

November 24, 1999

To: Mr. Tom Keating
Mr. Herb Ailes
From: Bill Gamble, Chair
Covenant Compliance Committee
Subject: LRP Subcommittee QL-6

The Covenant Compliance Committee has reviewed the report submitted by the LRP subcommittee QL-6 on the topic of Covenant Compliance Enforcement.

The Covenant Compliance Committee appreciated the obvious thought and effort with which the QL-6 subcommittee considered this topic. The committee discussed these recommendations at the recent November 17th meeting. The following recommendation was made by the subcommittee. Following the suggestion is the committee's response and comments.

On advise of counsel, we recommend that the KICA Board avail itself of the Charleston Magistrates Court. To seek enforcement of fines, the President of KICA could designate a non-attorney employee who, with the Court's permission, could appear to seek legal enforcement of a fine of less than \$5000.

The committee concurs with the subcommittee's suggestion of appointing a non-attorney employee to represent KICA in Charleston Magistrates Court. It is felt that this action will assist the committee by putting some "teeth" behind the current set of covenants and rules. The committee does not seek to avail itself of this option on regular occasion, but only when every other method has proved to be unsuccessful.

The committee will also be addressing a letter to KICA Board President, Vaughan Delk, asking him to address this issue at the next Board meeting.

The Covenant Compliance Committee respectfully submits this report in conjunction with the report from LRP Subcommittee Group QL-6.

Please let us know if you have further questions of us, or if we may be of assistance to you.