

## **EASTGATE HOMEOWNERS ASSOCIATION**

Minutes of annual member meeting, held at 7 p.m. Wednesday September 25, 2024 at Cedar City Library.

### **Members present:**

Dan Kidder, President

Jennifer Weaver, Vice-President

Chase Powell, Member at Large

Darryl Frisch, Member at Large

Thomas Sanderson

Richard and Linda Bauer

No members joined via Zoom

7:00 P.m. Meeting called to order.

Attendance was taken and a quorum of votes (12) was not present, so no member action could be taken. Per the CCRs, another member meeting was scheduled for October 30, 2024 at 7 p.m. where half the number of votes (6) will be required to conduct association business. This meeting will be held at the Cedar City Public Library.

The President provided a brief financial overview and presented the proposed 2024-2025 budget.

A discussion of the financial condition of the HOA ensued with Chase Powell and Darryl Frisch proposing an increase of HOA monthly assessments. Dan Kidder expressed that there are members who reside within the complex who cannot just pass an increase onto tenants in the form of a rent increase, but that costs were going up and we are barely breaking even each month. He asked Chase and Darryl to bring their proposals for an assessment increase to the following special meeting on October 30.

Dan Kidder explained that he was prepared to fix the stucco as had been discussed by the board in a previous meeting. Dan is a handyman and would do the work for \$65 an hour, which is his standard rate. Chase said that would be a conflict of interest to hire himself and that the HOA needed to get three bids for this kind of work from licensed and bonded workers. and Dan agreed to suspend the repairs and asked Chase to seek out these bids.

Chase proposed returning to a property manager to oversee HOA business and Darryl agreed that a property manager should be used. Chase suggested returning to Debby Forsythe and Dan and Jennifer both objected to using her as she had been abusive toward members in the past. Dan agreed to abstain from a vote on returning to using a

property management company so long as Debby was removed from consideration. The matter was tabled until the next meeting.

Dan presented an update on the complaint filed with the Department of Labor Fair Housing Board by Cinthia Van Alst. The DOPL board found her claim of discrimination for not providing designated handicapped parking to be unfounded as the HOA board attempted to make several reasonable accommodations. Cinthia has appealed their decision but had not yet filed paperwork with the district court for an appeal hearing.

The issue of the illegal entry by Cinthia into the units owned by Chase was discussed and it was determined that criminal trespass charges had been filed against Cinthia. She has been charged by the city with a class A misdemeanor for Criminal Trespass of a Dwelling. Chase said that now that the criminal charges were finalized he would file a report with the Board of Realtors to seek sanctions on her real estate license.

Cinthia is also more than 6 months behind on HOA dues, and a lien was filed on her home on September 1, 2024. Under Utah law, a foreclosure process must be filed within 120 days of the lien, or the HOA forfeits any claim in the lien in perpetuity. Tom wanted the foreclosure to commence immediately, but Dan felt that the process should give her time to become current. He suggested a date of November 1, but also agreed to file a notice of delinquency to begin the process immediately. Chase, Darryl, Jennifer, and the Bauers agreed that it would be better to begin the process on November 1.

The project to rock all existing grass was discussed. Tom said that it would save the HOA a lot of money, and everyone agreed. This was a project that was being led by Cinthia in her former role as Secretary/Treasurer and since her removal from the board for her criminal trespass, nobody has taken on. The HOA still has a vacancy for a secretary/treasurer and we will hold an election on October 30, provided we have sufficient members present for a vote.

A special members meeting was set for Wednesday October 30, 2024 at 7 p.m. at the Cedar City Library in the Park, 303 N 100 E, Cedar City, UT, 84721, Room C. The meeting was adjourned at 8:12 p.m.