

## Brigit Brennan

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**From:** Information from Newell Property  
**Sent:** Monday, January 25, 2016 9:44 AM  
**Subject:** KPMA- January Town Hall Meeting

**Importance:** High

Kensington Residents,

The third Town Hall meeting to discuss the re-written documents took place on January 19, 2016 with approximately 40 members attending for the first time as well as approximately 10 that had attended previous meetings. So over the three Town Hall meetings we had almost 150 members in attendance.

As with the previous meetings, our attorney, Steven Adamczyk, provided an overview to the process we have followed in the re-writing of the documents. He also highlighted the changes that have occurred since the first draft was published back in October. He reiterated that the Board was taking the most conservative road possible on the voting threshold (the most discussed topic in the previous meetings) necessary to make amendment changes to any of the documents in the future with 2/3<sup>rds</sup> of the 566 members (378 people).

The floor was then opened up for comments and questions from those present. Here is a summary of the items brought up by the membership:

- (Q. How will the voting be audited?)  
(A) The company that audits the financial statements for KPMA will count and certify the accuracy of the count.
- (Q) Why was section 3.16 Resale Capital Assessment added to the Declaration?  
(A) There is 4 to 5 million dollars of capital maintenance that will likely be required in the next 3 to 7 years. The major projects include completion of the lake bank project, the repair or replacement of the seawalls, and the repair or repaving of our streets. We will be required to complete these projects for multiple reasons. In some cases to comply with the law, in others to maintain the safety of residents and visitors and finally to maintain the beauty and value of our homes. The responsibility to address these issues lies with KPMA (all of us) and is administered by the elected board. There are only three ways to pay for these projects; the use of an assessment on all of us at the time of the project, a loan which is then repaid with interest over the following years by increasing quarterly assessments, or finally to build up capital reserves over time so that some or all of the required funds are in a reserve account when the need arises. The proposed Resale assessment is intended to augment the buildup of the reserve account. It is likely some combination of all three approaches will be used but by focusing on the accumulation of a reserve account we lessen the potential size of one time assessments. All of this is included in our existing documents except for the resale assessment. Many of the communities in the area have this feature in their documents (Steven read off about 15 other communities and the amounts the buyer pays). The amount for Kensington is equal to two quarters of what is paid toward the KPMA assessment (currently \$714 per quarter or \$1,428 for this fee). Note KPMA quarterly assessment is not the total amount you pay quarterly as most in Kensington also pay an additional amount to your Neighborhood Association or Condo Association.
- (C) There was a comment that we should consider breaking up the vote on the documents into one with the Resale Capital Assessment and one without.  
(A) At the Board meeting on January 21, the Board decided having the two sets of documents would cause too much confusion so we determined to have only one set of documents to vote on which would include the Resale Assessment.
- (Q) Is the Board going to include anything about the use of drones within Kensington?

- (A) At the Board meeting on January 21, the Board decided to draft language limiting the recreational use of drones. This language will be in the documents you receive in a week or so and will also be highlighted in a separate page that shows all the changes to the documents since you received your first copy back in October.
- (Q) Do the documents say anything about selling a home or condo in Kensington to a convicted felon?  
(A) The KPMA documents do not address this issue but many of the Neighborhood documents have a review process in theirs that is intended to review prospective buyers backgrounds before they move into Kensington.
- (Q) What if the vote for the new documents does not pass and they are not approved?  
(A) Basically Kensington will revert back to the 2004 documents but will have to pay an attorney to go point by point in the documents to change portions that are no longer in compliance with the new laws.
- (Q) The question was then asked that if the new documents bring us into compliance with the Florida laws, potentially reduce future legal costs and help to build up the reserve without a charge to current residents, what is the down side?  
(A) The Board certainly agrees there is no downside to approving the documents.
- (Q) Will the vote be completed on February 18<sup>th</sup>?  
(A) Hopefully. As long as we have more than 378 affirmative votes or 188 against votes, the voting will be complete. However, if we don't reach either of those thresholds, the vote will remain open for no longer than 90 days (the legal time limit for the proxy statement). The Board has no way of knowing why people didn't vote, so if there is no decision reached we will try to contact those that did not vote to find out if they did not receive the package, they received it late and their proxy is in the mail, they didn't understand they needed to return the proxy, etc. So we may need to call those that we did not receive a proxy or ballot from as of the 18<sup>th</sup> of February. There will be no attempt to encourage people to vote for or against, just give us enough votes to be able to declare a fair vote was conducted. So hopefully everyone will meet their part of the process and fulfill their responsibility and vote on or before February 18<sup>th</sup>.

The meeting was closed at approximately 2:30 PM.

So be looking for your packages in the mail in the next week to 10 days. Please note there will be a stamped, addressed envelope to the auditing company for you to return your proxy in so please send it back as quickly as you can or plan on being at the meeting in person on February 18<sup>th</sup> to cast your ballot personally.

Finally, the KPMA annual meeting is coming up on March 17, 2016 at 3:00 PM. You should have already received your notice of this meeting in the mail in the last couple of days. In that package was a form to fill out if you want to be considered for a spot on the KPMA Board of Directors. We will have several openings this year and are looking for you to consider running for a spot. The form needs to be returned to Newell Property Management Corporation, 5435 Jaeger Road #4, Naples, FL 34109 by February 6, 2016 in order to get on the ballot for the March meeting. So don't delay in filling out this "INVITATION TO RUN FOR THE BOARD OF DIRECTORS" form and returning it promptly.

Best regards,

Your KPMA Board of Directors

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