

**DRAFT**

Cedar Highlands HOA Board Meeting  
Minutes

Thursday, June 9, 2022

Cedar City Library, 303 N. 100 E., Cedar City, UT 84721

In attendance: Mike Brask, LynAnn Imlay, Linford Nelson, Tom and Monica Wooten, Jeff and Debra Hartman, Sherry and Glenn Cole, Randy and Cassie Williams, Clint and Bo Bunting, Greg Pierce, Nancy and Stan Carrizosa, Al and Abby Katz and Linda L.Bennett.

Joining virtually: Steve Hahn and (435) 216-7336.

**1). Welcome/Quorum established** – Mike Brask moved to accept the minutes, Linford Nelson seconded and the motion was approved unanimously.

**2). New Business:**

A. John Schmidt could not attend due to having COVID-19. Linford gave John's report that fire season is projected to come early. He also shared that John would let us know when he could come up and do chipping, and that he plans to attend a future HOA meeting.

B. Establish Nominating Committee – Mike shared that Reggie Tashjian had resigned, effective at 5 pm, due to health concerns. He also said how much Reggie cares about our community. We all shared how hard Reggie worked for the HOA and that it will be hard to replace her. LynAnn will head up the nominating committee.

C. Follow-up regarding Beehive – Linford brought letters that he and his lawyer have written to Beehive over the past 20+ years, asking them to move a communications box out of one of the HOA secondary road's right-of-way. Nothing has happened in all that time. He suggests we take legal action after our next meeting if the box still has not been moved.

D. Emergency response for homes on the meadow/addresses on the road below – Mike suggested that the HOA could put signs at the bottom of the lots which would redirect emergency first responders to the homes up above. Putting accurate addresses on the homes at the top would be the home owner's responsibility. LynAnn will follow up with sign options and configurations.

E. Follow-up on private road signs – Discussion ensued about which verbiage to place on the secondary street signs that hopefully will limit non-owner usage. The sheriff doesn't have the payroll to enforce these restrictions. Linford suggested that we talk to Iron County first to ask if it's okay. Mike moved that we call Reed Erickson to validate our right to place these signs; they'll be yellow and black rectangles, 12"x18", saying "PRIVATE ROAD/NO TRESPASSING. Motion was seconded by Tom Wooten and passed unanimously.

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

Mike indicated that the first agreement with the Central Iron County Water Conservancy District (CICWCD) in 2011 may not be finalized.

*(We should attach that agreement to these minutes)*

Mike talked to our lawyer, Carson Bagley, who looked up the plat map and found that the plat changes of 2011 (giving some of our common area to the CICWCD), were never recorded with the county. The new agreement is that Linford Nelson gives the CICWCD half an acre of his own land for the placement of a new, much larger water tank; Linford in return gets the current steel tank once the new cement, buried tank is functional.

*(We should attach the second agreement to these minutes)*

The new agreement was presented to the CICWCD Board and approved at their last meeting on May 19, 2022. Our CHHOA Board had not been notified or made aware of this agreement.

Mike has asked our attorney to advise us in knowing what is legal going forward, for example, what decisions can be made by the HOA board and what decisions require a 2/3 majority vote of the entire HOA membership, according to our governing documents. Mike asked Linford about his plan for usage for the steel tank and his need for an easement through HOA common property; the discussion then went in a different direction and those questions were not answered.

It was asked if Justin Wayment, who is the CICWCD lawyer and also our collections lawyer, has a conflict of interest in this scenario?

Mike suggested to Linford that he might want to bring his upper 17 acres into the HOA which could be mutually beneficial. What are the risks, Mike asked? Discussion ensued. Mike asked that this be a topic for the next meeting. Mike also has a meeting scheduled with George Colson and Chief Mike Phillips next week, he said. Mike wants all these opportunities: a helipad, building to house a fire truck, adding 17 acres and the new water tank agreement, to all be tied together into one plan when they go before the HOA membership for a vote. Carson Bagley, our lawyer, gave a quoted cost of between \$2,000 - \$5,000 for him to help with that plan.

Someone asked if we are going to be assessed taxes for these new services? Mike answered that we're taxed through a MSS fund (municipal services) which is spread out over 65,000 county residents. The new buried cement water tanks will hold 500,000 gallons as opposed to our current steel tank which holds 160,000 gallons. It will be built to provide water, water pressure and fire suppression to us and surrounding land owners, but the project won't be done until next year. Our common land has a high monetary value, we must remember. Partnering with the county will make our area safe and preserve our assets. Mike then read from our CC&Rs which guide our actions in this easement and utilities arena: Article 12 section 4 and Article 10 section 1. Mike made a motion to communicate this information to our members in the coming month by email; it was seconded by LynAnn and passed unanimously.

### **4). Communications:**

- A. With membership
- B. With Iron County
- C. With attorney

Mike pointed out that the preceding President's Report had just covered all these topics.

#### **5). Committees:**

A. Financial – Mike shared that our current total bank balance is \$258,006.71 and he made a motion to approve all the invoices that were paid in the past month via the HOA credit card and auto-pay. (The Board members had approved their payment via email also) The motion was seconded by Tom and passed unanimously.

-Simple Texting website expense of \$277.18

-Four Sunroc invoices for materials placed on Cedar Highlands/Greens Lake Rd:  
\$3576.51, \$96.72, \$4656.45 and \$3635.88.

-Quick Books monthly fee of \$53.10

#### **B. ARC -**

Tom reviewed the Thompson application with us; the ARC committee recommends approval with no impact fee collected due to no HOA roads being used to make the emergency repairs. Tom made a motion to approve, Linford seconded, and the motion passed unanimously.

An application from Cole was also discussed; they want to clear trees on their lot. Tom made a motion to approve and the motion passed unanimously.

Linford left the meeting at that point, to attend another meeting.

C. Roads – Mike reported that Pierce Excavating got started on repairing the main Cedar Highlands Road. We had to invest in lower road repair because Pierce's equipment was being ruined when they graded it or snow plowed it.

We have bids to do a test stretch of road using Permazyne and two possible pit options. Many pits were tested; Linford's upper quarry should work well, and Mike is negotiating details with Linford because Pierce doesn't have the manpower to move the material.

The test will be done on a section of secondary road. Permazyne is also impermeable so water will not corrode it.

A company from northern Utah may be able to come and spray magnesium chloride on the main Cedar Highlands road later this summer for dust control. It also will help with wash boarding, holding the new dirt in place and snow plowing.

When Pierce starts working on the road again, with water and a roller, an email alert will go out. If anyone has concerns when the process is underway, they should call Rick Silva or Mike Brask and not speak directly to those in the Pierce equipment doing the work.

D. Fire and Safety – was covered earlier in the meeting

E. Website – Kevin will help facilitate the changes due to Reggie’s resignation. When he gets back in town Kevin will do cross-training on website with Tom.

F. Water – discussed earlier in meeting

G. CC&R – presented by Stan Carrizosa. He clarified the committee’s process. They are not doing a strike-through of the existing document. Instead, alongside a clean copy on a computer (Acrobat?), they are writing questions, concerns, and making recommendations. The intent is, upon completion, to hand that over to our attorney, engage in a dialogue of Q&A, and create a new document.

Nothing will be ready for HOA members to vote on at the Annual Meeting this year. Mike moved and Tom seconded that LynAnn will join Tom on the CC&R committee; motion approved.

**6). Member Questions:**

-Discussion on HOA members monitoring fireworks in our area over the July 4<sup>th</sup> weekend.

-Discussion about lot owners w/ dead wood on their land. Mike explained that the CC&R’s give power to the HOA board to go onto lots and clean up dead wood and bill for it.

-Burn piles of wood of the proper size are depicted in a brochure on our website under the FIRE tab.

7). Date and time for next meeting is Thursday, July 14, 2022

8). Adjourned at 7:30 pm