

**CEDAR HIGHLANDS HOA BOARD MEETING MINUTES****Tuesday, November 9, 2021 at 6 PM****Cedar City Library, 303 N 100 E, Cedar City, UT 84721**

1. **Welcome/Quorum established** – The meeting was called to order by Mike Brask. Board members in attendance were LynAnn Imlay, Tom Wootton, Linford Nelson and Regina Tashjian. Other members in attendance were Monica Wootton, Kevin Bridges, Kevan Toombs, Rick Silva, Nick Palanza, Greg Dietel, Debra Hartman and Roger Thomas. Virtually attending: Larry Miracle, Phil Miller, Steve and Eva Danto, Jim Grimes, Steve Hahn and Nancy Carrizosa. Mike Brask made a motion to approve October 2021 meeting minutes, seconded by Linford. Vote was taken and unanimously approved.

**2. NEW BUSINESS**

A. Discuss/Motion/Vote- 2022 HOA dues. Our 2022 Budget was presented at the annual meeting and sent to all members. We are dealing with inflation and additional costs for snow removal, especially if we have a heavy snow season. CC&Rs allow 15% increase which would be \$90. We have some money in our account, but once we deduct for current road work, the engineering report, that may only cover a few bigger road projects. The road is collapsing on High Mountain View and that alone may cost \$40-50K. Bullocks did not perform the scheduled maintenance on the main and side roads. Pierce is now doing some needed work. We are trying to avoid wasting money by not putting down road materials that only wash away. So far, the 50/50 mix has held up the best. The roads need to be crowned and capped in order that whatever we do holds up longer. Once we receive Go Civil's engineering report which probably will be ready in spring, we will know how much material we need and get a cost for infrastructure and improvements. Most likely this work will occur in 2023. That will give the HOA time to present the information to the members and discuss a possible special assessment if the membership wants the improvements done on the roads. We continue working to get the county to contribute but that will take time. At the annual meeting and other occasions, we have advised the members that collecting \$600 dues, we break even and it does not cover much more than snow removal, a few gradings and hard costs such as insurance and operating expenses. We have cut expenses as much as possible, including eliminating the use of a CPA. We need to have at least \$50K set aside to cover emergency repairs, as we experienced during the monsoon storms this past summer which caused significant damage. Until we receive the engineering report, we are unable to prepare a detailed plan with cost to the members. LynAnn made a motion to raise the dues to \$650, seconded by Linford. Vote was taken and unanimously approved.

B. Discussion- Utah Code regarding committees. LynAnn conducted some research and was unable to find anything applicable. The ByLaws Article 6, Section 15 states each committee needs to have 2 or more directors and keep regular written minutes and present to the board. The board appoints members to the committees. The chair should be someone other than a board member. LynAnn suggested the agenda shows time for committee reports to board. Email approvals can be done if there is written consent by the board, such as ARC applications that must be resolved within 30 days. This written consent could be done in one instrument that also incorporates conflict of interest, code of ethics and conduct for board and committee members. LynAnn will draft a document that covers all these which can be signed by the board members. To be certain we comply with state statutes, we can run it by Jenkins Bagley as we did the ARC application form. ARC committee will include Tom and Mike. Each October when new board members come on board, we should have the training of Utah code for open meetings and sign the document. Fire Committee is Linford and Tom. CC&R committee cannot do a re-write as the board cannot delegate that responsibility, but rather give a list of suggestions of

changes. Reggie and Tom will be on the CC&R committee. Next meeting, we will vote and approve committee members.

C. Discuss/Motion/Vote- Policy & Procedures 2021-2 ARC and 2021-3 Sander Replacement Funding. The ARC P&P cannot be approved as it needs to be changed to reflect 2 board members on the ARC committee. Tom will also review to see if any other changes/additions need to be made. Then Draft 4 can be posted and voted on at the next board meeting. We will need to have the board members sign the document LynAnn will prepare allowing for email approval of an ARC application, if the 30 days is prior to a board meeting. LynAnn made a motion to approve the Sander P&P 2021-3, seconded by Mike. Vote was taken and unanimously approved.

### **3. PRESIDENTS REPORT -**

There has been drainage/ditch work and some grading on the roads. After the last snowstorm, Mike and some Road Committee members met with Go Civil and drove the subdivision. The focus was on the biggest problem spots to get preliminary engineering done. They went to High Mountain View near High Oak, where the road is collapsing and the cul de sac on High Valley View Circle. Depending on weather, we can decide if any work can be done now. Go Civil will also give us suggestion on drainage before we do any road work. Rick Silva is helping managing Pierce's crew. A huge boulder was found and removed from the culvert at the top near the cattle grate. We are getting 50/50 material to put down. Greg Pierce and Rick Silva is working on the samples to see if perma-zyme can be used. We will need to wait to spring to do a test area as we are getting too close to freezing temperatures. Once engineering is complete, we can then put together a constructive plan. Pierce Excavation is getting acclimated to our conditions and purchased the sander truck from Bullocks. Pierce is willing to set up for member's driveways. Pierce wants to manage it by getting list of people wanting plow and give them a bid. Pierce will invoice members directly.

### **4. COMMUNICATIONS**

A. With members – Deb Hartman made a presentation about putting Private Road signs to deter non-residents from going on our side roads. This is also a safety issue as 4 wheelers don't see hidden driveways and there have been accidents. She and Lori Silva continue to do trash pickup along the main road and Right Hand Canyon. There is a lot more traffic on the roads which keeps increasing. Deb and Jeff purchased a couple of signs for about \$20 each. The company they found will make specialized signs. Deb offered to put a sign on High Oak near them. Discussion about putting the signs on existing signposts, making a map to determine the number of signs and determine where posts are needed. Deb offered to get the information and present it at the next meeting.

B. With Iron County – Reggie followed up with George Colson, Iron County Emergency Manager about the signs (speed, caution, etc) and if he had spoken with Commissioner Mike Bleak about emergency plow if our contractor unable to do snow removal as what happened in October. Mr. Colson advised he was handling an Iron County emergency and would get back with us when he was free.

C. With attorney – Reggie contacted our attorney and no response as yet.

### **5. COMMITTEES**

#### **A. Financial**

1. Discuss/Motion/Vote- current invoices. Reggie presented the financials and invoices. Pierce Excavation Inv #2335, \$9891 less 2% = \$9693.18, Reggie reviewed with Rick Silva who believed it was lower than expected for amount of work performed; Justin Wayment \$14; Pierce Excavation Inv # 2334 approved via email and paid 11/1/2021 \$6439.60 less 2%= \$6310.81; State of Utah annual business license renewal \$10; Quickbooks monthly fee \$53.10; Iron County Treasurer for property taxes \$17.53.

Mike made a motion to approve and pay the bills as presented, seconded by Tom. Vote was taken and unanimously approved.

2. Sander Fund- Mike made a motion to move \$1500 into the sander fund, seconded by LynAnn. Vote was taken and unanimously approved. Reggie will ask Elaine to handle it in Quickbooks.

## **B. ARC**

1. Discuss/Motion/Vote ARC applications

### **Structures Complete:**

#### **Williams Block 2 Lot 34 1005 E Cedar Highlands Dr.**

Container has had siding installed to match the house. Siding and roof completed, recommend refund of deposit. Reggie made a motion to refund the deposit, seconded by Tom. Vote was taken and unanimously approved.

### **Structures approved and under Construction:**

#### **Callahan- Block 2 Lot 3 1811 High Cedar View Dr.**

Subcontractors are inflating their figures; construction has slowed due to this. Concrete delivery is limited in time and amounts for pouring. Construction is being postponed due to costs.

**Nelson- Block3 Lot 11 2016 High Juniper Dr.** Construction underway.

#### **Nelson- Block3 Lot 12 1982 High Juniper Dr.**

Application for Log Home submitted 9-27-2020. Approved at October 2020 Board Meeting. **\$1000 Impact fee and \$3000 Deposit paid.** New plans and drawings have changed. Linford will put project on hold and resubmit corrected plans.

#### **Hernandez- Block 8 Lot 7 1159 Cedar Highlands Dr.**

Pre-built shed request to be placed at the rear of driveway on property. Shed is approximately 179 sq. ft., and colors have been chosen to match the home. The shed will be delivered tomorrow. Reggie made a motion that after Tom inspects it and emails the board that everything is in compliance, the board will vote to refund the deposit in order that the member doesn't have to wait another month. Seconded by Tom. Vote was taken and unanimously approved.

#### **Pierce- Block 6 Lot 3 813 E. High Mountain View Dr.**

Driveway modification and direction change, excavation of rear of lot and dirt relocation from portions of lot to other areas on lot to accommodate this modification. Engineering has been performed by Aggressive Excavation. Excavation underway.

#### **Foss- Block 5 Lot 9 818 High Mountain View Dr.**

Application submitted on 9/10/2021 for new home construction. Approved granted pending receipt of fees on 10/14/2021. **\$1000 Impact fee and \$3000 Deposit paid.** Awaiting construction commencement.

#### **Katz- Block 2 Lot 10 1903 S. High Cedar View Dr.**

Application submitted on 9/10/2021 for fence construction around the back of house/lot. Approval granted on 10/14/2021.

### **New Construction needing approval:**

#### **Bridges- Block 9 Lot 9 1227 High Valley View Dr.**

Application submitted on 10/21/2021 for solar panel installation. ARC is currently reviewing; Board has

been forwarded the plans. In accordance with the Owners Construction Requirements document, this work does not require impact fees or deposits.

**Mays- Block 10 Lot 6 1130 E. Cedar Highlands Dr.**

Emergency repairs to dwelling; wind and snow blew in an exterior door. Contractors unavailable until spring. A mud room was made using exterior deck as sub-floor. Mike inspected it with the member and recommended denial of ARC application and give the member a year to remedy the problem. Tom will send a written denial.

2. Cedar Highlands Community Entrance Sign- continued discussion. Tabled

**C. Roads**

Schedule work session for discussion on HOA approach with Iron County. This will be an ongoing dialogue. We will speak at the Iron County Commission meetings and try to get on their agenda. We will do research on Title 5 to clarify who owns the road. Title 5 does require maintenance. We will ask for the data from the traffic study they did. Mike suggested we get together all the information we have about the road history. We will schedule a work meeting, following emailing facts and documents we are able to find. Both Reggie and Deb went to Iron County and was unable to find a filed copy of the Quit Claims we have.

**D. Fire & Safety**

Linford said John Schmidt is on vacation. When he returns, will discuss burning piles and we will try to get him to attend one of our meetings. Tom sent the FireWise forms submitted by members to John Schmidt.

Fire Committee meeting for 2022 plan- tabled

**E. Website**

Discuss options for members to share contact information. Kevin said there could be a password protected Directory Share for those members that want to participate.

**F. Water**

LynAnn spoke with Paul Monroe, CICWCD and he is good with postponing the delivery of the road materials they owe us from the water tank leak. They will be adding another water tank. Current timeframe and location are unknown.

**6. MEMBERS QUESTIONS– Open Discussion**

LynAnn advised that her homeowners insurance will not be renewed. Farmers and State Farm is used by some members.

7. Date and Time for Next Meeting- Thursday, December 9 at 6pm

Meeting adjourned to Executive Session

Respectfully submitted by Regina Tashjian, HOA Secretary