

CEDAR HIGHLANDS HOA BOARD MEETING MINUTES
Wednesday, June 23, 2021, at 6 PM
Cedar City Library, 303 N 100 E, Cedar City, UT 84721
And Virtually- link is on HOA website

1. **Welcome/Quorum established** – The meeting was called to order by Mike Brask. Board members LynAnn Imlay, Rob Shelton, Regina Tashjian and Tom Wootton were in attendance. Other members in attendance were Ricky Robb, Nancy & Stan Carrizosa Lori & Rick Silva, Bri & Clint Bunting, Manny Mosqueda, Greg Pierce, Sharon & Greg Dietel, Julia & Kerry Smith, Emily & Danny Banner, Deb & Jeff Hartman, Ann Bersi, Jane & John Pretty, Dayleen & Larry Miracle, Cassie & Randy Williams, Linford Nelson, Nick & Patti Palanza, Sandy & Jim Helsper and Sam Tashjian. Members attending virtually were Paula Newby Frazier, Steve Danto, Kevin Bridges and Linda Bennett. LynAnn made a motion to approve May meeting minutes, seconded by Rob. Vote was taken and unanimously approved.

2. **NEW BUSINESS**

A. Fire & Safety- Guest John Schmidt, DNR. Unfortunately, John was called out on a major fire and unable to attend.

B. Discuss/Motion/Vote- Annual meeting date/time/agenda; approve ballot. Currently, Linford and Tom Wootton are candidates for the 3 open board seats. LynAnn will advise shortly. Lori Silva stated she will be a candidate. It will be open to floor nominations as well. The DRAFT ballot was reviewed. The annual meeting will be held on September 4, 2021, beginning at 11 am, at the upper meadow. LynAnn made a motion to approve the ballot with any additional candidates added prior to printing, the date/time/location of the annual meeting and usual agenda. Seconded by Mike. Vote was taken and unanimously approved.

C. Discuss Policies & Procedures (P&P) we wish to implement. The board previously agreed to scrap the P&P regarding governmental agencies previously noted at P& P 2021-2. The ARC P&P 2021-3 will become 2021-2 and the Sander Funding 2021-4 will become 2021-3. Both have been on the website for quite some time. LynAnn will see if any modifications are needed and vote on next board meeting. Reggie will prepare the timeline of important dates & deadlines.

3. **PRESIDENTS REPORT** – Part of the report planned was Fire presentation by John Schmidt. Tom advised of the chipping requirements, which is currently planned for on or about July 10, unless they are called out for wildfires. Another chipping will be in September-October, depending on fire season. Tom advised the chipping materials need to be near the road. The matching funds form will be updated on the website for members to record the hours or money spent for fire mitigation. This goes towards our community as the Forest Service gets grant money from the state that funds the chipping and clean up. The Authorization Form allows the crews to go onto a member's property to chip.

The rest of the President's Report – addressed under ROADS.

4. **COMMUNICATIONS**

A. **With members** – request to obtain additional speed and fire warning signs.

The members who cleaned our main road and Right Hand Canyon (organized by Rick & Lori Silva) were acknowledged and thanked for all their efforts.

Members expressed concern over the and number of mosquitos this year. Reggie called CICWCD and they said they would get back with us. Nothing further has been heard. Greens Lake has not been maintained. There are natural springs in the area so chemical use is not acceptable.

B. With Iron County – Reggie reported on her efforts to obtain a copy of the original Quit-Claim of the main road from the beginning of the subdivision to Right Hand Canyon from Cedar Land Title to Cedar Highlands Development Corp in August 1994 and then the same date from Cedar Highlands Development Corp to Iron County. The Iron County Recorder in Parowan was unable to locate the documents. The copies we have do not have the recorder’s stamp or page with notarization. Reggie called Cedar Land Title and was advised they could not locate anything in their archives or computer records. Deb Hartman offered to investigate further.

Mike explained that we are continuing dialogue with the county and how to fund maintenance, repairs, and improvements. Right now, the county falls back on their original position that this started as a vacation community. The use of the road has changed with access for people going to Kolob, the bike trails, and other uses of the road by people other than HOA members. We are now at 50% occupancy. There are fire and safety concerns and the need for more than one access for emergency use. As Iron County owns 2 lots, they are looking into using them to re-route the 17% grade. Mike read the Iron County Resolution 98-1 from 1998, which is the policy still in place and requires before accepting road for maintenance: 50% occupancy; roads brought to county standards; county commissioners must accept; and not above 10% grade.

Reggie obtained a copy of the original Plat map from Iron County Records office.

C. With attorney - We are working with an attorney to collect the delinquent accounts.

5. COMMITTEES

A. Financial – Rob presented the May financial report. New signature cards for the bank are needed. Mike will generate the letter to State Bank.

1. Discuss/Motion/Vote- current invoices. Stephanie Mosqueda \$196 for 13 welcome baskets. Elaine Madsen plans to submit a \$400 bill for doing the 2020 HOA taxes and about another \$100 for other accounting work. Mike made a motion to approve the 2 bills; seconded by Reggie. Vote was taken and unanimously approved.

Reggie advised the CC&Rs do not require the Treasurer to be on the board now that Bob has resigned from the board and the Treasurer position is vacant. Members were asked if they had QuickBooks experience and would like to assist. None came forward.

B. ARC

1. Discuss/Motion/Vote ARC applications - no new applications were submitted.

Discussion of the pending deposit refund for Block 9, Lot 1. The drainage performed is now directed to the 14-inch culvert crossing the road which probably will not handle the runoff. Linford stated he has a letter from the engineer stating the culvert is acceptable. Mike requested Linford give us a copy of that letter about the engineering, which he agreed to do. Applicable parts of the CC&Rs and Owner’s Construction Requirements, along with March 2021 meeting minutes, were read and reviewed. The natural drainage was changed when the pad for the house and barn was created. Mike will meet with Glenn Cole about the drainage for the pad and barn structure. Either Cole or Linford will need to replace the culvert in the road. The runoff onto the lot below will be reviewed again, once we receive the engineering letter from Linford.

Discussion about ARC Committee. Tom Wootton is heading ARC, along with Roger Thomas, Patti Palanza, Larry Miracle, and any other member who wants to participate. Tom explained that we have 30 days to approve or disapprove an application once it is submitted. Members were reminded that they should not start any work until a building permit is obtain (if required) and the Owner’s Construction Requirements (OCR) form is approved. One of the most important concerns is change to the natural drainage, which the CC&Rs and OCR form address.

C. Roads – Last year when the town dissolved, the HOA put about \$100K primarily towards improving the secondary roads, most of which has lasted quite well. Any money we have spent on the main road lasts only a few weeks before the wash-boarding and potholes return. With current dues only \$600 year and average snowplow costs \$65K, that leaves only \$30K for maintenance and repairs, and does not allow any infrastructure improvements. The position the HOA board has taken was to be conservative spending money on the main road. When we decide to spend any money for repairs or improvements, the best way to handle is to bring the roads to county specifications. Right now, the contractors are very busy and unavailable to do any work. They are also jacking up the prices. The contractors also do not even want to bid on projects without engineering as they are worried about assuming the liability. Mike is checking with some engineering firms, and the cost will be \$50-80K for a plan to get the roads to county specs and make sure the drainage is correct, along with all infrastructure (fire hydrants, utilities). If our goal is to meet county standards, we need to get the engineering done and then report to the community to ask what they are willing to pay in assessments. What we can do this year, is have Bullochs grade the main road to deal with wash boarding and fill some potholes, roll and wet it. We know from experience it will only last a month or two at most due to 2-wheel drive vehicles, ATVs, speed, wind, and additional traffic. Ray said he plans to start in 2 weeks. The cost will depend on the amount of material needed to fill the potholes. Mike told Ray to focus the material from the old cattle guard up. Below the cattle guard, do a basic grade. There is some asphalt regrind available at Sunroc that may work at the switchbacks. Once it is rolled, it becomes almost like asphalt and may slow down some of the ATVs. Once Mike gets Ray's proposal, he will email to the board to approve.

Our challenge is the burden of the roads is currently on 165 lots. We will continue discussions with Reed Erickson and Iron County Commissioners to get them involved. The county will most likely want some participation from the members in the cost to do anything with the main road. Until we have a solid plan, it is best not to waste money on the main road. We need to build up HOA funds that may be used towards matching funds and relieve the burden of a large assessment from the members, and improvements to the secondary roads. At the annual meeting, we will discuss what the members want to do, as it will take 2/3rds of the members to approve any assessment for the secondary roads. We were told that for the main road, Iron County only requires 50% vote. Iron County has put up traffic counters at different times to evaluate the traffic. They are still in traffic study phase and did some surveying concerning the 17% grade using the 2 lots. We also plan to invite them to our annual meeting.

Discussion about more speed signs. It is a county road and DOT puts up the signs, which most people don't pay attention to them anyhow. Signs are worthless without enforcement. We have requested additional sheriff patrol when they can. Iron County Sheriff must witness the violation to issue a ticket. As citizens, the best thing to do is to call 911 and report any problem. The members were urged if someone is stuck in the winter, to call the sheriff instead of helping get the vehicles out. The more call outs to the sheriff will get the county's attention. The Sheriff will give an accurate number of call outs in our community to their planning department. More money will need to be budgeted to service our area, which requires approval by other county agencies. The board has been sending photos of stuck vehicles to Reed Erickson. Mike urged members to attend Planning Commission and Iron County Commission meetings to keep our community in the forefront. It was suggested for members to primarily use Right Hand Canyon during the summer and not worry about repairing the road below the old cattle guard.

Another issue is Ray Bulloch advised us that he lost \$7-8K by staging the equipment at the bottom of the hill this past year when we had very little snow. Ray may not want to bid snow plowing for next snow season as he does not want to have another financial loss. This creates a major problem as there are few, if any, contractors that have the equipment to service us and are willing to be on call. Mike suggested a way to make certain we have snowplow service is to agree to a contract with a minimum amount, regardless of snow level, which lets Ray meet his break-even point, plus a small profit. This may be around \$20-22K.

Discussion about spending the money for an engineering study. We can't come up with scope of a project and budget without having engineering done. There usually is a time limit on engineering studies. The fee to revalidate it would be much lower than the original cost. There is a new county engineer which is looking at the 17% grade and re-route it. We will approach the county to see if they can assist with the engineering. Also, if Bulloch backs out on snow removal, we will ask to contract the county. We will try to get on the Iron County Commission agenda to discuss the issues with the roads. It was explained to the newer members that the county was ready to help us with the main road which stopped when we became a town.

It was agreed to get bids for the engineering to get secondary roads to county standards and discuss the costs at the annual meeting, to see what the members want to do.

D. Fire & Safety – Tom advised the status of the fire mitigation working and chipping. Clint Bunting is helping some property owners with clearing. He can be contacted by sending an email to fire@cedarhighlandshoa.org.

Tom & Reggie met with George Colson, Iron County Emergency Manager, and Fire Chief Phillips. They suggested for members to carry an ABC fire extinguisher in vehicles as well as kept at home; clean lint lines out of dryer; watch location of where you BBQ; no burning on Red Flag days; firepits need to be away from brush, wood or common areas and exercise caution with water source nearby; have water source near any use of chainsaws and such; check that all electrical in your house is in good condition; the Red Cross gives smoke detectors out for free; check batteries in smoke detectors; refrain from parking in grassy areas which can set it on fire; when hooking up trailers, make sure the chain is not dragging; no fireworks. We asked about getting a fire station on the mountain. They have considered it, but we will need to provide a location and cover to protect it from weather. If we do not have a heated place to store equipment, it would have to be taken down during winter. Anything permanent, we would have to build and maintain it.

Rick & Lori Silva patrolled the area last July 4th as people set off fireworks. They plan to do it again this year. Volunteers were asked to participate in the watch. Everyone needs to be vigilant. Tom & Reggie currently are the Fire Committee and asked for greater community involvement and volunteers.

Suggestion about contacting vacant lot owners that have a lot of dead wood on it and request they clear.

E. Website – Kevin has been working on updating the website with Tom & Reggie. Kevin also set up where texts can be sent to all members with critical information.

F. Water – Tom will contact Paul Monroe when we get a date when Ray will start work for CICWCD to bring up the material they promised us from the road damage due to the leak last year. Mike will have Ray contact Tom to coordinate.

Sprinkler systems are discouraged. A drip system uses less water and natural landscaping should be used instead of lawns.

6. **MEMBERS QUESTIONS**– Open Discussion. Most of the questions were addressed during ROADS. Member suggested putting something on the website for how to volunteers for ARC, fire, and Roads.

7. Date and Time for Next Meeting – July 21, 2021, at 6pm at the library.

Meeting adjourned at 8:19 pm to Executive Session

Respectfully submitted by Regina Tashjian, HOA Secretary.