



Kala Point News & Views

Serving our Community with Information

November 2010

Special Voter Pamphlet

Special Election Issue

VOTING INFORMATION AND RECOMMENDATIONS

vote! you can make a difference

It Is Time To Send A Message To The Board

During the past two months we have published several articles concerning actions of the KPOA Board and its President. The articles have addressed:

- Misinterpreted and misapplied meeting decorum issues and actions
- An unauthorized secret meeting by the Board
- Resistance to having Members approve capital improvements
- Disregard for the provisions of the CC&Rs
- Unwarranted view maintenance denials

We are concerned that the Board, some of its Committees, and some of its Members are not acting in the best interests of the Association and the KPOA Membership but are more interested in its power to control, and ignoring the Governing Documents which should guide its actions. We suggest the Board pause and conduct a self examination of its recent actions and then start acting in the interests of the Members in a fair and even manner and act as a unifying rather than divisive force in the community. These resolutions are an effort to address some of these issues.

On December 10th you will have the opportunity to express your feelings by voting on the Regular Assessment for 2011 and the four Member submitted Resolutions. We ask that you vote after examining the issues carefully. This is a chance to state that you have the ability to make rational decisions regarding your property, you trust your neighbors to be able to do the same, you believe that the CC&Rs should continue to be the basis for the Association's governance, that the rights of individual Members should be recognized and granted and the cost of living in Kala Point should be controlled by the Members.

Thank you for voting.

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Managing Editors:

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Contributing writers include other named and unnamed individuals, all owners within the community, expressing their own viewpoints in this forum. Articles without a byline are presented by the editorial staff.

Please feel free to participate in any way, from submitting articles and/or opinions to volunteering in some capacity. Thanks and we look forward to your input. Email us at contact@ttnewsletter.com.

Member's Right to Remove/Alter One Tree Per Annum On their Property.

Recommendation: Vote YES.

Resolution

To amend the Master Declaration, Article IV – Property Rights, B. Uniform General Requirements, by adding new Section 19. Owner's Tree Management Right. One tree on a member's residential lot may be removed or otherwise altered each calendar year, at the member's sole discretion, without the approval of the Association.

Discussion

This is your opportunity to have some control over your trees by passing this resolution. Members that choose to have a heavily wooded lot should have that right. In addition, those that choose to have fewer trees should have that right also. Trees that are not overcrowded are healthier, better shaped, more attractive, and present less fire hazard. This resolution is for ONLY one tree per year that you may have the option of removing or altering, that's it.

You may hear an argument against this resolution which suggests that you should fear and mistrust your neighbor's ability to make rational decisions regarding the management of one tree per year on their personal property. This would seem to indicate an obsessive need for control by a committee over homeowner's trees. To presume that members would clear cut or otherwise destroy their lot's appearance and value if not controlled by a committee is completely unfounded and defies common sense. The argument is attempting to plant fear in members minds in an effort to maintain their control.

Member's Approval of Capital Improvement Assessments.

Recommendation: Vote YES.

Resolution

To amend the Master Declaration, Article VI – Covenant for Assessments. Section 4. Capital Improvement Assessments, by adding: A Capital Improvement Assessment for the purchase, installation or construction of any Capital Improvement with an estimated total projected cost in excess of \$20,000 shall require Members' approval by a simple majority of the votes cast.

Discussion

Don't pass up this opportunity to have a voice in Capital Improvement assessments that you will be required to pay for. Vote YES on this resolution. It is your pocketbook!

Some question the \$20,000 limit in the resolution. We feel the \$20,000 is a reasonable figure now and in the future.

Maintenance of Views from Member's Residential Lots.

Recommendation: Vote YES.

Resolution

To amend the Master Declaration, Article IV – Property Rights, B. Uniform General Requirements, by adding new Section 20, Maintenance of Member's Views. The Association shall approve Member's requests to take actions on covered property to maintain the views they purchased unless the Association can demonstrate that such actions are inconsistent with the safety of persons and property.

Discussion

The premise of this resolution is simple. If you are going to deny a homeowners request for view maintenance then they should be provided with valid data to support the denial.

This resolution is a common sense requirement that view maintenance denials be supported with valid data. Vote YES on this resolution. It is the right thing to do.

The argument against the resolution is full of distortions, and sometimes false statements in a desperate effort to have this resolution rejected. A small group of tree preservationists are trying to prevent view maintenance which is a violation of the CC&Rs.

Members Must Be Owners

Recommendation: Vote YES.

Resolution

To amend the **Master Declaration, Article II – Membership, Section 1, Membership**, by adding as the first sentence Members of the Association must Be Owners.

Discussion

This resolution will update the Master Declaration with the CC&Rs.

resolutions summary:

You are being given the opportunity to exercise your right to affect how the KPOA Association operates. The following Resolutions were submitted by Members; your neighbors in Kala Point. They believe the Resolutions will be beneficial to the community. Please be informed about the Resolutions and the issues they address. Then VOTE!

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SUMMARY TABLE OF BALLOT ISSUES & Recommendations:

Member's Right to Remove/Alter One Tree Per Annum On their Property. (See more details inside—pg 2)	Vote YES
Member's Approval of Capital Improvement Assessments. (See more details inside—pg 2)	Vote YES
Maintenance of Views from Member's Residential Lots. (See more details inside—pg 3)	Vote YES
Members Must Be Owners. (See more details inside—pg 3)	Vote YES