



SMOKY HILL HOMEOWNERS' ASSOCIATION, INC
BOARD OF DIRECTORS
MINUTES OF REGULAR MEETING
February 11, 2025

A regular meeting of the Board of Directors (Board) of the Smoky Hill Homeowners Association, Inc. was scheduled for 6:30 PM on February 11, 2025, hosted at the Smoky Hill Clubhouse with the address 5405 S Telluride St, Aurora, CO 80015.

- I. Roll Call, Call to Order** – Director Aarestad called the meeting to order at 6:33 PM. Directors present: Emily Aarestad, Jeff Cox, Craig Maroney and Caryn Winkler. Directors absent: Jessica Armendariz. Others present: Kevin Christensen from KC & Associates, LLC, Community Association Manager and homeowners per the sign-in sheet.
- II. Approval of Meeting Minutes**
 1. The Board reviewed the January 14, 2025, regular meeting minutes. After review, Director Aarestad made a motion to approve the minutes as amended. Director Cox seconded the motion. The motion passed unanimously.
- III. Financial Report** – The December financials were available for review. The accounts payable are approved in between meetings via the Board of Director only portion of the Homeowner Web Portal. Director Aarestad made a motion to approve the financials. Director Cox seconded the motion. The motion passed unanimously.
- IV. Manager's Report** – Manager Kevin Christensen provided the manager's report. The report included tasks assigned to management, a summary of the agenda, architectural summary and violation summary.
- V. Committee Reports**
 1. **Architectural Review Committee**
 - I. **Architectural Review Request Summary** – A summary of the architectural files was provided. There were three (3) architectural approvals in November, one (1) in December and two (2) in January. Seven (7) applications were issued denial letters in February as more information requests were outstanding. Seven applications (7) were approved or conditionally approved.
 2. **Social Committee** – Director Armendariz was not available to provide a report.
 3. **Communications** – The website is being updated with new information as it becomes available. Director Armendariz was not available to provide a report.
 4. **Legal** – This item was tabled until Agenda Article IX, Kelly McQueeny – Association Legal Counsel.
 5. **CENCON (Centennial Council of Neighborhoods) Update** – A CENCON update was available and provided by volunteer Wheelan. It was confirmed that all CENCON meetings are open to all members of the City of Centennial.
- VI. Outstanding Business – Nothing to Come Before the Board**
- VII. New Business**
 1. **Bylaw Amendment for Five Directors** – The Board confirmed by unanimous consent that the amendment is tabled until the April meeting.

VIII. Resident Forum

1. A homeowner brought up a concern regarding the bike lane on Telluride Lane heading towards Smoky Hill Road. It was noted that any concerns should be addressed to the City of Centennial as the Association has no capability to make changes.
2. A homeowner brought up concerns regarding kids playing in the roller hockey area by using skateboards. The Board noted this must be addressed by the Metropolitan District as they are the property owner of the roller hockey area.

IX. Kelly McQueeney – Association Legal Counsel

1. Attorney McQueeney provided a summary of the Association Covenants. It was noted they were originally created in the 1970's. They were only valid for 25 years but were amended in 2003. There was a covenant enforcement lawsuit in 2006 that was appealed to the District Court from County Court. This lawsuit was named as 2005CV4046. The ruling from the District Court Judge stated that the 2003 Covenants do not apply to the lot associated with the lawsuit. The District Court could have a different ruling if another lawsuit is brought to their jurisdiction. Three options were discussed. 1) Vote to terminate the community, which requires a simple majority vote. 2) Draft and implement a new set of Covenants. 3) File a lawsuit naming every single homeowner in the community as a party. Each of these three options has varying obstacles and challenges. A letter will be sent to the community detailing the options and challenges.

Homeowner questions:

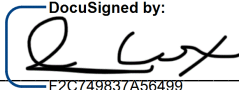
- I. Why were the 2003 Covenants invalid? The District Court ruling stated the Covenants were filed late and missing homeowner signatures.
- II. How does this impact the home values? It is unclear on how this impacts home values.
- III. If the HOA does dissolve, then what happens with the Metro District? The Metro District is a separate entity and this does not affect them.
- IV. A homeowner asked for clarification on the three options again.
- V. How can homeowners help? There is not a clear way to describe how homeowners can help currently.
- VI. Can the HOA seek a judgement from the courts on the ruling? The statute of limitations passed for appeals on the 2006 case.
- VII. What is the next step on communication on this matter? It was noted that a general informational mailing will be sent to the community.
- VIII. What is the meetings process moving forward? The Board will continue to hold hybrid meetings and may switch the venue to accommodate more individuals if needed.
- IX. A homeowner suggested that the meetings at the clubhouse may not be conducive due to the limitation on the sound system.
- X. What is the recommendation on how to move forward? It was noted this depends on how the community inputs toward the matter.
- XI. Will the Board survey the community? Yes, a questionnaire or survey will be sent out to the community.
- XII. Does the Court Ruling mandate the HOA dissolve? No, the ruling only states the Covenants are not enforceable but makes no assertion on the Articles of Incorporation or Bylaws.
- XIII. Did the Board obtain a second opinion? It was noted that Kelley McQueeney is actually the third legal opinion obtained.
- XIV. Could the Association ignore the court ruling as a fourth option? Yes, but this option is not recommended.

- X. **Executive Session** – The Board entered into Executive Session at 8:10 PM. The Board exited Executive Session at 8:50 PM.
- XI. **Adjournment** – There being no further business to come before the Board at this time, upon motion duly made, seconded and unanimously carried, the meeting was adjourned at 8:50 PM.

Submitted by,
Kevin Christensen, CMCA, AMS, PCAM
Community Association Manager

THE FOREGOING ARE THE TRUE AND CORRECT MINUTES OF THE MEETING HELD ON THE
DATE STATED ABOVE AND WERE APPROVED BY THE BOARD OF DIRECTORS ON THIS 11th
DAY OF March 2025.

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, Secretary