

Smoky Hill HOA

Board of Directors Monthly Meeting

March 14, 2023

Draft (These have been approved except for the financial statements)

The Smoky Hill Homeowners Association Meeting was held at the clubhouse, located at 5405 S Telluride Street, Centennial, CO 80015.

Board Members present: Darwin Johnston, Mike Limke, Jeff Cox, and Carl Schuldies.

Vendors present: Shannon Torgerson and Jennifer Kinkead; Goodwin & Company and Travis Keenan of Winzenburg, Leff, Purvis and Payne, LLP were present.

Attendance: There were 30 homeowners in attendance.

Call to Order

Darwin called the monthly Smoky Hill Homeowners Association meeting to order at 6:30 pm.

Homeowner Forum – Ms. Torgerson introduced herself and Jennifer Kinkead as representatives from Goodwin & Company, formerly Cherry Creek HOA Professionals. Mr. Keenan introduced himself as the Association’s General Counsel.

Ms. Torgerson and Mr. Keenan discussed House Bill 22-1137 which went into effect on August 10, 2022 and required the Association update the Conduct of Meetings Policy, the Collections Policy and the Covenant Enforcement Policy. Ms. Torgerson clarified that the fee schedule discussed at the February meeting related only to the collection of delinquent assessments and not covenant enforcement matters.

Most owners in attendance had feedback regarding a newly drafted Covenant Enforcement Policy which includes the ability of the Association to fine owners for non-compliance with the Covenants. Comments heard during Homeowner forum included:

- The management company chairing/running the meeting is no allowed per the Association’s Bylaws.
- Notice of the Board’s potential adoption at the March meeting of the Covenant Enforcement Policy was not given. One communication said the Board was going to approve the policy whereas the next indicated the Board would be discussing it.
- The members requested a cleanup, or re-write of the policy titled “Procedures for Adoption and Amendment of Policies, Procedures and Rules” was requested to clarify how owners are to be notified of the amendment of policies.
- There has been no transparency regarding the process for the adoption of fines.
- Goodwin & Company is not registered to conduct business within the State of Colorado.
- The Conduct of Meetings Policy adopted in August is not correct as the Board requested the prohibition against recording of meetings be removed.
- It was requested that Committees be utilized as a bridge between the Board and members.

- Clarification needs to be provided within the draft policy regarding what a Health and Safety violation is.
- A welcome committee is needed as is a community service committee.
- House Bill 22-1137 was poorly written and is anticipated to be cleaned up by the 2023 legislature. Why should a policy be adopted that may need to be changed very quickly.
- Notification of enforcement activities needs to be provided by the management company – something like “the management company will be driving through the community for covenant enforcement on x-date” is enough.

Adjournment

Due to time constraints, the meeting was adjourned at 9:00 pm with no business being taken on other agenda items.