



**Kensington Downs Newsletter**  
**Fort Wayne, Indiana 46815**  
**October 2010**

**Board of Directors**

**President: Bill Stiles, Vice President: Dave Ritenour,**  
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**Association Website: [www.kensingtondowns.com](http://www.kensingtondowns.com)**  
**Association Phone Number (Leave Message Only): 260-748-8651**

**Annual Meeting**

**Thursday, November 11**

**7:00 pm**

**Georgetown Branch Library**

# *President's Letter*

We had some excitement in August. A Board meeting was attended by a large number of our neighbors. They had been given the impression that it was a special meeting, as outlined in our bylaws. A special meeting would be called for the purpose of voting on something beyond normal Board activities. The rules concerning a special meeting are clearly defined within the bylaws. That was not the case in August. It was an additional Board meeting beyond the normal bi-monthly schedule, which made it "special" to the Board because it was not scheduled at the beginning of the year.

The main topic of that Board meeting was one of importance to the association. First, let's start with a little information about our Community Association. The Association is formed and governed by Articles of Incorporation, Covenants, and By-laws, while obeying any laws and governmental regulations in effect. The Board of Directors is elected by the membership at the annual meeting with the responsibility to represent all members of the association.

One of the main functions of the Association is to maintain the common areas. The Association does that by assessing annual dues to provide funds to pay for the maintenance. The Board oversees the spending of the budgeted funds and dealing with maintenance needs. We have lawns, trees, and a pond to maintain. The common lawns are located throughout the neighborhood and are primarily mowed by a lawn service. There is a strip of common area around three sides of the pond. For many years, the homeowners living on the pond have provided the maintenance to that strip of common area. That work done by the homeowners has saved the Association hundreds of dollars each year.

We have had an ongoing problem with an eroding bank around the pond. That problem has been addressed by Board after Board for over a decade. But, action has always been delayed for one reason or another. The erosion is causing the common areas to become smaller and smaller with each piece of ground that falls into the water. There are many reasons for the eroding bank, but there is no doubt that the Association is responsible for the upkeep of the common area. We have a legal responsibility to maintain the pond and bank.

A decision was made by the Board to begin the process to repair the crumbling pond bank. Several companies were contacted to make bids on the repair work. The bids came in at \$18,060, \$57,243 to \$62,362, \$9,500, \$10,500, \$9,196 and \$8,047.

The contractors were reviewed based on bid amount and quality of work. The difference between the two lowest quotes was based on the type of material used to support the bank wall. The quote of \$9,196 was the one selected by the Board, with the final decision being determined after a review of the contractors work at two sites using different materials. At that point, nothing had been done and no money spent.

We know this has caused some anonymous people to pass out letters with some correct facts and some misleading statements. It is not our intent to stimulate an argument or cause the threatened lawsuits to be filed. Since there is a spending limit in the bylaws of \$7,500 for a project, the neighbors living around the pond have volunteered to make up the difference between the \$7,500 and the total due. This is not an assessment, but a voluntary contribution to the Association. They should be commended on their concern for the neighborhood and maintaining it as a fine place to live!

The decision was made at the regular Board meeting, on Wednesday, October 13, 2010, to move forward with the repair using river rock. The amount spent from the Association funds will be \$7,499. The rest will be paid by private funds, not assessments. The funds are already in our accounts and the expenditure will not cause an increase in dues for 2011.

There have been some concerns expressed about ongoing maintenance on the pond bank. We have been assured by all vendors contacted that nothing lasts forever. It's similar to edging the sidewalks in the common areas. They look great when done, but they need to be edged again from time to time. The bank repair should last far longer than a sidewalk edging, but sometime in the future there will need to be touchups.

We looked into lowering the level of the water in the pond to create a wider bank ledge to increase the common area. However, there would be a problem with ice forming in the intake pipes for the sprinkler system if the water was too low. That could result in repairs each spring to that system.

This Board and many other Boards before them have argued and debated on the subject of pond erosion. Now is a good time to deal with the issue and move on to other projects. There are uneven sidewalks, trees to plant, signs to repair -- and more -- in 2011.

Thanks for being a part of a very nice and well maintained neighborhood.

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**Important notice:** Please refer to our website -- [www.kensingtondowns.com](http://www.kensingtondowns.com) -- to review the 2011 budget and get a copy of the up-to-date bylaws. Each of those documents can be printed from the website. We are going to save money by not printing copies for everyone, unless requested. If you would like a printed copy of any or all documents, please leave a complete message at 748-8651. Leave your name, address, and the document you are requesting.

The minutes for the 2009 meeting are included in this mailing. Please review them before coming to the meeting, so that we may be able to dispense with the reading of the minutes to save time.

# Meet your Neighbors

I had the privilege of talking with Frank and Barbara Skees at 7418 Derby Lane recently. They are now retired, but Frank was a Design Engineer at Navistar for over 37 years – and Barbara was a RN at Lutheran Hospital. Part of their family is John and Sue Skees and their children who live on Greymoor Drive!

Welcome to Kensington Downs!

## Bits and Pieces

The leaf pick-up schedule for the north area as announced by the City is November 1-5 and November 29-December 3. These dates are subject to change, so you may call the Leaf Hotline at 427-2302 for the latest. It's asked that you rake leaves to the park strip area, not into the street, or put them in biodegradable yard waste bags, and set the bags at the curb for collection. If you do use bags, you may call 311 or 427-8311 for pick-up within two business days.