

**CEDAR HIGHLANDS HOA BOARD MEETING MINUTES****Thursday, October 14, 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** – Mike Brask called the meeting to order. Board members LynAnn Imlay, Tom Wootton, Linford Nelson and Regina Tashjian were in attendance. Other members in attendance were Stan & Nancy Carrizosa, Larry & Dayleen Miracle, Nick & Patti Palanza, Sam Tashjian, Jeff Hartman, Rick Silva, Greg Pierce. Virtually attending were Arin Brandt, Paula Newby Frasier, Anthony Huynh, Bill Bible, Jim Hilton, Jim Bell, Clayton Douglass, Danny Banner. Mike made a motion to approve July 2021 and Annual meeting minutes, seconded by LynAnn. Vote was taken and unanimously approved.

**2. NEW BUSINESS**

A. Discuss/Motion/Vote- New Board Assignments- Reggie recommended that Mike remain as President and LynAnn as Vice President. LynAnn recommended Reggie remain as Secretary. Discussion about Treasurer responsibilities. Reggie already deals with the title companies and the mail which overlaps with Treasurer and she will continue with that. Reggie will be assigned Treasurer. Mike will assist with printing the monthly financial reports and Elaine Madsen to assist with bookkeeping needs/questions and cutting checks. Mike will have Elaine print the checks and bring to the meeting for signatures. To comply with CC&Rs and Utah Code, Reggie will maintain all bills/records. Elaine charges \$50 per hour and most likely there will be approximately 1 hour per month. Mike suggested moving Fire to Linford with Tom and the Fire Committee to assist. Tom will continue with ARC. Linford will get with John Schmidt regarding chipping dates. The Roads Committee has been a huge assistance to Mike and will continue working together. Rick Silva is the contact person with the new vendor. Mike will oversee Roads with the Roads Committee reporting to him. LynAnn will handle water. We still need to coordinate with CICWCD and our new roads contractor about the materials they owe us from the water tank leak. LynAnn will follow up on that. We no longer plow the road to the water tank as it is handled electronically. CICWCD plans to add a new water tank but we are not sure of the location. Kevin will remain as webmaster. Tom made a motion to accept the board responsibilities as discussed, seconded by LynAnn. Vote was taken and unanimously approved.

B. Discussion- Utah Code Open Meeting Act. LynAnn discussed her research about open meetings in Utah Code, under Community Associations/Real Estate Act: 57-8A-226 under Board Meetings, effective May 2017. It states a board may only take action at a board meeting. This meeting counts as annual training that is recommended. Discussion of notice requirements with posting date, time and location, agenda and link for virtual attendance all of which we already comply. Mike brought up that the new contractor (Pierce Excavation) has offered a 2% discount if a bill is paid within 10 days and how we can approve and pay that bill and still comply with Utah code. We have our annual budget that includes road maintenance, repairs and snow removal. For road bills and ARC, we are not always to handle during a board meeting due to time restraints. Discussion to be continued under Roads.

C. Discuss forming CC&R Committee- Tom discussed the purpose is to review, update and modify our CC&Rs starting with the 2009-2010 draft and Utah Code. Tom agreed to be the board contact for the committee. Mike advised that Jenkins-Bagley Law Firm has a boiler plate CC&Rs that includes current Utah Code that we can obtain for about \$1400. Discussion about doing it in sections and presenting it to the members next annual meeting for a vote. LynAnn made a motion to allow a CC&Rs committee to be formed within our HOA membership and Tom to be the point person representing the board, seconded by Tom. Vote was taken and unanimously approved.

### **3. PRESIDENTS REPORT –**

Bullochs did not follow through with the work scheduled this past summer and is unwilling to do our snow removal going forward. Since summer Mike has been trying to find a new contractor and found it was a very limited selection finding a company willing to do both summer and winter road work. Mike found Pierce Excavation. Their headquarters are in St. George, but they also have some equipment and crew in Cedar. On October 12, we had a lot of unexpected snow with about 19 inches on top and 14-15 inches mid subdivision. Anything more than a foot is very problematic. Pierce was able to mobilize equipment and do our snow removal. Even without having all needed equipment and in comparison to Bullochs' charges, the number of hours Pierce charged was reasonable. Mike wants the Roads Committee to review their work and give them feedback. We should ask members not to contact Pierce to complain which is what happened with Bullochs. Pierce said they would do the side work on member's driveways. Pierce is also willing to invest in new equipment such as snowblower attachments and other things. Ray Bulloch is willing to sell their red truck that has the HOA sander on it to Pierce for \$2500. As the snow melts, Pierce will be coming back to clean out culverts and ditches to help with the drainage along with the other projects Bullochs didn't do.

### **4. COMMUNICATIONS**

A. **With members** - Discuss options for members to share contact information. At the annual meeting, some members asked how to meet their neighbors. APPs were discussed, but concern is who owns the app, and security issues. We will ask Kevin if there can be a "members only" section on the website to share contact, chat, and so forth. LynAnn will follow up with Kevin to see what he thinks can work.

B. **With Iron County** – Reggie called George Colson, Iron County Emergency Manager after the big snowstorm when we were unsure if Pierce was going to be able to mobilize equipment to plow. George advised he was not authorized to make any commitment and would schedule a meeting with Commissioner Bleak to see exactly what Iron County is willing to do in the event of an emergency. He indicated it would take a few days and get back with us. Reggie also asked about the signs. George has been working on this since the annual meeting and has been in contact with the various departments he oversees. Sheriff Carpenter needs to approve the speed limit signs. Chief Phillips needs to approve No Campfires or No Fireworks signs. Reggie asked about the arrow signs missing on some of the dangerous curves. George felt they would be able to be installed in a few weeks. Regarding assistance getting rid of dead trees on members property, it is still on the list of projects. The Fire Committee will be scheduling a meeting with Chief Phillips and George Colson shortly. LynAnn brought up that in New Harmony, people are getting reflective house numbers through the fire department. Linford will follow up with that.

C. **With attorney** – nothing recent.

### **5. COMMITTEES**

A. **Financial** – Mike presented the financial report.

1. Discuss/Motion/Vote- current invoices- Key Maker Locksmith for dumpster keys paid by debit card \$47.79; QuickBooks monthly fee auto-pay \$53.10; Manny Mosqueda \$40 mowing meadow for annual meeting which was pre-approved; Utah State Tax Commission \$100 for corporate tax return; American Family Insurance renewals: Commercial Liability Umbrella \$2250, Directors & Officers Liability \$535, General Liability \$383; Utah State HOA Business License Renewal TBD- website currently down-will use debit card and pay on-line; Pierce Excavation \$5891 (less 2% for paying within 10 days). Tom made a motion to pay the bills as presented, seconded by LynAnn. Vote was taken and unanimously approved.

## **B. ARC**

### **1. Discuss/Motion/Vote ARC applications:**

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. Board has plans sent via email. ARC recommends it be setback 18-24 inches to prevent the fence from slough. There is no deposit required in the Owner Construction Requirement for fencing. Tom made a motion to approve with the 18-24 inch setback, seconded by Mike. Vote was taken and unanimously approved.

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

Application submitted on 9/10/2021 for new home construction. Board has plans. ARC recommended approval. Construction planned for the spring. Awaiting deposit. Linford made a motion to approve pending receipt of deposit, seconded by LynAnn. Vote was taken and unanimously approved.

### **Structures Complete:**

Cole- Block 9 Lot 1 County approval obtained and sent to HOA Board. ARC is recommending the refund of the Cole's deposit as all work has been completed. Tom made a motion to refund deposit, seconded by Linford. Vote was taken and unanimously approved.

Hartmann- Block 12 Lot 3. Driveway modification completed, and deposit refunded, approved at the annual meeting.

### **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- Block 3 Lot 11 2016 High Juniper Dr. Construction underway.

Nelson- Block 3 Lot 12 1982 High Juniper Dr. Awaiting updated and correct engineering plans.

Williams- Block 2 Lot 34 1005 E Cedar Highlands Dr. Roof construction underway.

Hernandez- Block 8 Lot 7 1159 Cedar Highlands Dr. Status unknown at this time. Tom will follow up.

Pierce- Block 6 Lot 3 813 E. High Mountain View Dr. Excavation underway

2. Cedar Highlands Community Entrance Sign discussion- Tom and Patti Palanza met with sign companies and researched the requirements from Iron County and advised the findings. To keep the cost down, we may wish to use our same sign and members do the work to repair and update it.

## **C. ROADS**

1. Discuss/Motion/Vote on bid from Pierce Excavation- continued from President's Report. To clean blocked culverts, Pierce uses a water truck with high pressure blaster and then dig out. Pierce is working on the culverts, especially the 2 worst areas, as priority. The projects previously approved for Bullocks to do, Pierce will complete for us before winter. A lot of the culverts are blocked because of dirt and silt coming down the sides of hills. Vegetation is probably the best way to stop that from

occurring. Some of the culverts are just too small and need to be replaced. Rick Silva and Mike have driven the roads with Pierce and have put together a game plan for work that needs to be done. Rick will handle the day-to-day contact with them. Pierce is willing to invest in additional equipment to service us. Contract discussed. We have the option to renew annually for 5 years with discount applied to current costs. The rates are 15% lower than Bullochs current rates. The minimum of \$2500 per month November through May is not an issue as the months there is no snow removal costs, we will have Pierce do other projects on the roads. Pierce would like to stage equipment at the top by Linford's property off Right Hand Canyon where there is power, which will save an hour or more of mobilization time. Also, it is easier to plow downhill than uphill. In exchange we will plow up that road and will create a better turn around spot for the grader. Mike pointed out that Ray was intending to raise his rates a lot and this contract puts the HOA in a much better place. Reggie made a motion to accept Pierce Excavation contract, renewable yearly for 5 years, seconded by Tom. Vote was taken and unanimously approved. Mike made a motion to pay the Pierce Excavation bills within 10 days in order to obtain the 2% discount, seconded by Tom. Vote was taken and unanimously approved.

2. Discuss/Motion/Vote bids from GoCivil and Sunrise Engineering. The need for engineering arose because contractors do not want to accept the liability on work they do. Mike, with help from the Roads Committee, got 2 bids for the cost to fix the secondary roads, how much material we need and fixing the drainage. Both firms have a lot of topo information on the mountain to give us an estimate of how much material we will need to bring in. GoCivil bid is \$6500 and Sunrise Engineering is \$8600 for similar scope of work. Mike spoke with Beehive and was advised they have applied for grants to do the infrastructure in our community and others. They have fiber up to the radio shack right now. Mike gave them the topo maps and there may be some collaboration with Beehive as we do road improvements. The most important thing we must do is determine the correct hydrology before we spend any more money on the roads which washes down the mountain because of the drainage issues. Tom made a motion to engage GoCivil and pay \$6500, seconded by Linford. Vote was taken and unanimously approved. GoCivil will start the project this winter.

Discussion on start the test using permazyme on High Mountain View to determine if that will work. There is about 2000 feet of road involved. Greg Pierce explained the process of what needs to be done to see if permazyme can work. The company is willing to come up and supervise the project. We may not be able to start the test until spring as GoCivil has to get the engineering done first and the temperatures cannot go below freezing (27-28 degrees) or driven on for 72 hours. Mike will ask GoCivil to work on that area first and if we have the right conditions, we may be able to get the test area done in November. We should also ask Iron County to observe the process as it may affect their decision on the main road as permazyme is less costly to put down and repair than asphalt or chip seal. We already approved Bullochs to do repairs and adding material on that area. We need to have the soil that will be used as road base tested by the company which can be done now. LynAnn will contact Paul Monroe at CICWCD to ask if we can postpone getting the 2 inches of material they owe us until next year.

3. Discuss how Roads Committee wants to manage communications with members- members can email the Roads Committee with questions or concerns. The Roads Committee discussions occur at the board meetings which is recorded in the minutes.

4. Schedule work session for discussion on HOA approach with Iron County- tabled until we have engineering completed and permazyme test.

#### **D. Fire & Safety**

Discuss setting up meeting through George Colson for fire mitigation and assistance with dead trees on members properties- covered previously during Communications with Iron County.

E. **Website** – tabled as Kevin is out of town

F. **Water** – LynAnn will attend CICWCD meetings and follow up on the road base.

6. **MEMBERS QUESTIONS**– Open Discussion

Member asked about the campers that stay on BLM land more than 16 days. The sheriff was called and the campers left. Concern was the black water dumped. We should ask BLM for signage.

7. Date and Time for Next Meeting – Tuesday, November 9, 2021 at 6pm

Respectfully submitted by Regina Tashjian, Secretary