

CEDAR HIGHLANDS HOA BOARD MEETING MINUTES

Thursday, October 15, 2020 at 6 PM

Virtual Meeting

APPROVED

1. **Welcome/Quorum established** – The meeting was called to order by Mike Brask. LynAnn Imlay, Jim Hilton, Rob Shelton and Regina Tashjian attended. Other members in attendance were Glenn Cole, Larry Miracle, Roger & Tawny Thomas, Manny & Stephanie Mosqueda, Tom Wooten, Patty & Nick Palanza. Rob made a motion to approve the annual meeting minutes and Jim Hilton seconded. Vote was taken and unanimously approved.

2. **NEW BUSINESS**

A. Determine Board Members Responsibilities- Regina made a motion to keep Mike as HOA President and LynAnn as Vice President, seconded by Rob. Mike asked Regina to remain as Secretary, Rob as Treasurer and Jim as ARC. Vote was taken and unanimously approved.

B. Value of Greenbelt Credit and if worthwhile continuing- HOA currently pays \$19.25 for property taxes due to greenbelt credit for cattle grazing. Rob spoke with the county assessor. The assessed value of HOA common area is \$225,776. If we remove the greenbelt credit, the HOA would pay \$2280.79 in property tax and a 5-year rollback would be due within 30 days for \$13,105. The board and some members in attendance agreed we should not change our property tax designation. The cows are mostly down the mountain now. We will deal with any issues next year, if they arise.

C. Continue the discussion of modifications of CC&Rs- Regina advised of her discussion with Patty Palanza, who volunteered to assist with the project to form a committee and determine exactly what changes the community is willing to vote on. Regina advised she located some notes from approximately 8 years ago when 3 HOA members that are attorneys drafted some modifications. As any changes require a two-thirds vote from the members and is quite expensive, we can use the prior modifications and update as things develop, especially regarding the roads. It was suggested to break it down into sub-divisions. We will keep an agenda item so the conversation can continue. Mike located the original CC&Rs in one of the old HOA boxes of documents. A policy and procedures manual would also be helpful. It will be necessary to go through prior years minutes to see what decisions that were made that effect how we act as a board. The history of decisions may also help with modifications of the CC&Rs. The board needs to go through the HOA boxes and locate prior meeting minutes and any other documents that are pertinent and can be scanned for review. Stephanie volunteered to be on the committee as she has many important HOA documents as far back as 2004. The best way to organize may be for each person to take a year of prior minutes and review for any changes or modifications of a HOA procedure.

3. **PRESIDENTS REPORT**

Mike advised that as Iron County works to reaccumulate Cedar Highlands into the county, they reached out to him for the HOA point of view, especially regarding zoning. The land located outside the HOA that was formerly within the town also must be re-zoned. Mike located geological and ground water studies from 2010 which were obtained due to concerns of a potential subdivision adjacent to the HOA and that the septic tanks could affect our ground water supplies or add to the loading on the hill above us. CICWCD has determined there is enough water for build out of the 165 HOA lots but not more than that. Any subdivision would have to bring in water tanks or develop another water source which also could add to the weight load. The landslide is 10,000 years old and has remained inactive and stable. Discussion about the zoning and the community desire to keep it that way. Most agreed that density in the areas surrounding our subdivision is a major concern. Iron County Planning Commission meeting addressing zoning is scheduled for November 5 and they are asking for community input. Board members plan to attend and members are urged to do so.

4. **COMMUNICATIONS**

A. With members – member brought up the nuisance issue with dogs loose, barking, etc. She will give the board a letter that was sent to members years back addressing the CC&Rs and Iron County ordinance. She recommended mailing a letter rather than using email, as a more effect way to communicate with members. Mike also explained we have a fine schedule that could enforce the CC&Rs, but that requires a written complaint. The HOA board does not have the ability to act as dog catchers. Iron County Sheriff has the resources and responsibility to enforce animal control and they will not tell the owner who made the complaint. We will consider the draft from Stephanie and continue the discussion.

B. With Iron County - tabled

C. With attorney - tabled

5. **COMMITTEES**

A. **Financial**

1. Discuss/Motion/Vote- current invoices for American Family Insurance: \$2250 for Commercial liability umbrella policy; \$304 for general liability policy and \$535 for Directors and officer's liability policy. LynAnn made a motion to approve the payments, seconded by Jim. Vote was taken and unanimously approved. Regina paid \$13 to the State of Utah for the HOA business license renewal. Rob made a motion to reimburse her, seconded by LynAnn. Regina abstained from voting on this payment. Vote was taken and unanimously approved.

2. Discuss if interest Charges and transfer fee should be waived when property was transferred between family members. After discussion, it was decided not to make an exception in fairness to all members.

B. **ARC**

1. Establish ARC Committee- Discussion of need and how to accomplish. Larry, Roger and Patty are willing to assist. Agreed to table for further discussion and decision at the next meeting. CC&Rs does address an ARC committee.

2. Discuss/Motion/Vote ARC applications as follows:

Structures Complete: Advising they are now closed.

Nelson **Block 2, Lot 32 909 Cedar Highlands Dr.** *Discussion to refund Deposit.* Rob made a motion to refund the \$3K deposit as work completed, seconded by LynAnn. Vote was taken and unanimously approved.

Thomas **Block 2, Lot 10 1903 High Cedar View Dr.** Application 7/16/18; approved by Steve Swann; no HOA impact fee collected. Construction complete. Mike made a motion to close, seconded by Jim. Vote was taken and unanimously approved

Nelson **Block 9, Lot 1 1247 E Cedar Highlands Dr.** **Deposit refund discussion.** Mike understood the hillside facing the main road was to be seeded or vegetation added to help stop the road damage and flooded culverts caused when rainstorms wash the dirt off the hill onto the main road. The owner was in attendance and advised that the landscaping was to be done prior to the snow start in addition to culverts being installed going down the hill and into the street. After discussion, agreed to table until next month to determine if the work has been completed.

Nelson **Block 8, Lot 12 1145 E Mountain View Cir.** Application was officially approved at the September 2019 Board meeting. NO HOA Impact collected per the November 7, 2018 Board decision. Mike inspected and made a motion to close, seconded by Regina. Vote was taken and unanimously approved.

Pearson **Block 2 Lot 24 2011 S High Cedar View Dr.** Discussion about returning the \$1000 check for the deposit for the shed was never deposited. Jim inspected the shed and Mike made a motion to close, seconded by Regina. Vote was taken and unanimously approved.

Structures approved and under Construction:

Getman **Block 9, Lot 7 2057 S High Mountain View Dr.** Application for an attached garage to match existing home.

Nye **Block 2 Lot 15 1951 S High Cedar View Dr.** Application for an attached garage to match existing home.

New Construction needing approval:

Callahan **Block 2 Lot 3 1811 High Cedar View Dr.** Application to build a house submitted 11-26-2019. We have been working on this for almost a year, starting with the ARC approval for his driveway. We have multiple sets of plans. He has agreed that even with the submittal of engineering plans for drainage, he will be responsible for road damage. *Impact fee and deposit not paid as yet.* LynAnn made a motion to approve contingent upon receipt of the impact fee and deposit, seconded by Regina. Vote was taken and unanimously approved.

Danto **Block 9 Lot 10 2017 S High Mountain View Dr.** Application to enlarge Deck. Owner said he would probably build in the spring. **Defer approval until owner is ready to start construction. Owner will re-apply and pay impact fee & deposit then.**

Gray **Block 8 Lot 9 1164 E High Mountain View Dr.** Application for garage. Owner plans to build in the spring. **Defer approval until owner is ready to start construction. Owner will re-apply and pay impact fee & deposit then.**

Williams **Block 2 Lot 34 1005 E Cedar Highlands Dr.** Application for Storage Container with siding to match house and roof to match also. **\$250 Impact fee and \$1000 deposit paid. Mike made a motion to approve, seconded by Jim. Vote was taken and unanimously approved.**

Nelson Block 3 Lot 11 2016 High Juniper Dr. Application for Log Home submitted 9- 27-2020. Board has plans. \$1000 Impact fee and \$3000 Deposit submitted. **Rob made a motion to approve, seconded by Mike. Vote was taken and unanimously approved. The county will decide on zoning for the HOA which will determine the setbacks. Whether the county decides on R ½ or R1, the setbacks are still greater than the requirements in the CC&Rs.**

Nelson Block 3 Lot 12 1982 High Juniper Dr. Application for Log Home submitted 9- 27-2020. Board has plans. \$1000 Impact fee and \$3000 Deposit submitted. **LynAnn made a motion to approve, seconded by Mike. Vote was taken and unanimously approved. Same as Block 3 Lot 11 re: zoning & setbacks.**

Cole **Block 9 Lot 1 1247 E Cedar Highlands Dr.** Application for detached garage. **Impact fee and deposit not paid as yet. Discussion that no metal siding has been allowed in the HOA. The owner will use wood or log siding and the colors that will blend with the log home. Also, the snow load is only 65 lbs which is insufficient and probably needs to be 150 lbs. After board discussion with the owner, it was agreed to tentatively approve and Glenn will resubmit the plans with the changes discussed. This will allow Glenn to schedule the work with the contractor. Jim made a motion to tentatively approve upon resubmittal of plans with changes agreed, seconded by LynAnn. Vote was taken and unanimously approved.**

C. Roads –

Ray Bulloch should be able to deal with culvert clean out within next few weeks. Mike will ride with Ray to review the list of culverts and make any changes or additions necessary. The berm that a homeowner put in on High Mountain View near High Oak is a significant issue as the natural flow of water was diverted and now damages the road. Ray was the contractor used by the homeowner to put in the berm on HOA property. Ray will discuss with them what can be done to correct. Will further discuss next board meeting.

Ray Bulloch confirmed he will do our snow plow this winter. The sander is in great shape and ready to use. Ray agreed that from the top of High Spruce, plowing will be done going downhill and no snow will be piled at the top of the cul de sac which causes road damage when it melts. Mike will ask Ray if he intends to purchase a snow blower. We currently do not have a contract with Bullochs, only a price list. Ray wants a 5-year contract. Will defer discussion of a contract until meeting. From experience from prior years, bids are difficult to obtain as there are no other contractors that are willing to plow at all hours upon call or have the equipment needed.

Regina and Mike met with Reed Erickson, Iron County Building Dept. this past week. 86 homes are in the HOA. There is no immediate plan for the county to take over the main road to pave. There is money that may be available to make a switchback to change the 17% grade. The county will not do maintenance on any grade over 10%. Due to the wear & tear on the road to the water tanks, we have approached CICWCD to contribute to cost of plowing and maintenance. We also are working with BLM for contribution as a result of road damage from those using the hiking & bike trails they put in near the corral. The discussions are ongoing with the various agencies. Iron County has acknowledged that the situation has changed with increased traffic and needs to be looked at. It will just take some time.

D. **Fire & Safety** – Jim stated there should be one more chipping this year. Jim also asked for people to turn in their matching funds form for all work they perform on their property.

E. **Website** - Jim will continue to post any Red Flag weather on the website.

F. **Water** – CICWCD meeting is tonight. Jim will get the information and forward it to the board.

6. **MEMBERS QUESTIONS**– no additional questions as they were addressed during the different topics.

7. Date and Time for Next Meeting – November 19, 2020 at 6pm held virtually.

8. ADJOURNED to Executive Session at 9:02 pm

Respectfully submitted by Regina Tashjian, Secretary.