

Cedar Highlands Homeowners Association

Board Meeting

September 29, 2016

The Directors of the Cedar Highlands Homeowners Association (CHHOA) held their monthly board meeting on 09/29/2016 at the home of Steve and Janice Swann. Board Members present: Beth Gaines, Jay Hampton, Manny Mosqueda, Linford Nelson, Linda Stetzenbach, Roberta Williams and Steve Swann. Bill Bible, Ann Bersi, Bob Sheldon, Mike Ford, Ben Jordan, Regina Tashjian, Dan Taylor, Janet Webb and Stewart Williams attended as property owners.

1. Call to Order: The meeting was called to order at 5:16 p.m.

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

3. President's Report

Steve began the meeting by welcoming the newest Board member, Roberta Williams, who was elected at the August Annual Meeting to fill an open position. Steve continued with the goals for the evening's meeting: 1.) A summary of the meeting held between members of the Board, Steve Platt (Iron County Engineer), and the Bureau of Land Management (BLM) concerning the main road access through BLM-held lands. 2.) The proposed protection fencing requested by the Central Iron County Water Conservancy (CICWC). 3.) Committee reports. 4.) A discussion of incorporation concerns.

1.) Steve reported that at the meeting with the BLM and Steve Platt he expressed the HOA's concern with the BLM's proposed new access to the subdivision. The proposed access would infringe on private property subdivision lots requiring the HOA to purchase these properties. He then asked them for alternatives for right-of-way through the BLM area that would reduce grades and curves for a 66 foot wide road with shoulders. Steve shared a map with five options of 10% grades that he made based on GoogleEarthPro information. Steve stated that the BLM agreed to work with the Board on the best option and they would grant right-of-way to the town if incorporation was approved by the voters. Manny said that he would upload the BLM study to the HOA website. Steve made a motion that he make an appointment with Heath Oveson of GoCivil, the firm that conducted the previous road survey using HOA and Iron County funds, asking them to reconsider two of the options. Jay seconded the motion and it was approved.

2.) Steve reported that the CICWC is concerned about grazing cattle and potential manure problems on the upper common area meadow near the well and springs. They identified four areas that need fencing (the pump house, the collection pond, above the water tank with pipe access, and the lower water tank). The CICWC proposed installing 100' source protection with 6' high fencing that they would supply and install, but they need HOA permission. Steve made a motion for this, Manny seconded, and the motion was approved.

4) Committee Reports

Financial

a) Current Balances

-Beth reported on current balance financials from Barbara (Hinton Burdick).

b) Dues

-Beth reported that there are two properties that remain delinquent for the 2016 dues totaling less than \$1,000. Ten properties underpaid their 2016 dues and Manny agreed to call one of the property owners and alert them to the problem.

Roads

a) Road Maintenance

-Jay reported that \$10,000 was set aside for repairs in October 2016 and that work has been scheduled for the 2nd week of October to regrade the main road from the Kolob Road access to the green water tank with application of base material in the areas most in need. Ben Jordan asked the rationale for the large rock that had been applied earlier and was told that the larger rock was needed to stabilize the mud that resulted from the loss of base, and that the road had to be built up before application of smaller base materials and grading.

b) Upcoming Snow Removal

-Jay stated that the contract for snow removal with Bulloch is due for renewal and that Bulloch will submit a proposal. Ben Jordan asked if a snowplow rather than a road grader could be used or if an attachment for snow plowing could be attached that would speed up plowing. He stated that when Schmidt was removing the snow this was used. Steve will issue a statement of work for snow removal and will solicit bids. Ben said that he would investigate the snow plow attachment information.

Architectural (ARC)

a) -Manny reported that a building reconstruction application had been submitted for Block 9, Lot 9 for a front door portico. Manny made a motion to approve and Linford seconded it. The motion was approved unanimously.

-The owners of Block 6, Lot 5 submitted a reconstruction application to re-do their deck railing. A motion to approve was made by Manny and seconded by Roberta. The motion was approved unanimously.

b) -Steve reported that the delivery and installation of a shed on Block 4, Lot 9 in advance of building a residence was blocked as the HOA Codes, Covenants, and Restrictions (CCRs) state that a property must have a residence on site prior to placement of a shed or outbuilding and the applicant must own the property prior to acceptance of building applications. Request to install the shed had been denied at the July 2016 meeting as HOA could not verify the owner of the property or application with the County for a building permit for a residence on that lot.

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).

Fire

-Stewart Williams reported that reported property owner burn piles will be chipped around October 17th and chipping of additional piles will be delayed until 2017. Reporting of piles can be accomplished on the HOA website (www.cedarhighlandshoa.org) or by contacting Stewart directly at stewbobbi@gmail.com

-Janet Webb mentioned that many lots without residences have dead trees and brush. She asked how non-residents can be encouraged to clear their lots of fire fuels. It was suggested that residents nearby those lots could email or send a letter to those property owners with suggestions of vendors who could conduct this type of work.

5) Other Discussion

Incorporation – concerns listed in order of discussion

a. Mil Rate

When asked, Steve reported that the mil rate would be frozen at incorporation unless/until an increase proposal went through the town council and voters. Resident Ben Jordan asked if a Special Improvement District (SID) with a mil tax instead of HOA dues would shift financial burden to the larger residences. Steve stated that and SID can be fixed and not scaled like a mil rate.

b. Feasibility Study

Steve stated that the costs listed in the feasibility study conducted by the private consulting firm contracted by the Utah Lt. Governor's office were an example of prices. He reminded everyone in attendance that 911 service would remain cost-free, but if the town wanted additional patrols, additional funds would be negotiated under contract with the Iron County Sheriff, Cedar City

Police, or a private security entity. Further, an inter-local agreement could provide reciprocal services. For example, if the town had a firehouse then we could assist in calls to Cedar City fire and they could respond to the town's calls. He also reminded attendees that a town can receive loans and grants not available to an HOA.

Beth agreed that the figures in the feasibility were presented as "ballpark" numbers but proposed that Board members contact local entities to verify projected costs for municipal services. Property owner Bill Bible stated that he was not pleased with the feasibility regarding costs and he was concerned that the HOA dues wouldn't go away with incorporation. Beth stated that the feasibility study group recently asked for the previous five years of financials and that she will direct Hinton-Burdick to forward that information.

c. Roads

Manny stated that Steve Platt told him that while roads within the HOA are private, the main road was a prescriptive easement road and therefore could not be made into a toll road.

d. Common Areas

Resident Teri Saa expressed concern that if common areas were to become public then there would be more usage resulting in trash, fires, and more all-terrain vehicle (ATV) use. Steve reminded all that if the town converted the existing common areas into parks they would be open usage but a town can restrict usage hours of town property.

e. Sales Tax

Steve reported that the proposed town area currently does not have any commercial entities but that sales taxes could flow into the town from nearby towns (e.g., into Cedar Highlands from Cedar City). This occurs on a quarterly basis in Apple Valley, UT a town of approx. 800 people receives approx. \$20,000 - \$30,000 quarterly).

f. Summary

Steve summarized that incorporation would give the town liability protection and ability to apply for loans and grants to improve infrastructure that are not available to HOAs. An increase in HOA dues is likely needed or a town SID to accomplish much needed road improvements for safety and emergency access to the area.

6. Next Meeting

The next meeting is scheduled on October 20, 2016 at 5:00 pm at the Stetzenbach's.

7. Adjourn

The meeting was adjourned at 7:21 pm.

Respectfully submitted by Linda Stetzenbach, Secretary.