that three consecutive years of dues 15% rate increases would be necessary to offset projected expenses without incorporation. No motion or vote was taken on the dues rate increase. This issue is tabled until the November Board meeting which will be held after the November ballot which includes a proposition for incorporation of Cedar Highlands. Steve asked all property owners to consider this proposal with additional suggestions for increasing our revenue for road improvements and winter snow plowing expenses to be discussed at the November Board meeting.

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

##### Financial

###### a) Current Balances

-Beth reported on current balance financials from Barbara (Hinton Burdick), but the last bill from Bulloch for road improvements had not yet been received.

###### b) Dues

-Beth reported that there are two properties (Block 5, Lot 1 and Block 6, Lot 1) that remain delinquent for the 2016, but a few properties overpaid their 2016 dues by approximately \$845 and some properties owe small amounts of 2016 dues. Discussion of budget tracking was tabled until a future meeting.

## Roads

### a) Road Maintenance

-Jay reported that the October 2016 repairs had been completed.

### b) Upcoming Snow Removal

-Jay stated at the last meeting that the contract for snow removal with Bulloch was due for renewal and that Bulloch would submit a proposal. However, Jay had not yet received a new bid. Jay will contact Bulloch for a new winter snow plowing bid. No information had been received from property owner Ben Jordan who volunteered at the September meeting to investigate additional snow plowing strategies.

## Architectural (ARC)

### a) New Buildings

-Manny reported that no new applications for new construction or additions had been received. He said that the roof color for the previously approved garage at Block 6, Lot 3 was incorrect and the builder was correctly matching the garage roof color with the residence.

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](http://www.cedarhighlandshoa.org)

## Fire

-Stewart Williams reported that chipping was performed at all 28 reported wood piles in the subdivision. He also stated that wood pieces from some piles at the corner of High Mountain View and High Oak and at Block 7, Lot 9 are sized for fireplace/wood stove burning and are available free to subdivision property owners, and that the chips can be harvested by property owners as well. New chip piles can be reported on by contacting Stewart directly at [stewbobbi@gmail.com](mailto:stewbobbi@gmail.com)

## **5. Other Discussion**

### Incorporation

-Linford suggested that the incorporation be postponed six months to a year by voting No on the ballot proposition. When asked if those requesting a delay would change their mind if the incorporation proposal was delayed, they responded with a resounding no.

-A contact name and phone number for the Elections Representative at the Lt. Governor's Office was given as Mark Thomas, 801-538-1494. Property owners seeking information were encouraged to call him.

-Pam Capone, property owner of 40+ acres with their home outside of the HOA boundary but within the proposed township boundary, spoke passionately about her displeasure with the lack of information that she and her husband Bill had received during early HOA Board meeting discussions and their desire to be excluded from any incorporation.

Board members apologized for the lack of timely information to the Capones and the Board agreed that any properties adjacent to the borders of the proposed township that wish to be excluded should be let go if incorporation occurs. Pam said that their taxes would greatly increase, but that they did not benefit from water, gas, and other amenities that the HOA property owners enjoyed, and they only use 1.5 miles of the main road that they thought was the county's responsibility for maintenance and plowing. Board members responded that CICWC (water) and Questar gas hook ups are the responsibility of individual property owners but not of the subdivision or town.

Steve stated that HOA dues for subdivision owners and newly acquired properties within the township would most likely be a transportation assessment similar to a Special Improvement District (SID) or a Special Services District (SSD). This assessment would be focused on road improvements, re-alignment, maintenance, and winter plowing and not a mil rate. In this way all properties within the proposed town boundary would be assessed equally regardless of the size of individual properties.

Board members explained to Pam that regarding the main road, the County does not maintain and keep the main road plowed. The subdivision has paying many tens of thousands of dollars each year for maintenance and additional tens of thousands of dollars for winter snowplowing the entire road from the upper common area to the lower paved road.

Pam concluded that she mailed all Board members a letter detailing their concerns, but she hand delivered the letter to Steve. The Capones then left the meeting. A discussion of the pros and cons of incorporation continued. No solutions were agreed upon other than to wait for the results of the November 8 ballot.

## **6. Next Meeting**

The next meeting is scheduled on November 17, 2016 at 5:00 p.m. at the Williams residence (Block 6, Lot 3).

## **7. Adjourn**

The meeting was adjourned at 7:04 pm.

Respectfully submitted by Linda Stetzenbach, Secretary.