

**KENSINGTON COURTS COMMUNITY ASSOCIATION**  
**Meeting Minutes – Board Meeting**  
**December 13, 2015**

**Call to Order:**

The agenda of this meeting was to (a) provide a community introduction for the new members that were expected to attend, (b) to review the status of currently ongoing activities, (c) to review the most recent financial statements, and (d) to provide an opportunity for members to raise their own concerns.

**Introduction-** An Attendance Count was not taken by the Board, but there appeared to be approximately 25± people present including spouses, etc. A show of hands was asked for, which revealed a somewhat equal distribution between people with < 2 years within the development, 2-5 years membership, 5-10 years, & > 10 years.

**Historical Review & Status-** For the benefit of those who'd not been familiarized before, a review of the history of the Association was provided, which covered its inception in April of 1994, extending to the 10-year period from 1994-2004, where the developers did not hold a single meeting or hold an election, or turn over ownership of our common grounds to the association, all of which were required of Developers under state law and our covenants within 1 year of the sale of the 1<sup>st</sup> house in 1994.

The board then chronicled the 5 year legal struggle that it went through in order to compel the developers to turn over control of the association to resident membership, and then to deed the common grounds to the association, all, while (a) developing formal interpretations of our covenants (necessary to fair & consistent administration), (b) developing formal rules & procedures for performing architectural reviews & covenant compliance administration, (c) developing our website, (d) developing a formal accounting system so that accurate and informative financial statements could be developed, (d) developing a process for administering past due collections actions, given that approximately 1/3 of the development (at that time) were 3 or more years delinquent in their dues (and because association survival depends upon effective dues collection), and while developing a prioritization list of all voiced community concerns, which in turn lead to a series of community improvement projects, including (a) establishing a consistent groundskeeping program, (b) the construction of our entryway sign area, (c) the establishment of community events, such as our community day cookouts, community wide yard sales, Christmas decoration contests, and our community watch group.

The board then relayed the pattern of meetings, where, at the inception of the membership struggle to gain ownership, and for the 1<sup>st</sup> approximately 2 years, we held monthly community meetings, but how, as the tasks on our community priority list were successfully achieved, and as concern among the membership began to subside, attendance at our meetings began to drop to the point that 5 or fewer people were showing up, which lead the board to reduce meeting frequency to quarterly, then semi-annually, and then annually, until, even at annual meetings only 2 or 3 people would show up. As a matter of practicality the board then determined that it would schedule meetings according to the need, based upon the status of topics that required discussion.

The board next detailed how, at the culmination of our litigation that resulted in winning the full legal ownership of our common grounds, the two primary community concerns became (a) a desire to work towards the vision of a private community marina (which the developers had originally promised, and which it *had* achieved some planning approvals for), and (b) serious community concerns about the extreme dumping, gun fire, and illegal activities taking place in our waterfront area. There was community consensus that we needed to gain control of our property to provide for community safety, so that we could put a stop to those problems, and so that we could begin to develop that land for positive community use as the private park-like setting it was intended to serve.

Over the next 3 years (understanding that on the limited budget provided by a \$100/yr dues structure, capital improvement projects could not move quickly), the Board then set plans in motion to accomplish those new community objectives as best it could. It first installed guardrails to block the vehicle access that would remain if a gate was installed. Next it achieved a community consensus on the

necessary and appropriate requirements for the gate system, and then developed and installed that system, which would operate using proximity key cards for members.

The Board then shared how, 3-days after activating the gate, apparently illegal duck hunters from outside of our development, seriously damaged our gate in order to gain improper access. In response, (after completing the repairs) the Board recognized that the only way to reassert control of our lands without risking further costly damage to our gate was to chain the gate shut (opening it on weekends for residents), and to install an effective night vision capable, video security system at the gate. We also reserved our entire waterfront so that no more legal hunting could occur along our shoreline without our approval. In deference to certain residents who expressed a desire to have access for controlled hunting, we facilitated the construction of two community owned duck blinds on the shore of the island off of our waterfront, which is on protected wetlands that are also within the boundaries of our community & subject to our covenants.

Over the past 18 months or so our new video security system has been in development, and we are now poised to execute the installation (projected to be completed before Spring). At that point, the keycard access system will then be reactivated, and we should be protected from further serious vandalism.

In addition, over the past 2 summers, the Board solicited for community cleanup volunteers, and that group held multiple cleanup sessions in our waterfront to eliminate the public dumping piles that were still present. At the same time, we cleared by the brush that had overgrown many of our gravel roads, repaired potholes, graded areas in need, installed benches & trash barrels for litter collection, and generally tried to improve the quality of that area for our use, and in fact, community use of that area has increased dramatically over the past 2 summers.

At this meeting the board showed one of the actual cameras to be installed, made copies of our financial statements available to all, showed a copy of the plat map involved in the original planning approval for our private marina, and reiterated that our long term plan is to continue working towards further development of that waterfront area.

Following this review the floor was opened up to public comment, and certain concerns were raised.

**Meeting Frequency-** A concern was expressed that our meetings were not frequent enough. The Board responded by providing a reminder that we used to meet monthly, but as community objectives were accomplished, members became less and less interested in attending meetings, so that we had to reduce the frequency, first to quarterly, then semi-annually, then annually, until we got to the point where only 1 or 2 people were attending our annual meeting. It then seemed apparent that we should schedule meetings according to when we had pertinent things to talk about.

Under this guideline, the only meeting we had in 2014 was a cleanup committee meeting, and the working plan was to schedule the next formal board meeting for the point in time when the gate security system was installed, because that would be a logical time to meet and discuss the way forward.

However, we have had a number of new people move into the development over the past few months, and we have received a number of email contacts, asking for our next meeting date. Accordingly, it became apparent that it might be best to schedule a near term, introductory meeting, rather than waiting until the security system was installed. That is why we scheduled THIS meeting.

Also, between the apparent increase in interest shown by this group, and the converging timing of our security system project, the Board indicated that we would schedule the next follow-on meeting in March of 2016.

**Elections-** A question was raised as to when the next Board election would be held. The Board responded by indicating that we planned to hold the next elections in approximately this coming June. The Board also indicated that the plan & schedule would be detailed more fully by the March meeting.

**Minutes-** A concern was raised that all of the past minutes were not available on the website, and as to whether or not minutes on the *current* meeting would be documented. The Board responded by explaining that, although minutes have been documented for every meeting ever held, and have always been posted on our website, within the past 2 years we had a website change that resulted in those minutes disappearing from our website. The board has made several requests to have them restored, but has not yet

been successful in accomplishing that. This is partly related to the shortage of volunteer support we have had recently, including website administration expertise (addressed below).

The Board also reassured the member that minutes for this meeting would be produced, as now evidenced here.

**Covenants Enforcement-** Concern was raised by a couple of people who felt that covenant violation courtesy notices had been issued inconsistently. The Board responded by sharing its appreciation for that concern, and by explaining that when accepting the labor contributions of member volunteers (as is required of an organization such as ours) it is not always easy to ensure that those volunteers will always perform as consistently and proportionately as the Board would prefer. The catch-22 that the Board is caught between is that the Board cannot easily refuse the services of volunteers willing to contribute (even if less than optimal) without being subject to the criticism of failing to be able to delegate. This lead into the next topic.

**Volunteer Support-** The Board explained that it is an extremely difficult challenge to find people willing to donate their time in sufficient quantity to be able to adequately perform recurring jobs that require developed knowledge and expertise. The consequence is that, when the Board accepts assistance from people who have not had an opportunity to develop the knowledge, skills, or value judgment abilities to perform certain task without negatively impacting members or the association itself, the Board becomes responsible for the result. The resulting challenge is that the Board must make the difficult decision of determining (at times) that it is better to fail to perform a task at all, rather than to risk performing it with negative results. With this in mind, the Board reiterated that it has an urgent need for more, genuinely dedicated member support, if it is to accomplish all of its expected duties within the timeframes also expected.

The board then shared that its greatest present need for assistance is in the role of (1) a membership records keeper; and (2) website administration assistance.

In response, (2) members of the audience indicated a willingness to serve in those roles, and a couple of others indicated a willingness to assist. Contact information was exchanged and the plan to follow up with specific task discussion was put in place, so there is hope that we might be able to improve the timeliness of some of the association's task performance moving forward.

**Communications-** Other comments were made suggesting that the Board could do a better job of executing communication within the development. Examples included a suggestion that community-wide email distributions should be enabled, and another suggested that we should send out regular newsletters.

As a point of fact, it should be recognized that the Association has done *both* in the past. The front page of our website has had a link, "Click Here to Join Our Email List", for at least 3 years, and multiple past communications have tried to encourage members to join that list, but we have had a very limited response. Some people have indicated that they do not have email addresses, and others indicated that they did not want to share that information for mass email distributions. These results previously lead the Board to conclude that we could not rely upon accomplishing effective community communications through that channel. As a consequence the Board lost enthusiasm for pursuing that mechanism.

However, some people in the meeting expressed a feeling that it would be useful, and so, the Board agreed to engage a renewed effort to develop that communication option.

It should also be recognized that we have initiated "Community Newsletters" in the past as well, and in fact, even sold advertising in a couple of issues (links can still be seen on the footer of our home page for 'Newsletter Committee' & 'Newsletter Sponsors', demonstrating that the Board has not failed to pursue that avenue in the past). However, in that experience, the enthusiasm of the editors of those publications lost interest after a few issues, and the feeling of the Board was that this sort of "on again, off again" approach to things projects an inconsistency that undermines, rather than enhances, community confidence in the Association, and (as a consequence) the Board lost enthusiasm for that tool.

However, again, some people in the meeting expressed a feeling that such a project might now be resurrected with greater success. Accordingly, the Board has agreed to support volunteer efforts to restore that activity.

**Groundskeeping-** A concern was raised about the extent of Board Efforts to constrain our groundskeeping costs & asked about equipment frequently seen around the property. The Board explained that it had gone through extensive bidding processes from the first year of membership administration, and that we had had a couple of different service providers over that period, but that our present provider has simply been found to be the best answer to our needs, in that he is at the same time the most cost effective and the superior quality provider. It was also explained that his equipment is frequently on our property because there are numerous property improvement projects that he supports us on, beyond merely mowing grass, and he is often in the midst of one project or another.

**Covenant Changes-** One person raised a concern that covenants had been changed without a proper approval of the community, but the Board clarified the misunderstanding by explaining that it had not changed covenants as it is not authorized to do so, but instead implemented “Rules”, which it is not only authorized to do under the covenants, but is *required* to do, because the covenants establish certain board duties & requirements, without defining the means for accomplishing those objectives, instead declaring that the Board shall establish the rules necessary to accomplishing those requirements. This is what the Board had done as part of fleshing out of the necessary structures and disciplines essential to fulfilling its duties.

**At this point all concerns seemed to be addressed and the meeting was Adjourned.**

**Board of Directors, KCCA**