

KENNSINGTON COURTS COMMUNITY ASSOCIATION

Board Meeting Minutes – October 26, 2006

Call to Order: This meeting was conducted as a review of the status of currently ongoing activities, with an outline of the plan going forward, and then adjourned. The subjects addressed were as followed:

It was announced that the revision proposal on Article IX, Section 2(h), no decorative lawn ornament (unless approved by the Covenant Committee), no structure of a temporary character, and no trailer, tent, shack, barn, pen, kennel, stable, or buildings shall be erected, used or maintained on any lot at any time... was passed by a two thirds vote of the community, when the initiative was endorsed by 204 members.

The Revision for Article IX, Section 2(h) now reads as followed: no decorative lawn ornament (unless approved by the Covenant Committee), no structure of a temporary character, and no trailer, tent, shack, barn, pen, kennel, or stable shall be erected, used or maintained on any lot at any time...

Sign Lighting: The next order of business that was brought to the table was the lighting issue with our sign. The solar lighting is being returned with a credit issued by the company, as the lighting was not as bright as we expected. The board has looked into getting electricity hooked up to the sign for lighting, however, the prices are above what we feel comfortable accepting without looking further into other options. With that said, if there is anyone in our community, or knows of someone who would be willing to assist us in helping to get electricity run to our sign or has other suggestions for lighting our sign, please send us an email or a letter addressed to KCCA, P.O. Box 2241, Elkton, MD 21922, with the person's name and number and we will contact them.

Land Update: The status on the legal issue with regards to the common ground and water front area was asked about. At this point the board could only report that our case is continuing through the discovery phase. An initial hearing date was set for late November, but both attorneys appear to be prepared to ask for a continuance from the court, which is essentially "normal" as a case takes shape, and the required timetable becomes better understood. However, the board is not aware that any continuances have actually been filed, as of this date.

Pit Bull Restriction: A resident came forward to ask about specifics regarding the Pit Bull Prohibition within the Covenants. A full explanation was given, as to the legal implications of the express language in the covenants, and as to the background of the extensive research that went into discovering how the term "Pit Bull" is legally defined within the law. The fact that the Board has no authority to disregard or alter existing covenants was also explained. It was also pointed out

for him, where he could find that provision within the covenants, and he was reminded that when an owner moves into this development, they, in effect contractually agree to be bound by those same covenants. He indicated that he understood and would comply.

Policy Publication: In the course of discussion, the board reviewed their status on assembling our formal Policy Statements. It was more or less agreed that we should post them on the website, and distribute them to the community by mail. However, there are a couple of minor revisions that still need to be incorporated first. The Board agreed to get on that and get them out asap.

Covenant Revisions: There was also a continuation of the discussion from last month, where the pros and cons of various approaches to this subject were weighed. A proposed revision to the covenants was considered (which, itself, would require a 2/3 approval from the community, under current rules), which could convert the Covenant Revision Process to an Election Process, which could require a smaller “quorum”, permitting covenant revisions to occur when only 100 members (or fewer) participate in the process.

As this discussion unfolded, it became clear that there was a good deal of concern about the lack of stability, which could result if it were made too easy to change covenants..... as they could be in a constant state of flux. It was concluded, that perhaps there was some wisdom in the standard practice of making it difficult to change covenants, where, even if people don't like all of the covenants at least we would have “stability”, and once the “bugs” get worked out of our set, the majority of people could be comfortable.

Accordingly, it was agreed that, perhaps the best choice, was to to through the entire set of covenants, and to make an effort to redefine them in a way that resolves the majority of the material objections held by large numbers of community members.... to attempt to develop a better “consensus” than the one we have today.... to pass that versions, a single time, and then to benefit from the subsequent stability. It was agree, however, that this topic would require continuing discussion.

Following this discussion, the meeting was adjourned.

Please remember that the board does not meet in November or December due to the Holidays. Therefore, the board would like to wish everyone a Happy Thanksgiving and a Very Merry Christmas and a Happy New Year!

Rhonda Quay-Perez
Secretary, KCCA