

MEETING MINUTES May 9, 2024

(These minutes have been reviewed and approved by the Cedar Highlands HOA Board and serve as the official summary of the meeting which includes the official audio file)

Cedar Highlands HOA Board Meeting Agenda
Thursday, May 9, 2024, at 6:00 pm
Cedar City Library, 303 N 100 E, Cedar City, Utah

START RECORDING Called to Order at 6:00 PM

1. WELCOME (Establish Quorum of the Board)

Meeting called to order at 6:00 PM and majority of the board confirmed in attendance. Before the start of the meeting business, Tom Wootton offered to honor a moment of silence in memory of Cedar Highlands community member Sam Tashjian.

2. APPROVAL OF THE AGENDA

The following items were added to the Consent Agenda for ratification:

- **Western Legacy expense = \$975.**
- **Purchase of new checks = \$376.03**
- **Additional Trash Bin keys = \$47.90**
- **Monthly Intuit Software fee = \$63.78**

3. **PUBLIC COMMENT:** During Public Comment members may address the Board on any matters under the authority of the HOA including items on the agenda and items not on the agenda. The Board is not authorized to act on items not on the agenda. Public comment is limited to 3 minutes per person (yielding time to others is prohibited) and 10 minutes per topic, unless extended by the Board officer presiding over the meeting. Members requesting to speak during public comment will state their name and residential address for public record. In accordance with our Cedar Highlands HOA Bylaws, any other discussion or comments from attendees must be approved by a majority vote of the Board.

The following members requested to speak during public comment and shared the following:

- **Deb Hartman** shared her resume' and expertise in the field of insurance. She referred back to a decision made by the board last October where the Board agreed to a shared cost agreement with a property owner to repair damage to their driveway culvert caused by the HOA snowplow vendor. The damage to the property owner's culvert if left unrepaired, would further damage the main road which is historically maintained by the HOA for safe travels by all residents. She claims that the repair of driveway culverts is the property owner's responsibility and the HOA should not spend dues money to support this type of situation. She then referred back to an incident during the winter of 2022 when a trailer full of cabinets was coming up the seventeen and slid off the edge. She alleged that extreme damage was caused to the seventeen when the trailer had to be pulled up. She further alleged that because the trailer was bring cabinets for interior installation at the home of Stan and Nancy Carrizosa, they should be liable for the costs of the main road repairs. She did not present anything in writing such as pictures, repair bills, formal HOA Complaint forms with documented evidence and her signature. Rather, she espoused complaints/allegations against the Board and individual members for misappropriation of

funds through narrowly funneled one-sided information. Her time expired and she was asked to sit down.

- **Ankara Rosser** spoke and thanked the Board and all parties involved for the completion of the new community sign project. She expressed her delight and satisfaction with the final product! She went on to acknowledge that the HOA Board has been through a challenging transition in recent months, and she asked that we all consider the importance of restoring kindness, respect for each other and that kindness will be the element that continues to help us resume the harmony in our community.
- **Roger Thomas** spoke regarding the recent interactions among property owners, their contractors and the HOA in regard to new home construction. Roger shared his perspective that the contractor “represents” their clients and should be able to communicate and deal with the HOA on their behalf.
- **Linford Nelson** spoke and requested board approval to cut a stretch of fire road through his lots on High Spruce Circle. The Board requested Linford put his request in writing with the necessary details for the board to give his request formal consideration for approval.
- **Stan Carrizosa** responded briefly to each member who addressed the board.

In response to Deb Hartman Stan shared that the Public Comment section is not the place to make complaints/allegations of wrongdoing by fellow community members or the Board. There is an HOA complaint form for this purpose that is submitted to the board in written form with the necessary evidence and details to assess and address the problem. The Board also has the option to hold a Closed Session to discuss allegations/complaints. He further responded to Deb Hartman that she has attended nearly all of the meetings since the leadership change in January and every time she has addressed the Board it has included complaints and allegations against other community members and the Board. Stan responded that the Board now feels she is the “chronic complainer” and it is not appropriate to use the HOA meeting to address these allegations. Stan closed by responding that any further attempts to mis use Public Comment this way will result in being cut off and asked to sit down and redirected to the proper avenues for such matters.

In response to Ankara Rosser Stan thanked Ankara for her comments of praise for the completion of the Community Sign Project. Stan further responded by thanking Ankara for her encouragement that the entire community and our members return to a culture of kindness and emphasize kindness in all of our interactions.

In response to Roger Thomas Stan responded that the Board agrees with homeowners, their contractors and the HOA must all have open and clear communications throughout a new home construction project. Stan further responded that the CCR's/Owners Construction Requirements expressly state in several locations that the HOA is to communicate directly with the homeowner on all matters of new home construction and not put this responsibility on their builder. Stan said he would email Roger the specific sections of our governing documents related to this requirements. Stan further responded that a good compromise protocol would be to copy in the homeowner and HOA board on all communications from the contractor regarding and new home project. This enables the HOA to direct our response and engagement back to the homeowner and copy in the builder.

In response to Linford Nelson Stan responded asking him to put his request for approval to cut fire roads through his two lots on High Spruce Cir. In a written request so the Board can see the important details necessary to consider approval.

4. **CONSENT AGENDA**

- a. Tractor Works: Pothole repairs and road base compression= \$750.00
- b. HOA Storage Facility Annual Rental fee: \$826.98
- c. Office Supply: \$19.92
- d. Sign Hardware: ACE = \$38.00. Cal Ranch = \$51.94
- e. Go Daddy Website Annual Domain Rights = \$215.88

The Board reviewed all items on the Consent Agenda and noted the most recent items added at the start of the meeting as well. On a motion by Tom, second by Patti, the board voted unanimously to approve the Consent Agenda.

5. **ACTION ITEMS**

- a. Treasurer- Monthly Report and action on all financials and approval to pay bills.

Treasurer Patti Palanza presented the Treasurer's Report. She reviewed our bank statements for the last month. She reviewed all new revenues and income. She reviewed all expenses. She highlighted totals of all revenues and expenses and reported our fund balances including our investments. On a motion by Tom and second by Lori the board unanimously approved the Treasurer's Report as presented.

- b. Appointment of Administrative Action Officer to support the HOA Treasurer. Treasurer Patti Palanza is requesting approval of Ankara Rosser to serve as AAO.

Treasurer Patti Palanza introduced Ankara Rosser who has been volunteering to help with the forensic audit. Patti announced that Ankara has agreed to be assigned as an Administrative Action Officer to support the Treasurer in fulfilling their HOA responsibilities. Ankara confirmed her willingness to serve and signed the required HOA Code of Ethics.

6. **COMMITTEE REPORTS TO THE BOARD**

- a. Fire/Safety– *Tom & Lori*

Tom reported that the HOA has secured a storage unit to house all HOA records and items owned by the association. He further explained that because this is the location of HOA official records, this address fulfills the requirement for a formal street address in submitting a grant application for fire suppression support for our homeowners. The work to apply for the grant continues and more information will be forthcoming.

- b. Roads – *Lori & Stan*

Lori reported that the Roads Committee had met and will be completing an assessment of repair projects throughout our private streets and main road. The committee will prioritize these needs based on safety and cost-effectiveness. This priority list will be presented and reviewed with Tractor Works and TW will provide costs estimates for each

individual repair. The list with estimated costs will be reviewed by the board and cross-reference with available funds for road repairs. The board will consider action to approve a summer/fall repair schedule in accordance with HOA Policy.

- c. ARC (action on applications/refund approvals) – *Patti & Tom*

Patti presented the monthly ARC report. She reviewed the status of all pending projects. She reviewed three new ARC applications for new home construction. These are the first applications to be submitted since the revision to the ARC policy and Owners Construction Requirements. Patti confirmed that the applications were complete and ready for approval by the board. On a motion by Stan and a second by Tom the board voted unanimously to approve the ARC report including new home construction applications for Heerema, Douglas and Colbert.

- d. CCR/Bylaws – *Stan*

Stan reminded all that the CCR Committee is not meeting at this time and the effort to do a comprehensive revision/update of the CCR's has been postponed due to the 2023 HOA budget deficit.

- e. CICWCD/ CH HOA Water Tank & Fire Hydrant Agreement – *Greg Pierce & Lori*

Greg Pierce reported that he had met with his counterpart from the CICWCD, Curtis Neilson. The Water Tank Agreement is continuing through federal grant awarding process. CICWCD is hoping to go out to bid on the project as soon as the application process is complete and funding for the agreement is confirmed. This could be in the next month which would allow the project to go out to bid with the hopes of starting the project by mid-summer.

7. INFORMATION ITEMS

- a. Draft Board Policy 2024-4: NOMINATING CANDIDATES – BOARD OF DIRECTORS: First Review

Stan presented the first review of draft policy 2024-4 NOMINATING CANDIDATES – BOARD OF DIRECTORS. Stan shared that the current by-law governing this matter is broad which has led to inconsistencies from year to year in how prospective board candidates are identified. This policy will set forth simple, consistent steps to follow each year when enlisting interested members to become candidates and run for a seat on the HOA Board. This draft is available online for the next 30 days for member feedback/input.

- b. Community Sign Update

Patti made special mention of a long list of community members who volunteered their time and technical expertise to assist in completion of the sign project. She expressed appreciation for everyone's time, energy, and hands-on labor to complete the project. It was announced that the sign at the top of the mountain is not being installed until after we know the scope of impact on this area required to install the new water tank.

d. Beehive Technologies Update

Tom reported that the HOA is moving forward with Beehive Technologies to install their new service box. The installation will occur very close to the existing box. It will be on HOA common area property. Beehive is now continuing their process to approve and prepare for the start of the installation.

e. Annual Membership Meeting, Saturday, August 31, 2024

It was announced that due to the start of the Water Tank project at the top of the mountain, the location of our Annual Membership Meeting/Picnic will be held in an alternate location. In an effort to be as consistent as possible the board has secured a public gathering area in the Main Street Park which is directly adjacent to our monthly meeting location at the Cedar City Public Library. More details will be forthcoming.

f. Correspondence/ Board Member Remarks

No further comments by board members.

8. **NEXT MEETING** Thursday June 13, 2024, at 6:00PM

9. **ADJOURN. END RECORDING**

Meeting adjourned at 6:57 PM