

**Cedar Highlands HOA Board Meeting**  
**June 15, 2023**  
**Cedar City Library, 6:00 PM**

- 1) **Welcome by Mike Brask.** Board members attending were Mike Brask, Jeff Hartman, Lori Silva, and Tom Wootton.
  - a. HOA members in attendance were: virtually—E. Neal, Jim Hilton, Steve Danto, Robin Day, Steve Hahn, Greg Pierce and “Pilgrim” and physically—Linford Nelson, Jim Grimes, Larry & Dayleen Miracle, Debra Hartman, Monica Wootton, Patti Palanza, Rick Silva, Lisa Hatch, Al Katz, Brad & Tawne Mays, Kerry & Julia Smith.
  - b. Mike made a motion to approve the May 2023 meeting minutes; Tom seconded, and all were in favor. Motion passed.
  - c. Mike stated that he wanted to change the order in which the meeting was conducted and start with the committee reports.
  
- 2) **Committee Reports and Old Business**
  - a. Financial report was given by Jeff Hartman
    - i. Beginning statement balance for April: \$47,312.91
    - ii. Deposits for the month: \$2,589.62 of which \$1.98 was interest earned
    - iii. Withdrawals: \$1,685.04 (\$959.15 to our attorney, \$15.00 for extra key to post office box, \$58.41 to Quick Books [Go Daddy], and \$76.21 to Southern Utah Lumber [new HOA signs], \$277.18 to simpletexting.com for registration fee and \$299.09 for overage fee)
    - iv. Ending balance: \$48,217.49
    - v. Two checks need board approval (\$75.00 to Rachael for bookkeeping and \$10.59 to Lori Silva for secretarial supplies). Jeff moved that the board approve payment, Tom seconded, and all were in favor. Motion passed.
    - vi. Jeff commented that the interest earned from our CDs would be \$1,053.50 (accrued every three months).
    - vii. Mike said that of the \$47, 312.91 starting balance, \$22,000 were refundable construction deposits.
    - viii. Lori clarified the change made for a five-year period was for our domain name—have to check that amount. She also said our webmaster, Kevin Bridges, had eliminated our Facebook account (at the request of Reggie Tashjian).
  
  - b. ARC (Architectural Review Committee) report was given by Tom Wootton.
    - i. An application was received from Al Katz (Block 2, Lot 10) for an addition to his garage. The fees were paid at this meeting and Tom made a motion that the board approve, Mike seconded, and all were in favor. Motion passed.

- ii. Two new builds have started clearing and excavating without submitting applications:
    - 1. Hinds (Block 2, Lot 11), application now received and fees paid, but waiting on ARC analysis. A cease-and-desist letter was issued awaiting ARC approval.
    - 2. Larsen (Block 6, Lot 4), awaiting application for excavation around existing cabin. A cease-and-desist letter was issued.
  - iii. Structures completed recently are:
    - 1. Bettencourt (Block 9, Lot 2), dog run completed.
    - 2. Lystrup (Block 8, Lot 15), garage completed and waiting to get stained.
  - iv. A list of approved applications that are under construction follows:
    - 1. Nelson (Block 3, Lot 11), no permit posted, port-a-potty blown over many times and no dumpster. Fees paid.
    - 2. Nelson (Block 3, Lot 12), no permit posted, port-a-potty blown over many times, trash brought down hill daily. Fees paid.
    - 3. Foss (Block 5, Lot 9), on hold due to weather. Fees paid.
    - 4. Crowther (Block 6, Lot 1), Permit posted, port-a-potty and trash collection available. Fees paid.
    - 5. Hatch (Block 11, Lot 3), construction started of canning kitchen, port-a-potty available and dumpster ordered. Fees paid.
    - 6. Danto (Block 8, Lot 20), Shed to be placed. Fees paid.
    - 7. Hahn (Block 9, Lot 6), construction ongoing. Fees paid.
    - 8. Collins (Block 4, Lot 14), application received for lot clearing. Of the fees due, \$1,000 received.
    - 9. Hanners (Block 2, Lot 26), construction ongoing, Job-Box on site with plans, port-a-potty and trash collection available. Fees paid.
    - 10. Nelson (Block 2, Lot 5), construction underway, no permit posted, no port-a-potty nor trash collection present.
  - v. Two applications have been received by the ARC committee and are recommended for board approval:
    - 1. Grimes (Block 4, Lot 6), detached garage. Fees paid.
    - 2. Cole (Block 4, Lot 9), application received for a new home, detached garage and pickleball court. Fees paid.
  - vi. Mike said that in the last few months, this community is growing and it is the responsibility of all residents to follow the CC&Rs and not make claims that they didn't know about them. Especially the new build and the owner's requirements. Enforcing the CC&Rs is taxing the board unnecessarily.
- c. Roads—Mike commented on the roads meeting that was held at his house in May, just a few days after the May meeting. We established that with limited funds, our focus would be on a culvert and road base fix on High Juniper. Also, focusing on ditch cleaning and culvert work. He said that he ordered some culverts for that job on High Juniper and

he was able to return some pipe to get a credit of \$800 and that will also be used on this project. Jeff said this project was taken to Brad at Pierce Construction. Brad said he estimated around \$7,000 to do the work. He says it would require High Juniper to be closed for two days.

Then, Mike brought up an email from Jody Zakis (Block 8, Lot 4) about the damage to their culvert by the snow plow earlier this year. Unfortunately, they did not have any snow poles up marking the location of the culvert pipe and the metal wing attachment. Tom said that the Chandlers (Block 2) had culvert damage from snow plowing, also (either lot 1 or 29), and this one was not marked by snow poles either. Mike asked the board what we should do to assist in fixing the damage at Zakis property. Rick Silva suggested that while we have a mini-ex rented for a week in July, that he or whomever is operating it, could address that area. There wasn't a concrete decision on replacing any culvert pipe at HOA expense, though. Further communication with the Zakis needs to be made. Mike will communicate with Jody Zakis via email.

Jeff suggested that, closer to winter months, the HOA should let residents know about the need for markers (how high and what color they should be). This would be accomplished by group email.

Bottom line: the HOA will not be responsible for damage when there are no markers.

The snow levels can be very high and equipment operators cannot be held liable if they can't see snow markers.

The remainder of the \$10,000 that we allotted for roads this last month will be used on ditching work by Pierce.

- d. Fire & Safety Committee—Tom Wootton reached out to John Schmidt at DNR and was told the chipping would occur in late July. A meeting with John and the HOA Fire & Safety Committee will be held July 6<sup>th</sup> at the home of Lori & Rick Silva. The outcome of that meeting will be reported at meeting in July. Mike mentioned that Linford Nelson would like to serve on this committee, but Tom felt that it was still a conflict of interest and declined his offer.

Jeff mentioned that there was some debate about having fire pits in our community. There is nothing written in our CC&Rs forbidding them. Unless the DNR puts out a Red Flag warning, firepits are permitted. It was agreed to give this issue to the CC&R review committee to see about adding fire pit restrictions on build requirements.

- e. Website—Nothing to report.

- f. Water—Nothing new to report. Lori agreed to call CICWCD to arrange to have them deliver and pay for three loads of road base material that had been washed away. This road base is to be used on High Juniper Drive during the culvert repair project that Pierce Construction will perform (actually, John Orton Excavating was responsible for paying for material).

- g. CC&R Committee—Nothing new to report. Waiting on vote on changes that were made to be submitted to community members (see earlier meeting minutes for details).
- h. Community sign project—Still in progress. Will be installing after July 4<sup>th</sup>. HOA will rent a mini-ex to do the digging (scheduled for July 10-15) and volunteers will operate and help on the ground. This project will finally be done! Yea!

### **3) New Business**

Mike said we need to form an election committee to fill the three open positions on the board. We are seeking volunteers. Interested parties should email, text or call a board member to voice their interest. He is also asking if any member would like to fill the vacant board position for the next two months. The three positions that will be open in September are those held by Jeff Hartman and Tom Wootton, who will not be seeking reelection and the single vacancy left when Linford Nelson resigned earlier this year.

Mike made the motion that the elections committee members be Lori Silva, Greg Pierce, Mike Brask, Ann Bersi, and Debra Hartman. Jeff seconded and all were in favor.

The voting committee for the water tank placement and the CC&R amendment ballots will be Lori Silva, Jeff & Debra Hartman, and Stan & Nancy Carrizosa.

### **4) Communications**

- a. With members has been ongoing.
- b. With attorney, Carson Bagley—No new communications were had.

### **5) Member Questions**

- a. Jim Hilton asked Lori & Tom if he could install new road signs on High Mountain View Drive encouraging people to slow down saying “No Dust Zone.” The board did not agree. The owner of Starks house (Daniel Zupan) notified the board of a 30-day lease (Air BnB) as required by the CC&Rs.
- b. A question was asked about the possibility of separating the vote for the CC&R revision from the water tank placement if it continues to be delayed. The CC&R changes are ready and the board agreed to move forward.

**6) Next meeting will be Thursday, July 13, at 6:30 pm in the Cedar City Library.**

**7) Meeting adjourned 7:37 PM. A brief Executive Session followed.**