

## **Cedar Pass Ranch HOA**

### **CC&R Rewrite Committee Minutes**

**Meeting date: June 13, 2022**

**Committee members in attendance:** Mare Burningham, Warren Clyde, Craig Whiting, Avalie Muhlestein, Teri Newfang, Tiffany Felix.

**Meeting called to order:** 6:33pm

#### **Committee business:**

There was no committee business.

#### **Article XI, Cedar Pass Ranch Assessments:**

Article XI was first sent to the Board in October 2020. The Committee presented the article to the Board in the February meeting, and the Board sent it back to the Committee for additional work. The Committee resubmitted the article to the Board on March 15, 2021. There is no record of Article XI being presented to or approved by the Board after it was last submitted.

After the June 6, 2022, Committee meeting Mare searched the current CC&Rs for mention of the reserve fund/reserve fund analysis. She didn't find either mentioned. She looked again at Utah Code and confirmed that the reserve fund analysis must be done no less than every six years. The Committee discussed the issue and agreed to require the reserve fund analysis be done every three years. The Committee felt that because the Board turns over partially every two years, six years between reserve fund analysis leaves too much room for information to get lost or the requirement to be forgotten.

**Motion by Availie:** I move that we recommend Article XI to the Board for final approval. Craig seconded the motion. The motion was unanimously approved by the committee.

#### **Article XIV, Miscellaneous:**

Article XIV, Miscellaneous, was previously sent to the HOA Board in Feb 22, 2021. There is no indication the article was put on the agenda or voted on by the Board. Susan Morandy, a past committee member, joined the meeting for this item to offer her insights.

**14.06, Insurance:** Some HOA members have expressed concerns regarding homeowner/lot owner liability stemming from others' use of the HOA equestrian trails. The Board sought the opinion of two HOA attorneys, and both stated that

homeowners/lot owners would not be liable for injuries that happen on the equestrian trail. Susan read through section 14.06 and the language matches Utah code in what liability insurance the HOA is required to carry. Note: per Utah code the Directors and Operators Insurance is optional, but the Board asked the Committee to add it to section 14.06 as a requirement. The Committee added it as item "C". The Committee also added item "D", Named Insured, which is required by Utah code. There was discussion regarding the current HOA insurance policy and covered liabilities. The HOA insurance covers the common areas, including the equestrian trail.

**Motion by Craig:** I move to recommend Article XIV as amended to the Board for final approval. Availie seconded the motion. The motion was unanimously approved by the Committee.

### **Article I, Definitions:**

Over the course of the rewrite project, the Committee has made extensive changes to Article I. Many definitions were added, and a few were deleted. The Committee reviewed the definitions in the article. There was discussion regarding and language changes to sections 1.15: Bonafide Temporary Absence, 1.16: Cedar Pass Ranch or CPR, and 1.29: Exterior Materials (Excluding Roofs). The committee stopped after 1.29 and will pick up at 1.30 at the next committee meeting.

### **Adjourn:**

**Motion to adjourn by Warren:** I move that we adjourn. Availie seconded the motion. The motion was unanimously approved by the Committee.

Meeting adjourned: 8:13 p.m.