

Residents Inc.
The Colony Neighborhood Association

Board Meeting, March 4th, 2003

Attendees Junior Odom, President
Gerald Ward, Vice President
Laura Kessler, Secretary
Frankie Daniel, Treasurer
Members at Large: Lowell Bush
Chris Huber
Carin Lovell
Resident Fred O'Bryan

Treasurer's Report Frankie Daniel reported that we have \$3,900 in the general fund, and \$1,352 in the light fund for a grand total of \$6,720

Junior stated that we still owe Bruce Simpson \$1,590 68

Motion Gerald Ward moved that we pay Bruce Simpson the remainder of his current bill in the amount of \$1,590 68 This motion was seconded and unanimously approved

Discussions

Lights We currently have 2 old light fixtures in the front entrance which could be moved to other areas of the colony Board members were asked to look around and make recommendations as to where they might best be relocated It was also noted that some lights are staying on 24 hours a day The recent ice storm was blamed for this malfunction in the sensors and timers It was noted that this problem is KU's responsibility

Assessments and light fund non-payments Fred said that he would go around and make requests for payments from neighbors who have not already done so

Board restructure Junior stated that he would like to have a President-elect rather than a vice president position, for ease in transference of duties The ex-president could then become an ex-officio president, serving on the board It was noted that this structure be changed in the by-laws

Treasurer's Accounts. It was stated that the light fund and legal fund should stay separate, but that perhaps we change the wording of the legal fund to "General Fund"

Speed Humps and Roundabout. Carin Lovell stated that she would take around a petition to reassess the need for speed humps and the roundabout

The meeting was thus adjourned

Respectfully Submitted,



Laura Kessler, Secretary

Dear Residents, Inc. Property Owners,

March 8, 2003

Many residents have voiced their concerns and objections to aspects of the Agreement between Residents, Inc. and the developer. Therefore, we are reassessing the desires of the membership, since it has been several years since the agreement was signed.

The agreement stipulates in Article XII, that all the terms of the agreement are binding unless an instrument in writing, signed by 70% of then lot owners and members of Residents, Inc is provided agreeing to change said covenants and restrictions, in whole or in part, or to terminate the same, in which case the Declaration shall be modified or terminated as specified therein.

Many have objections to the proposed Exhibit "D" in the agreement that pertains to speed humps and the roundabout. Below we will outline these objections that we have heard. We hope you consider the effect these will have on your neighborhood, even though these items may not affect you.

Roundabout objections and concerns:

Initial concern over speeding and traffic has shown to be unwarranted

No proper site survey has been done at the intersection of Standish and Mayflower

No civil engineer has been hired to design the proposed roundabout

The residents who use Standish and Mayflower have never been shown a proper plan

At least three mail boxes are located very close to the probably edge of the roundabout

The existing lighting is probably going to leave most of the roundabout in darkness

Residents are accustomed to using the street for overflow parking

No need for such a roundabout has been demonstrated

A poorly engineered roundabout could potentially be unsafe

Track record of developer in properly executing plans from the agreement is woefully inadequate

It will invade some residents property

After one year, the Residents, Inc. are responsible for the plantings. If the residents that surround the roundabout oppose it, we don't think the plantings will be maintained by the neighbors - thus another eyesore. See what the other plantings in the islands look like?

See back side for speed hump concerns and objections.

Speed Hump objections and concerns:

Initial concern over speeding and traffic has shown to be unwarranted

With current city regulations, our neighborhood would not qualify for approval of these devices:

In the city survey in 2001, the researcher found that many were either all or partially opposed to the plan.

In a meeting with the city traffic engineer, several problems were discussed and that we personally witnessed: that constructability is a problem - they are difficult to construct, since tolerances are different; rudding that trucks cause (we will still have quite a bit of heavy construction equipment); when our roads are resurfaced, they will have to be removed; they would have to be marked somehow for snowplows, which can tear them up; runoff of debris and water to neighboring yards; vehicles will vere to the sides (where they are tapered) to maintain speed

Track record of developer in properly executing plans from the agreement is woefully inadequate

The speed humps if poorly executed or maintained, could be hard to drive over

They will be made of asphalt - which is affected by traffic, heat, cold and weather

Speed humps would make snow plowing more difficult and could be damaged by the plows

No need for such a system has been demonstrated

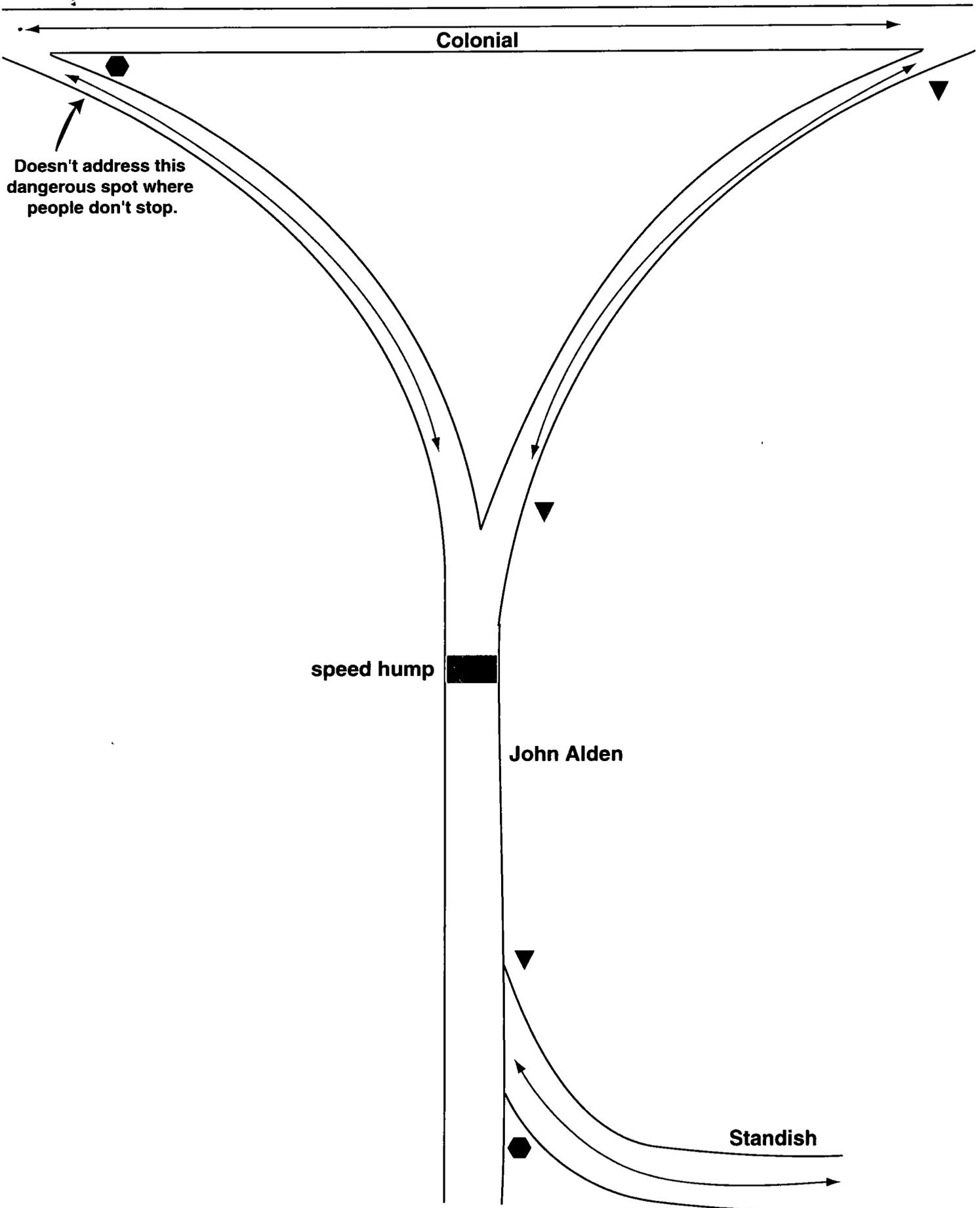
Some residents do not want the humps adjacent to their property

The city is responsible for replacing the humps, but no criteria exist determining the need for replacement. Take a look at our current road conditions - they don't think we need resurfacing anywhere, and do not have us on a schedule to do so.

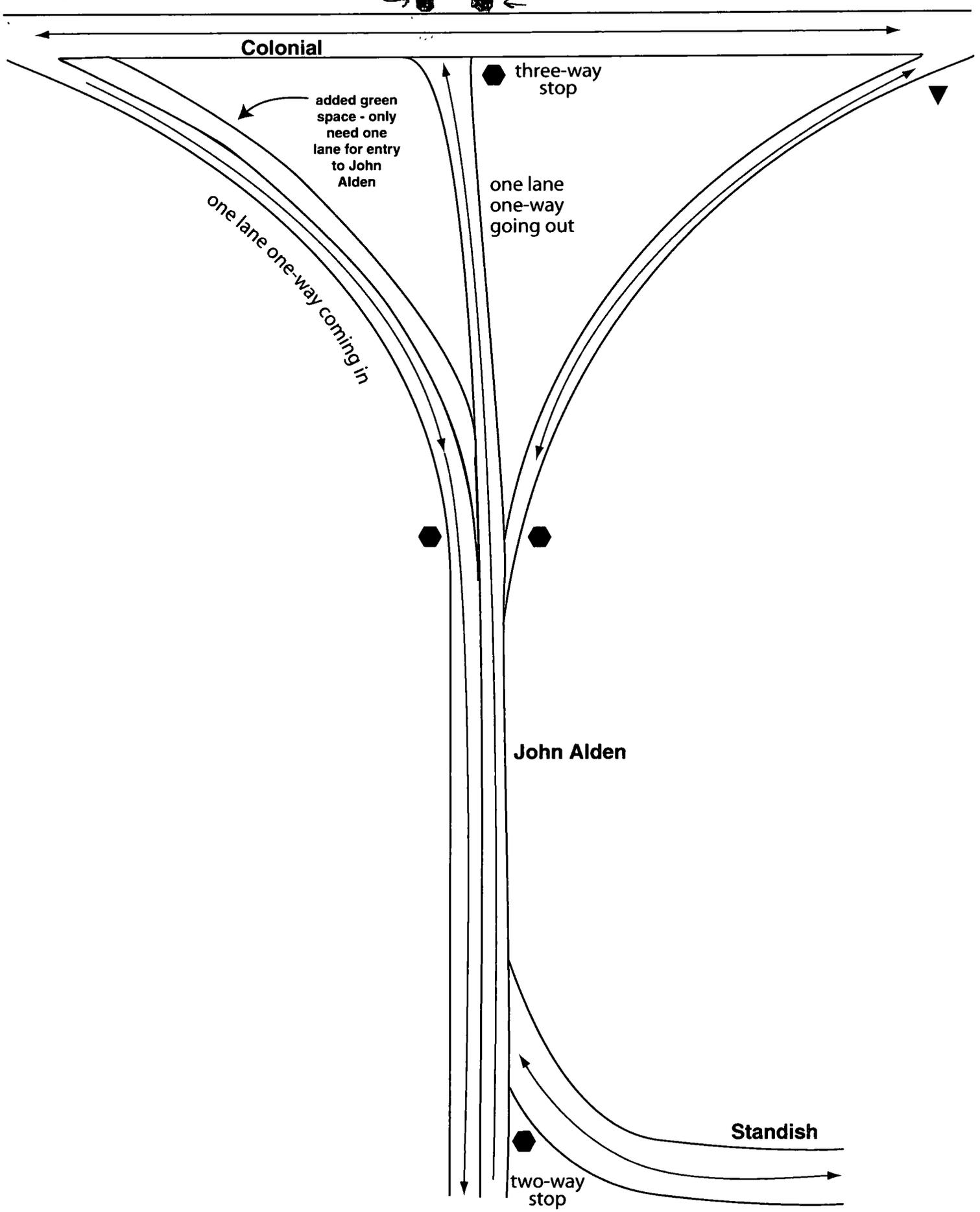
A previous speed hump was installed, and had to be removed already due to inadequate construction

If you would like to see and FEEL a prototype of the speed humps, drive out to Southpoint Dr. in Veteran's Park. Drive 25mph, and see what it does to your back end. The city engineer told us that the developer had the correct specifications for constructing, but that they were not done correctly. They are still there...and the neighbors are irate!

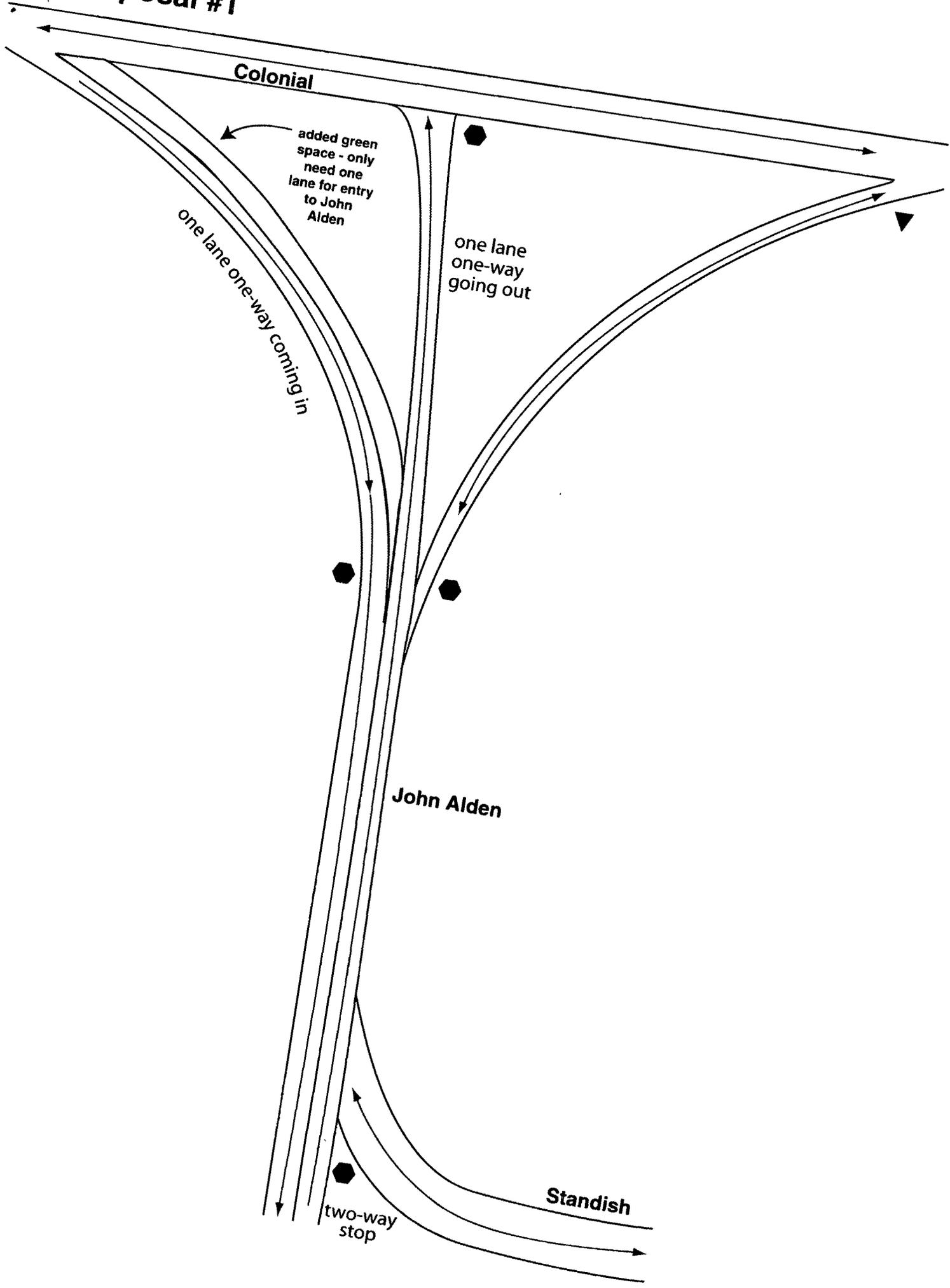
Proposal #3 (one speed hump, everything else the same)



Proposal #2 (adding three-way stop)



Proposal #1



Colony Residents

March 24, 2003

At the first meeting we had with me as president, the first thing I said that I wanted to accomplish was to get the members unified as we once were. At this I am a total failure.

The second thing was my responsibility to carry out a lawsuit against the contractors if they did not meet their obligations according to the contract. They did not so a lawsuit was entered.

After the lawsuit was filed they started talking with me Mr. B. Fry and Allen Wald sat down to a productive meeting.

As of this date this is the result of that meeting.

1. Entrance:

Has been completed except for a few minor details and should be completed by May 30, 2003. The lights were to bright but now I am not sure. I haven't heard that many complaints.

2. Speed Humps:

These were to be installed by April 30th. Since then a petition has been circulated and a legal majority signed not to have them done.

3. Round About:

This was to be started April 30th and would have taken a full week to complete. A petition was circulated and a legal majority signed not to have this done.

4. Mosquito Infested Lake:

This to be started the middle or last of May 2003.

5. Walk Way:

We are still working on this. We are trying to find out what an improved walk way is.

6. Landscaping:

This is scheduled to be started on April 1st. I am still trying to find out who is on the committee in order that the landscaping will be taken care of after it is installed. (Thanks Lowell)

I had several by-law changes I wanted to suggest but one of our board members wanted to see a signed copy of the by-laws. I do not have a copy of the original by-laws, I only have a copy of the recent ones that haven't been voted in. Since I have been unable to find a copy, even though one member promised me a copy the next day that I did not receive. I was able to get an older copy but it was not signed.

I am still open for recommendations for board members. I am calling a full meeting at Saint Raphael Church on May 15th. At 7:30 p.m. Please try to come.

I have been constant contact with Paul Brooks and am unable to get a time for limbs to be picked up.



April 2, 2003

Dear Board members,

Since the board meeting was scheduled during Fayette Co. School s spring break, I was not able to attend, but I wanted to voice some concerns in my absence.

1. There have been accusations that we obtained signatures for the petition illegally. Since I am not there to defend myself, I want to state that I did not coerce anyone into signing the petitions. If a person was undecided, I presented a sheet which was collected from many residents regarding their concerns and objections about the speed humps and roundabout. It was then THEIR decision rather to sign the petitions or not. I did not return to any households after they made their decision to sign or not. I tried my best to be as impartial as possible to those who were undecided. However, if they voiced their sentiment that mirrored mine, I thoroughly agreed — but not until.
2. The collected petition clearly indicates that the majority of Colony Residents, Inc. wishes that the speed humps and roundabout be removed from the agreement. The agreement states that the existence of this petition is legally binding and must be presented as a modification to the agreement. In my opinion, there is no decision the board needs to make in deciding what to do with the petition. It is spelled out legally in the Agreement document which says:

From article XII: all the terms of the agreement are binding unless an instrument in writing, signed by 70% of then lot owners and members of Residents, Inc. is provided agreeing to change said covenants and restrictions, in whole or in part, or to terminate the same, in which case the Declaration **shall be modified** or terminated therein

I would encourage the board to move quickly to instruct the lawyer to enter the petition as a modification to the agreement, and instruct the developer NOT to install the speed humps and roundabout on April 30th. Also, the city (Chuck Saylor) needs to be notified.

3. I have several ideas as proposals to present at the General meeting regarding traffic restraint on John Alden. Junior will show you these ideas. When I return from Florida, I will meet with Chuck Saylor and ask if these are even possible. If so, I would move that we take a vote at the General meeting on one of the proposals.
4. I am going to write Myra and ask her for the minutes of the meeting where the bylaws were enacted, or a signed copy of the bylaws. I ll also ask her if she has any of the schematics of the walkway around the lake. I ll at least try.
5. Concerns collected from residents as a result of circulating the petition should not be ignored by the board. Neither should letters directly written to the board. Here is a list that I previously gave to Junior that I think should be discussed with the developer in lieu of installing the speed humps and roundabout:
 - a. options for calming traffic on John Alden (upon city approval)
 - b. lights dimmed at entrance
 - c. additional lighting installed in the back of the Colony
 - d. walkway at the large lake

Not developer related:
stoplight at Colonial and Versailles Rd.
debris removed
roads resurfacing by the city

I think that it would be wise, if we intend to present changes to the membership, that we alert them that bylaw changes will be voted on at the General meeting in May. I also would suggest moving the neighborhood picnic to June. Many people travel on Labor Day weekend, and it is TOO blazing hot!

Thanks. I look forward to seeing what our goals and objectives are for our General membership meeting.

Carin Lovell



List of people who wanted their names either added or removed from petitions (also see the minutes from July 10th).

May 28th signature confirmation (Carin and Julie)

	<u>speedhump petition</u>	<u>roundabout petition</u>
original signatures	52	58
less 2 non-residents (Myra Jackson's)	-2	-2
less residents who wanted removed**	<u>-4</u>	<u>-4</u>
valid signatures	46	52

**Gerald Ward, David Meeks, Edna Jordan, Julie Springer

July 10th meeting at church

less residents who wanted removed*	-1	-3
plus residents who wanted added+	<u>+3</u>	<u>+1</u>
Final total revised valid signatures	48	50

*David Kessler, Virginia Grogan, Jennifer Blakley
+Barbara Crocker, Edwin Downer, (3rd signature-can't read clearly)

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After one year, the Residents, Inc. are responsible for the plantings. If the residents that surround the roundabout oppose it, we don't think the plantings will be maintained by the neighbors - thus another eyesore. See what the other plantings in the islands look like?

See back side for speed hump concerns and objections.

We object to both the roundabout and the speed humps.

*Mildred Lawrence
Charles Lawrence*

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Carin Lowell
233-4455

Residents Inc.

The Colony Neighborhood Association

Minutes for the Board Meeting, April 9th, 2003

Attendees Junior Odom, President
Laura Kessler, Secretary
Members-at-Large Lowell Bush
Chris Huber
Residents David Meeks
Fred O'Bryan
Walt Whitlow

Junior read the Treasurer's Report, which showed a total of \$5,431.42. Fred said that he had collected a total of \$1,112.00 from residents. Fred said that he had called KU and they were going to check out the light malfunction at the intersection of Standish and Mayflower.

Junior announced the following dates for Completion

Pond 5-30-03 To Start work

Flowers 4-15-03 Work will be done

It was noted that Kathleen Whitlow and Kathy O'Bryan had volunteered to serve on a flower committee. It was thought that Carin Lovell was also on this committee. It was stated that the flower work should start at the front entrance.

Walkway Junior stated that he found out the term "Improved Walkway" means concrete. The developer said they would start this work in April.

Front Entrance There was some discussion about the width of the front entrance lanes. Junior said he was not satisfied with the present widths, that they should be wider, but that the developer said they thought it was fine. Lowell stated that he had checked with the original plans, and he felt that they were VERY close to what we wanted. He felt that the plantings were up to specs as well. It was concluded that what we have is acceptable, but that it still needs to be paved, or "polished". Junior stated that Versailles Road is scheduled to be paved three years from now.

Roundabout and Speed Humps It was stated that the work on these was supposed to be started in April. The petitions that were circulated by Carin and Randy Daniel revealed that 58 had signed for removing the Roundabout from the contract, and 51 had signed for the speed hump removal. Much discussion ensued as to the validity of these petitions. Most felt that the fact sheet that was circulated with the petition seems to be misleading and does not represent the previous agreement with the city and the developer.

Motion: Lowell Bush moved that we authorize Junior to contact Bruce Simpson to obtain advice as to the validity of the petition received opposing the speed humps and the roundabout.

The motion was seconded by Fred O'Bryan and was thus passed.

Junior stated that he would discuss some other issues with Bruce Simpson, namely, 1)Move the lights, and give us one more light 2) Reset the benches, and 3)Move some of the stop signs

By Laws and Articles of Incorporation Junior stated that Vice President Gerald Ward said that he would have a sample of the By-Laws drawn up

It was suggested that we have another board meeting before the May 15th Association meeting This was scheduled for April 22nd

The meeting was Adjourned

Respectfully Submitted,



Laura Kessler, Secretary

THE COLONY NEIGHBORHOOD ASSOCIATION
(aka Residents Inc.)

ANNUAL MEETING MINUTES

Thursday, May 15, 2003

The annual meeting was held at St. Raphael's Episcopal Church on Thursday, May 19, 2003. There were 25 neighborhood members present (see sign-in list). The meeting was called to order at 7:35 p.m., by outgoing President Junior Odom.

Past Minutes: Julie Springer, incoming Secretary, read the minutes from the last annual meeting. Tom Wade moved to accept the minutes as read; Chris Ebert seconded. Motion approved.

Treasurer's Report: Ms. Frankie Daniel, outgoing Treasurer, reported that we have 3 separate checking accounts for the Colony monies. One for general funds and two for the light fund. She stated we have \$6,491.93 in the U.S. Bank (Lane Allen Road Branch). This amount reflects that attorney (Bruce Simpson) has already been paid. Note: Money was borrowed from one of the light funds to pay the final bill from the attorney. That money was repaid from donations which were solicited from the neighborhood at large, with the understanding that any funds secured would be used to pay the attorney's fees. 59 individuals made donations to that fund.

Frankie stated she would turnover all pertinent documents along with all other Colony related paperwork to the incoming Treasurer, Mr. Fred O'Bryan, after the close of the meeting.

Fred O'Bryan, gave an update on the **Versailles Road entrance lighting**. He has worked with both KU and a friend who is an electrician, to try to bring closure to this issue. He stated that KU has no legal obligation to maintain or repair the current lighting. We had a contract years ago with KU, but it has since expired. All current and future costs are to be borne by the Colony. It was suggested that the wattage be lowered because the bulbs are too bright at the entrance. Fred stated that short of replacing the existing fixtures, we will have to live with what we have. It is too expensive to replace what is there. The amount of wattage is tied directly to the type of fixture and the transformer in that fixture. Fred suggested we move the two other (old-style) lights that are there to the rear of the Colony where they are needed, which will help a little to decrease the brightness. If we move these lights, it will have to be at our cost. Fred will look into costs.

Frankie Daniel stated the current monthly average cost of the lighting is \$38.00. This may change, as the lights are off longer during the summer. Fred stated that residents in the new section of the Colony will eventually be asked to contribute to the light fund.

Lowell Bush is working with the developers on the **landscaping plan** for the common areas. He is overseeing new plantings. It was stated that the developers paid \$1,600.00 for the cost of these plantings. Carin Lovell asked for volunteers to do clean up at the Versailles Road entrance on May 25th from 1-3 p.m. (Sunday). Those who responded were asked to show up with their own hand tools and trash bags. David Meeks will bring the mulch, etc.

Carin Lovell suggested we move the **neighborhood picnic & potluck** to June 7th at 5 p.m. (Saturday). This is due to the hot and humid weather later in the season. All those in attendance agreed. Carin will send reminders to all residents about the change.

Speed Humps: This issue was brought up again. There is still confusion about what is pending. There was petition passed around to get the humps removed. Carin Lovell suggested we approach the developers about redesigning the intersection at John Aldin where the worse problem is. Issue was tabled till next Board meeting.

Junior Odom, outgoing President, gave an update on what he has been able to accomplish during his tenure over the last year. He commented on the lack of unity and consensus of opinion on most issues of concern throughout the neighborhood. He also stated that there is no legal, signed working copy of the By-Laws and that he has been operating in good faith under the 1961 By-Laws. It was stated that in 1994, there were suggested Amendments to the By-Laws, but they were never ratified. Both of these issues are causing serious delays and confusion with regard to finishing up the issues at hand with the developers. This must be remedied immediately if we are to be successful. He also stated that the City was not aware of what the developers were required to do, which is also causing problems getting issues completed. The incoming Board will meet with Junior in the next two weeks to get a detailed update.

Annual Elections: The nominating committee (consisting of Fred O'Bryan and Junior Odom), put forth the following slate of new Board members for the term of one year:

David Meeks for President
Gerald Ward for Vice President
Julie Springer for Secretary
Fred O'Bryan for Treasurer

Frankie Daniel made a motion to accept the slate as it, Max Crocker seconded. Motion approved.

There were five residents nominated for 3 Director-At-Large positions A general vote was taken by written ballot with the 3 getting the most votes, being duly elected. All those in attendance were eligible to vote. Those nominated (with final votes noted) were:

Lowell Bush (16 votes) Elected
Carin Lovell (15 votes) Elected
Laura Kessler (19 votes) Elected
Dan Huber (8 votes)
Walt Whitlow (8 votes)

Incoming President David Meeks presented a brief update on the Versailles Road Rt. 60 corridor issue. He would like to send a representative from the Colony to each meeting they have so we can stay updated on issues concerning us.

The meeting was adjourned at 8:45 p.m.

SIGN IN SHEET

5/15/03

Jillie Springer
Alma Norton
Junior & Son
Edna Jordan
Helen Zigou
Howard Musgrave
Mildred + Charles Lawrence
Dad Wade
Cary Lowell - has ¹ copy of contract
David Meets
Tom Wade
Doris & Chuck Vineyard
Frankie Daniel
Howard Post
Chris Huber
Jeanne Thornhill
Cyrus + Fred Ficus
Lemmy Ward
Cathy O'Bryan
Dad M O'Bryan
Max + Barbara Crocker

Residents Inc.
The Colony Neighborhood Association

Dear Colony Residents,

This is a reminder that we are having a meeting May 15th, 7 30pm, at Saint Raphael's Church on Parkers Mill Road Please remember to mark your calendars, as this will be an important meeting. I recommend that we draw up new by-laws I also recommend that we change Vice-President to President-elect, as well as making the Past President a member-at-large

The new slate is

President David Meeks
Vice President Gerald Ward
Secretary Julie Springer
Treasurer Fred O'Bryan
Members-at-Large (3 top vote getters)
Lowell Bush
Dan Huber
Laura Kessler
Carin Lovell
Walt Whitlow

Sincerely, Junior Odom, President

COLONY NEIGHBORHOOD ASSOCIATION (aka Residents, Inc.)
Board of Directors Meeting, Tuesday, May 27th, 2003 7:00 p.m.

-----AGENDA-----

- 1. Follow up on Colony Entry clean up.**
*Discuss next scheduled clean-up area.
- 2. Follow-up on changing neighborhood picnic date.**
- 3. Update on pending amendments to By-Laws.**
*Suggested amendments
- 4. Update on Bruce Simpson "legal opinion" on pending speed hump petition.**
- 5. New Business**

THE COLONY NEIGHBORHOOD ASSOCIATION
(aka Residents Inc.)

BOARD MEETING MINUTES

May 27, 2003

This meeting was held at President, David Meeks house. The following Board members were present: Gerald Ward, David Meeks, Julie Springer, Carin Lovell and Laura Kessler. The meeting was called to order at 7:10 p.m.

1. Follow Up on Colony Entry clean up. The following residents attended the clean up on May 25th: Jan Thornhill, Julie Springer, David Meeks, Laura and Randy Kessler. David will follow up with Lowell Bush about the status of the permanent landscaping. It is planned that residents will take over the regular maintenance of all the common areas as soon as possible.
2. Change of neighborhood picnic date: It was confirmed that the new date is June 7th at 5:00 p.m. at the same landscaped triangle as last year. Julie and Carin will put out flyers to all houses to let them know.
3. Member Directory: Julie will begin work on updating. Gerald suggested several changes and they will be put in the new version. Julie will try to get more emails from residents so we can try to send notices and a newsletter that way.

Walt Whitlow arrived at 7:55 p.m. and was asked to give the current Board a brief history of the contract with the developers, and the speed humps and round-a-bout., which he did.

4. Status of By-Laws: It was determined by Gerald that we have been operating under the 1961 By-Laws and they are legal. There was a new version from 1994 but they were not ratified. Gerald will use the 1961 By-Laws and we will make any changes/amendments to that version. Julie distributed copies of the 1961 By-Laws to each member present. Each Board member is requested to read through their copy and be prepared to do offer final suggestions for changes, at an upcoming meeting to be announced.
5. Update on Bruce Simpson legal opinion on speed hump and round-a-bout petitions: David read Bruce's opinion paper and he made it clear that the petitions are valid if we have 70% of Residents Inc. signatures. Signatures on the petitions must be from "residents", not lot owners. If this is the case, we have the obligation to take the petitions to the New Colony residents and pass it around. David asked Julie and Carin to meet tomorrow night and go through both petitions and determine there were no duplicates, and confirm the number of signatures, and then to report back to him.

Carin made a motion to verify the petition signatures and if 70% were present and valid, that a special meeting be called of all Colony Residents to clarify the status and to take them to the New Colony. But, if the petitions are found to not have the required 70%, then no meeting will be called, and the petition issue will be dropped. David will then pursue the developers to get moving again. Julie seconded the motion. It was passed.

The meeting was adjourned at 9:05 p.m.

May 27, 2003



RE: Colony Speed Humps and Roundabouts

To whom it may concern,

At the signing of the petition to oppose the speed humps and roundabouts in March 2003, I was out of town and unable to participate with my views on the matter.

I wish it to be known that I am opposed to both and wish to make this known by the signing of this letter on this 27 day of May, 2003.

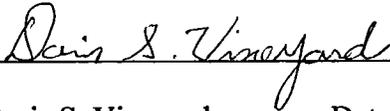
Respectfully yours,

A handwritten signature in black ink that reads "Rae House". The signature is written in a cursive style with a large, looping initial "R" and a stylized "E".

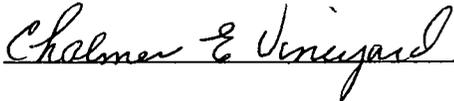
Rae E. House

To Whom it may concern:

This is to certify that we ,Doris S Vineyard and Chalmer E. Vineyard are residents of property located at 1237 Standish Way, Lexington, Ky. And as such are opposed to the installation of both speed humps and the round-a-bout drive in the colony subdivision.



Doris S. Vineyard Dated May 28, 2003



Chalmer E. Vineyard Dated May 28, 2003

These go
with
originals

THE COLONY NEIGHBORHOOD ASSOCIATION
(aka Residents Inc.)

BOARD MEETING MINUTES

June 13, 2003

This meeting was held at President, David Meeks house. The following Board members were present: Lowell Bush, Fred O'Bryan, David Meeks, Julie Springer, Carin Lovell and Laura Kessler. The meeting was called to order at 5:30 p.m.

1. Julie read minutes from May 27th meeting. David discussed our options pertaining to the speed humps and roundabouts. He wants to call a neighborhood wide meeting to re-educate everyone about them and have Chuck Saylor from LFUCG there to answer questions. This meeting will be billed as the final opportunity to address any concerns about the humps and roundabout. Mr. Saylor will clarify the city's position and criteria.
2. Julie and Carin went back through all the petitions to determine validity of all signatures. It was found that the 70% criteria had been reached. This did not include the four or so people that David said wanted to be removed from the petitions. Bruce Simpson recommended in a verbal opinion, that we send a mailing with a SASE to all homeowners (not lot owners) with a letter explaining the petitions and laying out our opinions. David will contact Chuck Saylor to set up the meeting and will let Julie know the date/time so she can make up flyers, emails, etc. for notices. Carin and Laura will distribute. We will provide Chuck a list of questions prior to the meeting so he can be prepared to answer most issues.
3. Julie and Carin will make up notices about the change of date for the neighborhood picnic and distribute.

Meeting was adjourned at 6:05 p.m.

John Springer

From: "John Springer" <j.springer@insightbb.com>
To: "Carin Lovell" <carin@bydesigned.com>, "David Meeks" <mmt@qx.net>; "Fred O'Bryan" <fredmobryan@webtv.net>; "Laura Kessler" <lauraclaikessler@yahoo.com>, "Lowell Bush" <lpbush1@uky.edu>; "T. Gerald Ward" <listward@netscape.net>; "Walt Whitlow" <whitlow2000@insightbb.com>; "Melba Yeary" <melbayeary@juno.com>; "Barbara Leadingham Hanson" <bwleadingham@msn.com>, "Julie and John Springer" <j.springer@insightbb.com>; "Charles and Mildred Lawrence" <mlaw1209@aol.com>; "Max and Barbara Crocker" <mcrocker@uky.edu>; "Howard Bost" <hlobost@webtv.net>; "Phillip and Sally Miller" <wildtrees@mindspring.com>; "Charles and Alice Taylor" <A-CTaylor@worldnett.ATT.net>; "Julie Mitchell" <jcmitchell@bop.gov>; "Roger Lyon" <rlyon@ygrest>; "Bill and Martha Taylor" <mstaylor@ix.netcom.com>; "Mike and Dana Maloney" <mikedanam@aol.com>; "Art and Jane Baumohl" <jbaumohl@verizon.net>; "Randy and Frankie Daniel" <erdani01@pop.uky.edu>; "Walter and Mickey Smith" <toms22228@aol.com>
Sent: Friday, June 20, 2003 9:58 PM
Subject: Colony meeting on speed humps/roundabout

Fellow Colony Neighbors...

This is the first neighborhood-wide email message. I'm Julie Buchanan-Springer (at 2516 Versailles Rd.) your new Secretary. Listed below is the new Board, which was voted on at the meeting in May...

2003-2004 COLONY NEIGHBORHOOD ASSOCIATION (aka Residents, Inc.)

President: David A. Meeks 1252 Standish Way

Vice-President: T. Gerald Ward 1224 Colonial Drive

Treasurer: Fred O'Bryan 1245 Standish Way

Secretary: Julie Buchanan-Springer 2516 Versailles Road

Member-at-Large: Lowell Bush 1241 Colonial Drive

Member-at-Large: Laura Kessler 1228 Standish Way

Member-at-Large: Carin Lovell 1280 Colonial Drive

From time to time, the Board will notify you of upcoming meetings, events, and other issues of concern. We will continue to send flyers and put the street sign out so that all those without email can stay informed. If you wish to be removed from the group list, please reply to j.springer@insightbb.com. Also, please notify Julie of any changes to email addresses, phone numbers, etc.

NOTICE OF CONCERN RE: SMOKING BAN AND KY-AM WATER CONDEMNATION

(email from David Meeks....I have just returned from a meeting with the Mayor and Paul Brooks, our Councilperson, and several Neighborhood Association members from the 11th district. I would like to let our board and association know that Paul will be voting to **condemn Kentucky American Water Company and proceed with the takeover, and also to ban smoking in public places.**

I think it's very important that everyone understand that our representative, Mr. Brooks, has the deciding vote. Please circulate this email to everyone possible. They should contact Paul Brooks and let him know their opinions, whether they agree or disagree.

6/22/2003

THE COLONY NEIGHBORHOOD ASSOCIATION
(aka Residents Inc.)

BOARD MEETING MINUTES

June 13, 2003

This meeting was held at President, David Meeks house. The following Board members were present: Lowell Bush, Fred O'Bryan, David Meeks, Julie Springer, Carin Lovell and Laura Kessler. The meeting was called to order at 5:30 p.m.

1. Julie read minutes from May 27th meeting. David discussed our options pertaining to the speed humps and roundabouts. He wants to call a neighborhood wide meeting to re-educate everyone about them and have Chuck Saylor from LFUCG there to answer questions. This meeting will be billed as the final opportunity to address any concerns about the humps and roundabout. Mr. Saylor will clarify the city's position and criteria.
2. Julie and Carin went back through all the petitions to determine validity of all signatures. It was found that the 70% criteria had been reached. This did not include the four or so people that David said wanted to be removed from the petitions. Bruce Simpson recommended in a verbal opinion, that we send a mailing with a SASE to all homeowners (not lot owners) with a letter explaining the petitions and laying out our opinions. David will contact Chuck Saylor to set up the meeting and will let Julie know the date/time so she can make up flyers, emails, etc. for notices. Carin and Laura will distribute. We will provide Chuck a list of questions prior to the meeting so he can be prepared to answer most issues.
3. Julie and Carin will make up notices about the change of date for the neighborhood picnic and distribute.

Meeting was adjourned at 6:05 p.m.

SPECIAL MEETING OF THE COLONY RESIDENTS

DATE/TIME: Thursday, July 10th, 7:00 p.m.

LOCATION: St. Raphael's Episcopal Church
1891 Parkers Mill Road

TOPIC: Status of speed humps and roundabout, and the
Petitions regarding same.

This will be an open meeting to clarify the status of the speed humps and roundabout, including the 2 petitions that were recently circulated.

Mr. Chuck Saylor, Traffic Engineer Manager, LFUCG Neighborhood Traffic Management Program, will be in attendance to confirm the city's position and answer questions. Please try to attend. This is a very important meeting and it is hoped the LAST ONE dealing with this issue.

NOTE: For those who can not attend, and have questions or concerns about their signatures on the petition(s); want to take their names off the petition(s); or want to add their names to the petition, they should contact President, David Meeks at home (233-7809) BEFORE JULY 10TH.

COLONY NEIGHBORHOOD MEETING July 10th 7:00 pm

Roundabout and speed hump questions:

1. Most roundabouts are built on level ground. This site definitely slopes toward the Mayflower side. At what speed will this roundabout be safe?
2. The speed limit in our neighborhood is 25 miles per hour. Would this roundabout be safe and comfortable to traverse at 25 m.p.h.?
3. Will it be safe when the road is covered with snow or ice?
4. Will it be safe for trucks, including moving vans, school buses?
5. Can you show us the visual plans/drawings for both types of speed humps and the roundabout? Is there a requirement that they be approved by the city, why? Have these been approved by the city?
6. Why was the initial trial speed hump removed?
7. What material(s) can the speed humps be made of? Are there different material options that we can choose from or are we limited to just one?
8. In your letter dated January, 2003, you stated "it is virtually impossible to meet the minimum tolerances for asphalt speed humps." Can you explain?
9. Will heavy construction equipment cause rutting and/or flattening of the humps? Who will be responsible for repairing them if this occurs?
10. Will our roads need to be closed to install the humps? If so, how long? What about the one on Colonial where it would block our only access in/out of the neighborhood?
11. What kind of signage is required for the humps? (including snow removal identification) Would this signage be placed in adjacent yards?
12. Will the humps cause water run-off in adjacent yards?
13. We have all observed that some motorists swerve to the sides of the humps to avoid them. This may lead to them going into adjacent yards. How can this be addressed?
14. Are any of the 5 humps to be placed at anyone's driveway or mailbox, or close to intersections?

15. Do we meet the current regulations for traffic volume criteria to install traffic calming devices?
16. Will the city be responsible for maintenance of the humps once they're installed?
17. What criteria exist that determine whether maintenance is needed and performed?
18. Some of our roads need maintenance now (potholes). When are our roads scheduled to be resurfaced?
19. When they are resurfaced, will the city replace the humps or will we lose them?
20. Once installed, will the humps be inspected by the city to determine correct tolerances, etc.
21. If the humps are not constructed to tolerances set by LFUCG, and they have to be removed, who is responsible for removing them, and will there be any damage to the street?
22. Does snow removal equipment propose a problem to the life of a speed hump?
23. Where can residents see and experience these types of humps in Lexington?
24. Has a civil engineer inspected the site for the roundabout to address issues of slope, water runoff, visibility when the plantings are installed, visibility with lighting conditions at night?
25. Since there are no sidewalks around the roundabout, motorists and pedestrians will have to use the same path. With the plantings obstructing a tight view, do you think this could be unsafe?
26. Does the city have criteria in place that determines who maintains (and pays for) the plantings at the roundabout?

General questions:

1. When will Versailles Road be resurfaced?
2. Is there a future plan to install a traffic light at the Versailles Road entrance to the neighborhood? If the residents would like one installed, what is the correct procedure for asking and what is the current criteria we must fulfill?

THE COLONY NEIGHBORHOOD ASSOCIATION
(aka Residents Inc.)

SPEED HUMP & ROUNDABOUT MEETING MINUTES

Thursday, July 10, 2003

This follow up meeting was held at St. Raphael's Episcopal Church on Thursday, July 10, 2003. There were 28 neighborhood members present (see sign-in list). The meeting was called to order at 7:05 p.m., by President David Meeks.

1. David addressed the group regarding the reason for the meeting: to follow up on and discuss the status of the petitions that were previously circulated regarding the removal speed humps and the roundabout from the contract with the developer. Chuck Saylor from the LFUCG had been scheduled to appear to answer questions and concerns that were put forth, in writing, by several residents and members of the Board regarding same. At the last minute, he was unable to attend (due to a death of one of his employees), but instead, dropped off his written answers to those questions to David Meeks' office.

Those answers along with the list of questions were passed out to the group, and Julie Springer and Laura Kessler took turns reading, first the question and then the answer out loud. At the end, David asked if there were additional questions or concerns.

David discussed the appropriate actions the Board must take to finalize the issues with the petitions. He had previously secured a written opinion from Bruce Simpson, the Association's attorney, regarding same. They are as follows:

- A. Review the original petitions, and confirm that all signatures belong to legitimate neighborhood "residents", not "lot or property owners". Each legal street address may have only one signature representing that address, and that resident may be either the owner or renter, whoever is actually residing on said property. Julie and Carin did this on May 28th, and it was determined at that time, that the 70% had been reached on the roundabout petition, but, not on the speed hump petition. See following breakdown:

	<u>speedhump petition</u>	<u>roundabout petition</u>
signatures	52	58
less 2 non-residents (Myra Jackson's)	-2	-2
less residents who wanted removed	<u>-4</u>	<u>-4</u>
valid signatures	46	52

Since there are 70 legal street addresses in the old section of the Colony, there must be a minimum of 49 valid signatures to achieve the 70% required by the contract with the developer.

NOTE 1: At this time, the 70% was not reached on the speed hump petition, so it will not go forward. This section of the contract will remain intact as is.

NOTE 2: The empty lot adjacent to, and, the address 1208 Colonial (both owned by Myra Jackson) will not have votes, because neither has a "resident" there.

NOTE 3: According to Bruce Simpson, if any resident chooses to remove or add their name from either petition, we must do so. In order to fulfill this requirement, at the close of this meeting, we will ask those people to sign another form confirming their wish to either be removed or to be added to the petitions. We will then use the corrected number of signatures for the basis of sending the petitions forward to the "lot owners" in the NEW COLONY.

- B. Once the 70% is reached, we must send a letter to all "lot owners" of the NEW COLONY, informing them about the petitions. We will send these out with a SASE to each lot with a deadline for return with 2 weeks. If 70% of those "lot owners" respond that they do not want the roundabout, we must inform the developer, and the roundabout will not be installed.

Julie will prepare a draft of the letter and send to David for approval.

2. Clifford Hynniman made a motion to take send the petition to the NEW COLONY to get their input on the roundabout. Anne Meeks seconded. David then asked for a show of hands for all those that agreed, 16 yea. Motion passed—assuming the 70% remains intact, by those either adding or removing their names at the end of this meeting.
3. Walt Whitlow made a motion that the Board recuse themselves from moving forward on all petitions, due to the fact that at the time the contract was signed, 100% of all colony residents agreed to it. He stated it should not be changed just because we now have new residents (who were not here at that time), with different opinions. Julie stated that if we allow petitions to keep coming before the Board, there is a danger that we will be mired in internal conflict and nothing will get done. Motion was noted by David. No one seconded. David stated he had met with the developer earlier in the week and he was aware of the internal conflict and the petitions and will not move forward on finishing up these items until this issue is resolved.
4. David also discussed the status of the walkways around the pond, the front pond and the triangle landscaping. Since the landscaping of all these and the roundabout is tied together, that is on hold until the walkways are finished and the petition issue is settled. Developer has committed that the contract definition of an "improved walkway" is "concrete". The walkway around the large pond is now underway where is connects from the Parkers Mill side along Versailles Road to the new section. Developer stated that work on the front pond is underway, but no work has been noted on site.

RE: The "Smith property" access to the pond-The city requires that all walkways must be handicapped accessible, and since the grade at this site is too steep, we will work with the developer to try to find a reasonable alternate for the access here.

5. David called for volunteers for a garden committee that will help with additional plantings at the Versailles Road entrance. The association purchased a number of perennials. Carin will be head of this committee and will direct their plantings. Those wishing to help should see Carin at the close of meeting so schedule work.
6. Fred stated that he had unscrewed the light bulbs from the 2 fixtures at the Versailles Road entrance, since there were on 24/7. Developer has agreed to relocate those 2 fixtures to the rear circle of the neighborhood. Fred asked for volunteers to help scrap and paint several of these fixtures throughout the neighborhood. Cathy and Fred O'Bryan, David, Julie, and several others agreed to help. Fred will coordinate the work schedule.

Junior made a motion to adjourn the meeting, Fred seconded. Meeting ended at 7:40. Those wishing to add or remove their names from either petition came forward.

Beginning status of both petitions (see #1 A above)

	<u>speedhump petition</u>	<u>roundabout petition</u>
valid signatures	46	52
less residents who wanted removed	-1	-3
plus residents who wanted added	<u>+3</u>	<u>+1</u>
Final total revised valid signatures	48	50

List of people who wanted their names either added or removed from petitions (also see the minutes from July 10th).

May 28th signature confirmation (Carin and Julie)

	<u>speedhump petition</u>	<u>roundabout petition</u>
original signatures	52	58
less 2 non-residents (Myra Jackson's)	-2	-2
less residents who wanted removed**	<u>-4</u>	<u>-4</u>
valid signatures	46	52

**Gerald Ward, David Meeks, Edna Jordan, Julie Springer

July 10th meeting at church

less residents who wanted removed*	-1	-3
plus residents who wanted added+	<u>+3</u>	<u>+1</u>
Final total revised valid signatures	48	50

*David Kessler, Virginia Grogan, Jennifer Blakley
+Barbara Crocker, Edwin Downer, (3rd signature-can't read clearly)

7/10/03 COLONY MEETING

SIGN IN SHEET

Julio Springer

John Hahn

Bob Hahn

Helene Sigou

Jean Sandifer

Howard Furgove

Max + Barbara Crocker

Sue Kessler

Roger Lyon

Quin Moore

Cathy + Bud O'Bryan

Curio + Don Huber

Cliff Hymman

Wanda Joan Buser

Jeanne + Bill Thornhill

WALT WATLOW

Doris + Chuck Vineyard

Jenny Jean

Alan + Gordon

James Grogan

Virginia Grogan

Anne Melfe

Meeting Agenda

July 10, 2003

- ✓ 1. Call meeting to order, welcome @ 7:05 by David Meeks
- ✓ 2. Petition and the Boards' approach to handling *by David - giving update*
- ✓ 3. Hand out from Chuck Saylor addressing questions. *no to how we got where we are.*
- ✓ 4. Walkways around pond, front pond work. *Triangles being held up - won't get done - tell protesters issue is settled.*
- ✓ 5. Garden committee needs volunteers *David asked for →*
- ✓ 6. New Business *↳*
7. Adjourn

then begins w/ petition between Colson & Parkers Mill that runs adjacent to N Centre Road. AND ↓

the city requires that walkways must be hand-laid but accessible & grade so to steep to rain

Develop the definition of a "improved walkway" is concrete"
David stated the

*Colson
"By" Smith
reply*

*Julio
draft -*

*attach
SASE & reply*

w/ a 2 week deadline -

7/10/03 Minutes

100
8/10
5/02
* find mail from Chuck Saylor to previous ~~residents~~ residents addresses "post cards" being mailed leg only in (year?) about speed hump so we can see what it says

* Mr. Humeiman made a motion to take the petitions to "New Colony" section to get their input on ~~peto~~ ~~land~~ ~~use~~ ~~record~~ ~~16~~ ~~people~~ ~~in~~ ~~attorney~~ ~~available~~ Anne ~~help~~ record.

~~Cathy~~
* ~~Cathy~~ ~~O'Brien~~ made a motion to be 4 ~~approved~~ ~~distributed~~ ~~from~~ ~~petition~~ ~~to~~ ~~all~~ ~~to~~ ~~relevant~~ ~~addresses~~. Cathy re-draw her ~~map~~ motion has passed

* Walk has made a motion that the Board should recuse themselves from moving forward on all petitions. Motion voted by David ~~but denied~~.

* David - see # 4, 5, 6

✓ old empty light poles need to be refurbished
Cathy O'Brien
Fred O'Brien



New Business

* Fred reported the 2 lights @ entrance
are on 24/7 ~~to KU~~ ^{the other side of the building}. David ~~is~~ ^{is} agreed
pledged to move them to ~~near~~ ^{near} of
cloxy to cil-de-sac. They have
agreed. Fred understood that Bulls
tail that can be moved.

Turn material to agora @ 7:40
Fred recorded.

Chuck Saylor
Division of Traffic Engineering
101 E. Vine Street, Suite 300
Lexington, KY 40507
chucks@lfucg.com
258-3476

Roundabout and speed hump questions:

1. This traffic circle would be larger than some others that have been installed in other areas of town. It would be safe to maneuver around the circle at 25 mph under normal driving conditions. As with any situation, less than ideal conditions (inclement weather, etc.) may result in lower speeds at the intersection.
2. See # 1.
3. Given that vehicles would now be traversing the area in an arc instead of a straight line, it would result in a need for lower maneuvering speeds. Given the posted speed limit, this should not have a significant impact as long as motorists are traveling at a safe and realistic speed.
4. A traffic circle can have an impact on the maneuverability of larger vehicles including moving trucks, buses, emergency vehicles, etc. This may result in vehicles jumping the curb to maneuver the area. In some instances, municipalities have allowed for larger vehicles to turn left in front of the traffic circle, thus traveling the wrong way for a short distance. I would think this would not be an issue in this area given that there is alternate access to the site.
5. The approved speed hump cross-section is the 12' cross section as approved by the Institute of Transportation Engineers (ITE). This is the "standard" speed hump profile and is the one that has been approved for installation on Fayette County residential streets. Given that there is a liability with installation of speed humps, they must be approved by the Urban County Government. The location of the speed humps is also to be approved by the LFUCG. An approval was given for the 12' speed hump profile with locations in the Colony subdivision. This letter was issued in 1998. The attached drawing shows the speed hump cross-section and aerial view of the approved speed hump. The 4" speed hump with a diamond pavement marking design is the standard that has been adopted for installation.
6. The initial speed hump was installed with the intent of providing an introduction to the residents of the Colony to speed humps. It was also intended to remain in place but due to complaints, it was removed.
7. Speed humps can be made of asphalt or a recycled rubber product. Many people ask if concrete is an option. It is but I have yet to see an example of a concrete speed hump probably due to the need for specific forms to meet the parabolic profile that is recommended. My preference is recycled rubber speed humps but the price difference makes them economically unfeasible at this time. Typically, the price difference between a recycled rubber speed hump and an asphalt speed hump is 3.5 times. Where an asphalt

speed hump may cost around \$1,500 to install and stripe, a rubber speed hump of the same type and size would cost between \$4,000 and \$5,000 to ship, install, and stripe.

8. The use of asphalt in speed hump applications should come with the understanding that while it can be formed in the shape of a speed hump, the material does not lend itself to the rigidity of rubber or concrete. The installation is achieved by applying small lifts of asphalt and rolling until an acceptable profile is achieved. Recycled rubber speed humps, on the other hand, are constructed to exactly meet the profile of the standard speed hump. If formwork were constructed to the profile of a standard speed hump, concrete could also be cast to the correct profile. By the nature of the material, asphalt is not conducive to 0.01" tolerances. Other future issues such as settlement, rutting, and shifting of the hump are also factors that must be considered.
9. Heavy construction vehicles and all vehicles for that matter will have an impact on the profile of the speed hump. Heat will also be an accelerant to the settlement/rutting problem. Once the speed humps have been accepted by the LFUCG, future replacement/repair would fall to the government.
10. While closure of the roadway is ideal and would be recommended where alternate access exists, the only point of entry would, however, be maintained open at all times to allow for normal traffic flow. I would anticipate that the installation of the speed humps in the Colony could be performed in one day, thus having minimal impact on vehicular traffic.
11. The original recommendation for signage at speed humps was to install Speed Hump signs adjacent to the speed hump on both sides of the roadway. Due to the aesthetics and cost of such a measure not only in installation but maintenance costs, a more feasible approach is to install a Speed Humps Ahead sign with a distance placard such as Next $\frac{3}{4}$ mile at the beginning of the speed hump installations. Snow removal and identification of the speed humps in inclement weather is also an issue that has been considered. At this time, we have no approved marker that would be installed. Emergency response, snow removal, etc. would be notified with a map showing the locations of the speed humps.
12. The speed humps may cause a more concentrated flow of water in adjacent yards instead of the sheet flow of water that is currently experienced. Given that the Colony does not have curb and gutter, the water would obviously follow the hump to the side of the asphalt pavement.
- ✓ 13. At one time, the idea of a decorative pressure treated wooden bollard was suggested to address this issue as well as serve as a marker for emergency response and snow removal. This may be an option but has not been approved. *Has it have to be approved - who pays, install, maintain*
- ✓ 14. As much as is practical, speed humps are not installed in front of driveways, in front of mailboxes, in front of fire hydrants, directly in front of someone's front window, etc. Intersections also pose a problem and where practical, the speed humps are kept between 100' and 250' from an intersection since this can cause a torsional effect on vehicles and can pose a hazard when motorists are faced with a speed hump with little notice.
- ✓ 15. Based on the adopted resolution and accompanying packet that established the Neighborhood Traffic Management Program (NTMP) in March 2000, the Colony did not meet the minimum volume criteria (1000 vehicles per day or 100 vehicles during the peak hour) when the test speed hump was installed. Given that development has

occurred, I would guess that the volumes have increased but not to the levels required. Given that this was a unique case where the entire project cost would be borne by the neighborhood, it was decided that the project could proceed.

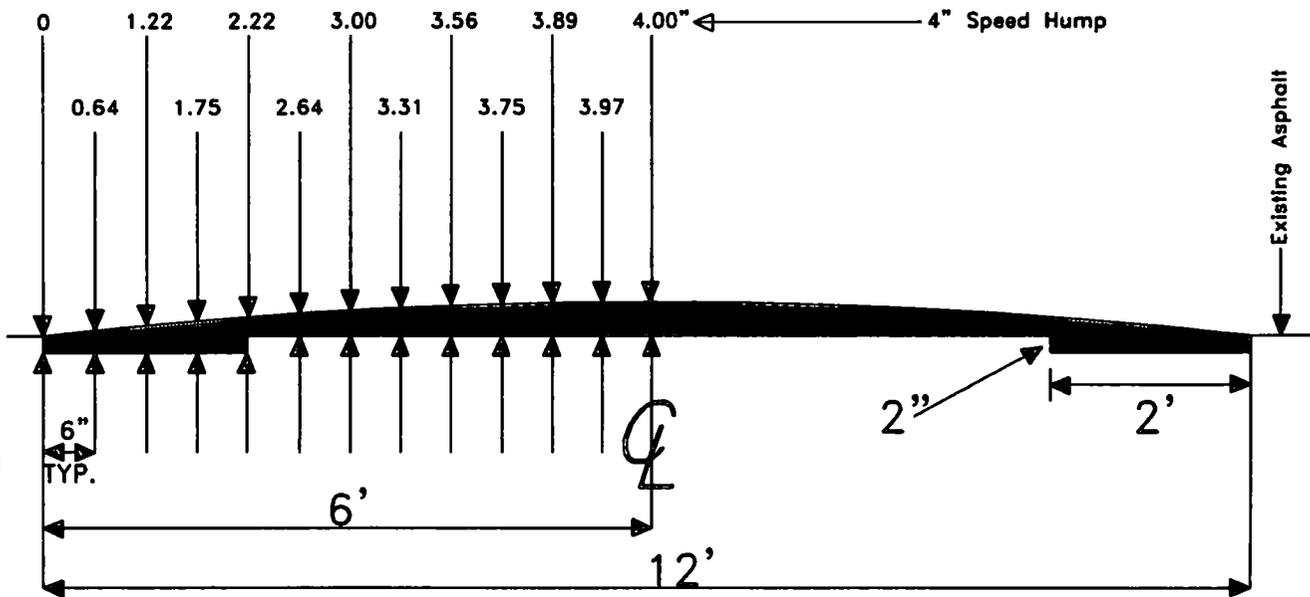
- ✓ 16. Once speed humps are installed on a public roadway and are accepted by the LFUCG, future maintenance would be the responsibility of the LFUCG.
- ✓ 17. Visual inspections will be performed on a yearly basis to determine if the speed hump is in need of repair/replacement.
- ✓ 18. Resurfacing is the responsibility of the Division of Streets and Roads so I do not know when the scheduled resurfacing will occur.
- ✓ 19. When public roadways are resurfaced, any removed speed humps will be replaced.
- ✓ 20. In as much as is practical, the newly installed speed humps will be inspected before acceptance.
- ✓ 21. If acceptable tolerances are not met, the contractor will be responsible for making the necessary adjustments. If removed, the area where the speed hump was installed would have to be repaired.
- ✓ 22. Typically, snow removal equipment will not pose a problem as long as the operator is aware of the presence of the speed hump and adjust the blade accordingly. If properly installed, this should not be a problem.
- ✓ 23. Asphalt speed humps have been installed on the Shilito Park access road, in the Woods Subdivision off Alumni Drive and on Snaffle Road between Ft. Harrods Drive and Lyon Drive.
- ✓ 24. Drainage issues would fall to the Division of Engineering and they have been informed of the proposed installation of a traffic circle in the Colony. Plantings will have to be of a type that does not cause a sight distance problem at the intersection. Motorists approaching the traffic circle should have a clear view around and thru the traffic circle.
- ✓ 25. As long as the plantings are lower to the ground and are properly maintained, this should not affect the current conditions that are experienced by motorists or pedestrians. Another option would be to have no plantings and just grass cover/mulch in the traffic circle.
- ✓ 26. Planting installation and maintenance would be the responsibility of the neighborhood association. An agreement would have to be signed by the neighborhood accepting this arrangement. If at a future time, the proper maintenance is not being performed, the plantings may be removed and only grass cover left. This could occur if improper maintenance creates a hazard.

General questions:

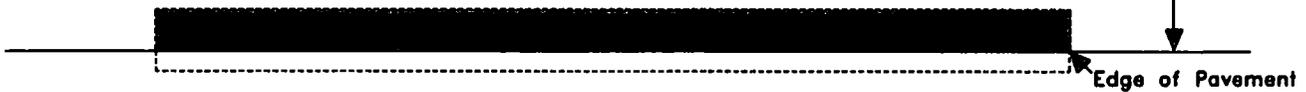
1. I have heard that Versailles Road would be repaved by the State this fall after utility work has been completed on the interior portions. I am not sure if this includes this area of Versailles Road or just the area inside Alexandria.
2. The request for a traffic signal would fall to the State Transportation Cabinet. Due to the low volumes coming out of the neighborhood, I would guess that the minimum criteria are far from being met. Any request should be forwarded to the KYDOT District 7 office on New Circle Road.

SPEED HUMP CROSS-SECTION

Speed Hump cross-section along street



Streets with no curb, gutter, or sidewalk



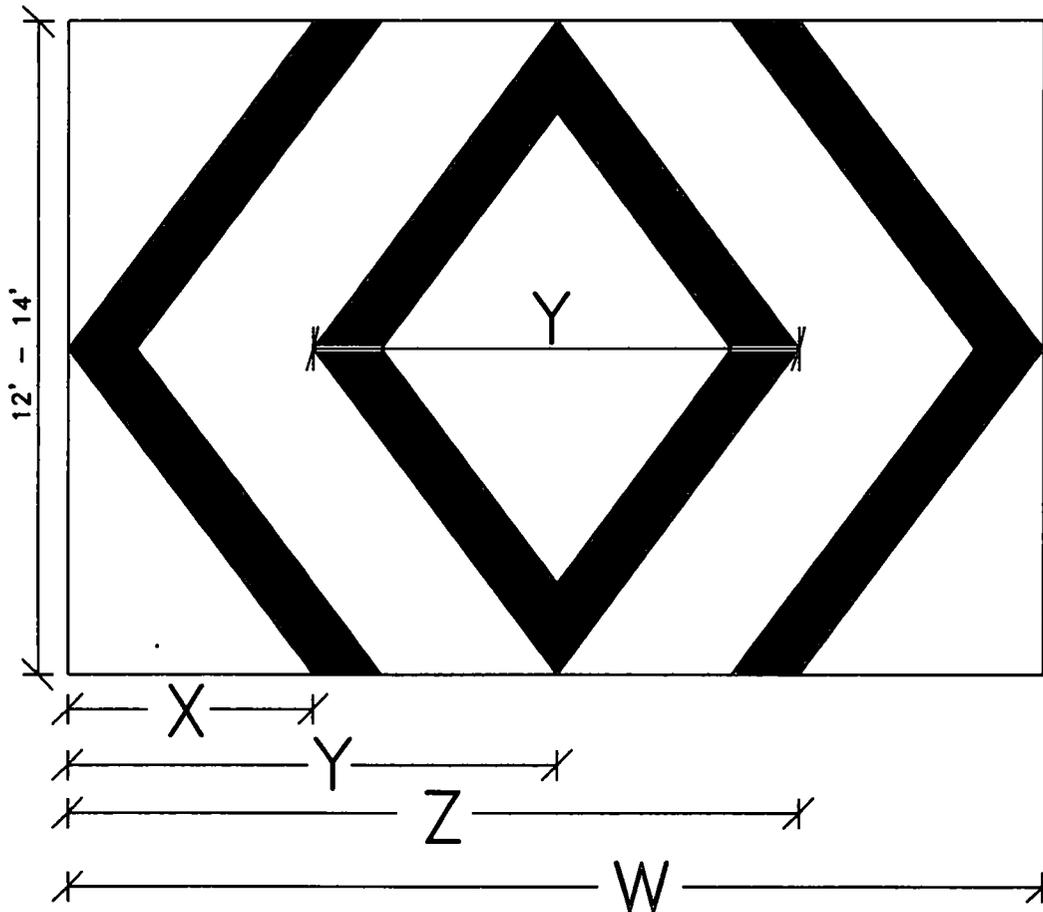
Streets with curb, gutter, and sidewalk



Notes:

1. A 2'X2" key is to be milled at each end of the hump.
2. Tack coat is to be applied at each speed hump location.

SPEED HUMP STRIPING



W	X	Y	Z
15'	3.75'	7.5'	11.25'
16'	4'	8'	12'
17'	4.25'	8.5'	12.75'
18'	4.5'	9'	13.5'
19'	4.75'	9.5'	14.25'
20'	5'	10'	15'
21'	5.25'	10.5'	16.25'

W	X	Y	Z
22'	5.5'	11'	16.5'
23'	5.75'	11.5'	17.25'
24'	6'	12'	18'
25'	6.25'	12.5'	18.75'
26'	6.5'	13'	19.5'
27'	6.75'	13.5'	20.25'
28'	7'	14'	21'

W	X	Y	Z
29'	7.25'	14.5'	21.75'
30'	7.5'	15'	22.5'

NOTE:

12" WIDE HOT MELT MARKINGS ARE TO BE USED ON EACH SPEED HUMP AND ARE TO MEET LFUCG DIVISION OF TRAFFIC ENGINEERING REQUIREMENTS.

Chuck -

The meeting is scheduled for 7:00 on Thursday
Episcopal church on Routes Mill Rd. Thanks

COLONY NEIGHBORHOOD MEETING July 10th 7:00 pm

David
M...

Roundabout and speed hump questions:

1. Most roundabouts are built on level ground. This site definitely slopes toward the Mayflower side. At what speed will this roundabout be safe?
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11. What kind of signage is required for the humps? (including snow removal identification) Would this signage be placed in adjacent yards?
12. Will the humps cause water run-off in adjacent yards?
13. We have all observed that some motorists swerve to the sides of the humps to avoid them. This may lead to them going into adjacent yards. How can this be addressed?
14. Are any of the 5 humps to be placed at anyone's driveway or mailbox, or close to intersections?

15. Do we meet the current regulations for traffic volume criteria to install traffic calming devices?
16. Will the city be responsible for maintenance of the humps once they're installed?
17. What criteria exist that determine whether maintenance is needed and performed?
18. Some of our roads need maintenance now (potholes). When are our roads scheduled to be resurfaced?
19. When they are resurfaced, will the city replace the humps or will we lose them?
20. Once installed, will the humps be inspected by the city to determine correct tolerances, etc.
21. If the humps are not constructed to tolerances set by LFUCG, and they have to be removed, who is responsible for removing them, and will there be any damage to the street?
22. Does snow removal equipment propose a problem to the life of a speed hump?
23. Where can residents see and experience these types of humps in Lexington?
24. Has a civil engineer inspected the site for the roundabout to address issues of slope, water runoff, visibility when the plantings are installed, visibility with lighting conditions at night?
25. Since there are no sidewalks around the roundabout, motorists and pedestrians will have to use the same path. With the plantings obstructing a tight view, do you think this could be unsafe?
26. Does the city have criteria in place that determines who maintains (and pays for) the plantings at the roundabout?

General questions:

1. When will Versailles Road be resurfaced?
2. Is there a future plan to install a traffic light at the Versailles Road entrance to the neighborhood? If the residents would like one installed, what is the correct procedure for asking and what is the current criteria we must fulfill?

We, the undersigned residents of Residents, Inc. request that the proposed Exhibit "D," SPEED HUMPS be removed from the agreement between Residents, Inc. and J. Williams, Inc.

ORIGINAL

- | | |
|------------------------------------------------------|-------------------------------|
| 1. Howard R. Boast | Scott Dennis |
| 2. Howard R. Boast | Howard Boast |
| 3. Barbara J. Crocker | BARBARA J. CROCKER |
| 4. Frank J. Cassidy | Frank Cassidy |
| 5. Cliff Hynni | CLIFF HYNNI |
| 6. Allison Cox | Allison Cox |
| 7. Steve Lange | Steve Lange |
| 8. Brenda Miller | Brenda Miller |
| 9. Judy Jerry Nares | Judy Jerry Nares |
| 10. Edna Jordan | Edna Jordan |
| 11. Tootsie P. Osborne | Tootsie Osborne |
| 12. T. Grubbs | T. Grubbs |
| 13. Carm Loren | Carm Loren |
| 14. Betty Bostick | BETTY BOSTICK |
| 15. Lisa Day | LISA DAY |
| 16. Philip Blakeley | Philip Blakeley |
| 17. J.W. Kaippenberg | J.W. Kaippenberg |
| 18. Sally Miller | Sally Miller |
| 19. Michael Murrison | Michael Murrison |
| 20. T.H. Wheeler | T.H. Wheeler |
| 21. Myra Jackson 1208 | Myra Jackson |
| 22. Myra Jackson 1210 | Myra Jackson |
| 23. Jeanne Thornhill | Jeanne Thornhill |
| 24. Howard Musgrave | Howard Musgrave |
| 25. Serry Nicholas | Serry Nicholas |
| 26. Sam White | Sam White |
| 27. Mildred + Charles Lawrence (attached) | |
| 28. Holly Wade | Holly Wade |
| 29. Julie Springer | Julie Springer |
| 30. Clifton Anderson | Clifton Anderson |
| 31. _____ | |
| 32. _____ | |
| 33. _____ | |
| 34. _____ | |
| 35. _____ | |

We, the undersigned residents of Residents, Inc. request that the proposed Exhibit "D," SPEED HUMPS be removed from the agreement between Residents, Inc. and J. Williams, Inc.

1. Walter T Smith 1273 Standish Way
2. E. Randolph Daniel 1272 Standish Way
3. R. A. Hahn 1265 STANDISH WAY
4. Cape Baumohl 1268 standish way
5. Chapman Burnett 1261 Standish Way
6. ~~Max & Sandy Alf~~ 1248 Standish Way
7. Julio Mitchell 4001 John Alden Lane
8. Milleda yean 2504 Versailles Rd
9. John Schuchter 4008 Mayflower Ln
10. ~~Walt / Jack~~ 1248 Standish Way
11. Martha + B. W. John 1236 Standish Way
12. ~~Howard C. Hahn~~ 4025 Mayflower Lane
13. ~~Lowell Moore~~ 4013 John Alden Lane
14. ~~Thom Smith~~ 1229 STANDISH way
15. Barbara W. Liddingham - 2512 Versailles Rd
16. _____
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We, the undersigned residents of Residents, Inc. request that the proposed Exhibit "D," SPEED HUMPS be removed from the agreement between Residents, Inc. and J. Williams, Inc.

1. Betty Hines, 1257 Standish Way
2. Sara Malone, 1253 Standish Way
3. Helen Ligon, 1256 Standish Way
4. April Ward, 1264 Standish Way
5. Robert Sturgell, 1260 Standish
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We, the undersigned residents of Residents, Inc. request that the proposed Exhibit "D," AREA 3 (ROUNDBOUT) be removed from the agreement between Residents, Inc. and J. Williams, Inc.

Handwritten initials

original (p)

- | | |
|-------------------------------------------|-------------------|
| 1. Stephen R. Hurst | Steve Hurst |
| 2. Scott Dennis | Scott Dennis |
| 3. Howard Boast | Howard Boast |
| 4. Frank W. Cassidy | Frank Cassidy |
| 5. Allison F. Cox | Allison Cox |
| 6. Steve Lange | Steve Lange |
| 7. Brenda Miller | Brenda Miller |
| 8. Judy Jerry Nurse | Judy Jerry Nurse |
| 9. Edna Jordan | Edna Jordan |
| 10. Tootsie | Tootsie |
| 11. Lois Ward | Lois Ward |
| 12. Cain Lowell | Cain Lowell |
| 13. Betty Bostick | BETTY BOSTICK |
| 14. Lisa Day | LISA DAY |
| 15. Philip Blakely | Philip Blakely |
| 16. Cliff Aynni | CLIFF AYNINI |
| 17. J. W. Knipperberg | J. W. Knipperberg |
| 18. Sally Miller | Sally Miller |
| 19. Michael Mearliss | Michael Mearliss |
| 20. Tammy Wheeler | TAMMY WHEELER |
| 21. Myra Jackson 1208 Cedar | Myra Jackson |
| 22. Myra Jackson 1210 Cedar | Myra Jackson |
| 23. Seame Thornhill | Seame Thornhill |
| 24. Howard Musgol | Howard Musgol |
| 25. Jerry Nicholas | Jerry Nicholas |
| 26. Sam White | Sam White |
| 27. Mildred + Charles Lawrence (attached) | |
| 28. Holly Wade | Holly Wade |
| 29. Junior O'Don | JUNIOR O'DON |
| 30. Julie Springer | Julie Springer |
| 31. Clifton Anderson | Clifton Anderson |
| 32. | |
| 33. | |
| 34. | |
| 35. | |

We, the undersigned residents of Residents, Inc. request that the proposed Exhibit "D," AREA 3 (ROUNABOUT) be removed from the agreement between Residents, Inc. and J. Williams, Inc.

1. Walter T Smith 1273 Standish Way
2. E. Randolph Daniel 1272 Standish Way
3. A. Hahn 1265 STANDISH WAY
4. Gene Bannard 1268 Standish Way
5. Chapman Burner 1261 Standish Way
6. G.A. Vinson 1237 Standish Way
7. Mary W. Kinsley 1244 Standish Way
8. Julie Mitchell 4021 John Alden Lane
9. Virginia Brown 4017 John Alden Lane
10. Edna P. Myers 2492 Van Rd
11. Melba J. Yehry 2504 Versaille Rd
12. Carol Kessler 1728 Standish Way
13. W. Stewart 1241 STANDISH WAY
14. Mrs. Lynn 1748 Standish Way
15. Gene Webb 1252 Standish Way
16. Jean Sandberg 4008 Mayflower Lane
17. Mr + Mrs. Whittle 1236 Standish Way
18. Roger Lyon 1232 STANDISH WAY
19. Thomas A. Appi 4025 Mayflower Lane
20. Timmie McShane 4013 John Alden Lane
21. Thom Smith 1269 STANDISH WAY
22. Barbara W. Leadman 2512 Versailles Rd
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We, the undersigned residents of Residents, Inc. request that the proposed Exhibit "D," AREA 3 (ROUNDAABOUT) be removed from the agreement between Residents, Inc. and J. Williams, Inc.

1. Betty Hines, 1257 Standish Way
2. Dan Maloney 1253 Standish Way
3. Helen Leggett 1256 Standish Way
4. Sybil Ward, 1264 Standish Way
5. Deborah D. Sturgill 1260 Standish
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John Springer

From: "John Springer" <j.springer@insightbb.com>
To: "David Meeks" <mmt@qx.net>
Sent: Wednesday, July 16, 2003 6:26 PM
Subject: reply water installation and petitions

David,

Your welcome.....I think we should wait for any water/pipe installation till we find out if the roundabout is going in or not. Then we can take advantage of having all the needed water installed at the exact places we'll need it, all at the same time. That should not be too much longer if we get the petition letter out quickly and get their responses back.

I'm assuming that you have no changes in the letter? and that I can print it out, get return postge and get them out? (as soon as I call everyone to confirm below).

I will call everyone starting tonight. Obviously, I don't have to call myself, I still want off both petitions. I will call:

~~Gerald Ward~~ - LM 7/16 - ~~YES~~ WANTS OFF HUMPS / STAY ON ROUNDABOUT
 Edna Jordan - LM 7/16 NO HUMPS / ~~ROUNDABOUT~~ ROUNDABOUT - DONT CARE
 Jennifer Blakely - ~~NO~~ correct remove from BOTH
 David Kessler - 7/16 - remove off
 Virginia Grogan - 7/16 - remove off
~~Barbara Crocker~~
 Barbara Crocker
 Edwin Downer - 7/17 LM/VA correct add to speed humps

Officially...do you want to remain off both as you requested earlier?

7/17 - David Meeks - YES, OFF BOTH

Julie

7/16/2003

John Springer

From: "carin.lovell" <carin@bydesigned.com>
To: "Fred Fiscus" <fredf@wrogers.com>; "Crissy Fiscus" <cfiscus@ddfky.com>; "Carin Lovell" <carin@bydesigned.com>; "David Meeks" <mmt@qx.net>; "Fred O'Bryan" <fredmobryan@webtv.net>; "Laura Kessler" <lauraclairekessler@yahoo.com>; "Lowell Bush" <lpbush1@uky.edu>; "Gerald Ward" <listward@netscape.net>; "Walt Whitlow" <whitlow2000@insightbb.com>; "Melba Yeary" <melbayeary@juno.com>; "Barbara Leadingham Hanson" <bwleadingham@msn.com>; "Julie and John Springer" <j.springer@insightbb.com>; "Charles and Mildred Lawrence" <mlaw1209@aol.com>; "Max and Barbara Crocker" <mcrocker@uky.edu>; "Howard Bost" <hlobost@webtv.net>; "Phillip and Sally Miller" <wildtrees@mindspring.com>; "Charles and Alice Taylor" <A-CTaylor@worldnett.ATT.net>; "Julie Mitchell" <jcmitchell@bop.gov>; "Roger Lyon" <rlyon@ygrete>; "Bill and Martha Taylor" <mstaylor@ix.netcom.com>; "Mike and Dana Maloney" <mikedanam@aol.com>; "Art and Jane Baumohl" <jbaumohl@verizon.net>; "Randy and Frankie Daniel" <erdani01@pop.uky.edu>; "Walter and Mickey Smith" <toms22228@aol.com>; "Rae House" <raehouse@insightbb.com>
Sent: Thursday, August 14, 2003 3:27 PM
Subject: Colony Board Resignation

Dear Residents Inc. Board Members,

Please accept my resignation as Member at Large on the Residents Inc. board. I cannot effectively serve as I feel I should for the residents that elected me to office for the past few years.

I have tried to make a difference for our neighborhood in bringing about positive change, and I think some of my direct contributions have made a positive change. However, as I tried to respond to the outcry from MORE THAN A MAJORITY of our neighbors in regards to their wishes, my character was called into question publicly, and was accused of coercing people to sign the petition.

As a member of the board on such a critical issue, I think it would have been appropriate to inform the board of the results, not to mention the residents as well.

Of course, that was not the case. I have also asked repeatedly for the names of the people who removed their names from the petition (which is my right as a resident - not to mention a sitting board member) in order to verify the results. This request was denied both by the Secretary and the President. This gives me pause to wonder why.

Furthermore, the board members who had originally signed the petitions removed their names from the adjusted petition, which was the deciding factor to kill the speed humps petition. I believe this is wrong, and is not what the governing board is created to do - I would think it would be to uphold the wishes of a LARGE majority of those they were elected to serve - not just a select few.

It is interesting to me that such diligence was performed to make sure the original petition was valid in that we had to verify each name, match with address, and make sure they were a resident. Those homeowners who did not "reside" in their home were removed from the petitions.

However, verbal phone calls to remove their names from the petition were allowed without verification, and a last-minute message against the speed humps without a

8/14/2003

name was allowed, which made the speed hump petition die by one vote!
I do not believe the results of the speed humps petition were fairly and accurately calculated.

Furthermore, I believe when I submitted an official legal document (the original petitions) as required by the agreement, which were then verified by the board that in fact they had met the 70% requirement, that it should have been accepted as submitted. It seems that any judgment calls by the board were swayed in favor of maintaining the contract intact - at any cost - including upsetting a majority of our neighbors.

I believe the actions of the board have been a disservice to the residents. We had a chance to put this hot issue to bed. I had hoped this year would be a positive one for the Colony. But, I do not think that will be so. I strongly believe that living together as harmonious "neighbors" is MUCH more important than enforcing a part of an agreement that is no longer relevant to a majority who does not want it.

I cannot be a party to it. I can no longer serve.

Carin Lovell

cc: Bruce Simpson

By Design

824 Euclid Ave. Ste. 100
Lexington, KY 40502
859-269-0064
859-269-0066 (fax)

www.bydesigned.com

carin@bydesigned.com

Resident's Inc.
The Colony Neighborhood Association

New Colony
Neighborhood
assn?

Minutes from the August 17th meeting

Attendees: Junior Odom-President
Laura Kessler-Secretary
Carin Lovell-Member-at-Large
Fred O'Bryan
Walt Whitlow
Randy Daniel

photos of pond

The Meeting was called to Order.

Unity: President Odom stated that he would like to see the Colony more unified. He hopes to contact each residence either in person or by telephone and asked for our support.

Pond Problems: mosquitos, leaks, scum, trash etc.

General Discussion: President Odom has spoken with resident Julie Springer, whose yard is most affected by the small ponds problems. There is now a leak. The dam had given way, flooding Ms. Springer's back yard. The scum attracts mosquitos and other pests. It was stated that it is the Builder's responsibility to fix it permanently, then it becomes the Colony's responsibility.

Walkway Accesses: Magnolia Trees blocking the access sites

General Discussion: President Odom stated that every NEW Colony resident got a copy of rules of what they can and cannot do. Walt Whitlow stated that the developer had notified the Magnolia Tree Resident and the resident had put in the magnolia trees and other landscaping anyway. It was stated that this problem should be addressed immediately. President Odom stated that he would like to visit the resident and see if he is in agreement to take them out. Walt Whitlow stated that the developer is responsible for the oversight, and that legally, we shouldn't speak to the resident directly. It was decided that Resident's Inc. would be amenable to suggesting a compromise, in that the access easement be moved to the other side of the resident's yard, where there is room, thus preserving the Magnolia landscaping, and serving the same purpose of affording a walkway. Fred O'Bryan stated that Attorney Bruce Simpson had already written a letter directing the developer to remove the magnolias.

Cost of Directory: The cost of the directory will be \$25.00. This expenditure was approved.

Change of Vice-President to President-Elect: President Odom stated that he would like to do away with the title of V.P., changing it to President-Elect, thus ensuring an easier takeover of duties. He suggested that the past President then be on the Board as a Member-at-Large, further smoothing the transition.

Attorneys: There was a concensus of opinion that Attorney Bruce Simpson has outlived his usefulness. Fred O'Bryan agreed that you have to stay on top of him and pursue him to an annoying extent. It was agreed that he has limited interest in our case. It was decided that a new attorney should be hired. President Odom said that he would call two lawyers for interviews. Walt Whitlow also stated that he had a name of a lawyer that we could try as well.

Block Party: It was decided that last years Block Party was a success and that we have another one this year. Laura Kessler, Carin Lovell and Julie Springer will head this up.

Builder Problems: Striping, patchwork, lights

Lights: It was stated that a new electricity box needs to be installed in order for the lights to be turned on. This is the developer's responsibility. The new lights have been installed, but were hooked up to The Colony's old box, and this box can not contain the greater flow of electricity.

Striping and Patchwork: It was stated that the front entrance was widened to 16 feet. There was a consensus of opinion that the entrance looks too short and too narrow. Fred O'Bryan stated during the walk-through (on July 1st), the developer said that he would do the needed improvements. However, the general consensus of those present felt that on the whole, the developer is quite unwilling to do basically what they agreed to do. There was also some concern that J. Willaims Inc. (Eagle Engineering) may take bankruptcy and re-open under a new name.

Plants: It was stated that the original, contractual designs for the triangle landscaping were conceived by Member-at-Large Lowell Bush. The plants need to be guaranteed, and a budget allocation is needed for their upkeep. Also, a Colony Garden Club needs to be established. Fred O'Bryan stated that the recent Colony due increase should cover this expenditure. Presently, the plantings as installed are not up to specs, and need to be removed and/or changed to reflect the original agreement.

Roundabout: Much discussion ensued about the roundabout. It is feared that it will be installed improperly, thus causing more problems. It was stated that an 80% vote needed to be taken to reverse the roundabout plans.

Speed Humps: Carin Lovell stated that she is very concerned about the builder's work quality, and that the speed humps will not be installed properly. Much discussion ensued about speed problems. It was stated that we would need a 80% residents vote if the speed hump number and placement are to be amended or removed from the contract completely.

Meeting Schedule for August 22nd: President Odom suggested a neighborhood meeting be called for August 22nd at 7:30pm.

General Discussion. Much discussion followed about Colony Unity. It was agreed that although everyone has their separate "pet" issue, it is imperative that we approach all problems from a unified front. The contract needs to be completed as a whole, without exception or compromise

The Meeting was thus adjourned.

Respectfully Submitted,



Laura Kessler, Secretary

THE COLONY NEIGHBORHOOD ASSOCIATION
(aka Residents Inc.)

BOARD MEETING MINUTES

September 4, 2003

This meeting was held at President David Meeks' house. The following Board members were present: Lowell Bush, Fred O'Bryan, David Meeks, and Julie Springer. The meeting was called to order at 7:05 p.m.

1. David asked whether or not a quorum was present, it was determined there was and the Board meeting began. David announced Carin Lovell's resignation. Everyone had received a copy of her Email and acknowledged same. David asked if anyone had questions about it: none. He also noted Carin sent a separate letter to attorney Bruce Simpson stating she may proceed with legal action against the Board in regard to the petition situation. All those present agreed they have followed appropriate legal procedures while dealing with this issue.
2. Lowell proposed to not fill the vacancy left by Carin's resignation and asked if there was a By-law requirement dealing with same. Julie stated there was and that as an "At-Large" Board member, there was no requirement to fill that position immediately. It can be filled at the next annual neighborhood meeting. Fred seconded. All others voted Yea. Motion passed to wait and fill the seat at the annual meeting.
3. David proposed that Lowell continue to work with and oversee all aspects of the landscaping with the sub-contracting landscape company (from Corbin) that the developers hired. All present agreed and Lowell will update the Board as necessary. The following list contains items that still need to be finished:
 - a) re-set all park benches even with ground level;
 - b) install speed humps;
 - c) install roundabout;
 - d) install public access walkways around both lakes;
 - e) finish Versailles Road lake, install aerators, clean.
4. Discussion ensued about how to proceed with developer. All agreed that President Meeks should continue to try to work with them. The Board agreed that the President should be able to negotiate with the Developers on various issues if the final outcome remains in good faith with regard to the original contract. Fred made a motion for David to proceed with the developer on all remaining items leaving the walkway areas to the last item to be addressed. Lowell seconded, all others voted Yea. Motion passed.

5. Treasurers report by Fred O'Bryan. All figures are as of 8/13/03 and 8/1/03 respectively:

Amount in US Bank	\$5,901.51
Amount in Central Bank	<u>49.27</u>
	\$5,950.78

Kentucky Utilities-	
Colony light fund	18.22 (credit)
Colony light (entrance) fund	148.25 (credit)

Fred will consolidate both bank accounts into one and close the remaining one as soon as possible. Julie motioned to accept the Treasurers report, Lowell seconded.

6. David requested that a monthly Board meeting be the first Monday of each month at his home at 7:00 p.m. All present agreed. Julie will send email to all Board.

Meeting closed at 8:10 p.m.

THE COLONY NEIGHBORHOOD ASSOCIATION
(aka Residents Inc.)

BOARD MEETING MINUTES

November 4, 2003

This meeting was held at President David Meeks' house. The following Board members were present: Lowell Bush, Fred O'Bryan, David Meeks, Laura Kessler and Julie Springer. A quorum was established. The meeting was called to order at 7:05 p.m.

1. David brought us up to date on the status of all pending J. Williams Inc. projects. He has met with the developers' rep. Allen Wahl several times, but has not gotten any satisfaction yet. According to David, 3 residents of the colony have retained legal counsel with regard to the status of J. Williams Inc. lack of progress. Their intentions are to sue the developers and the current Board "if we don't do what they want".
2. Traffic circle: as per Exhibit E in the agreement with the developers, there are conflicts between the city traffic engineering department (Chuck Saylor-see his letter dated Jan 3rd) which requires a 6" curb on the traffic circle and our agreement which states "Developer shall not install curbs, wider roads, etc.". This is causing a serious delay and confusion in having the circle and speed humps installed. David will try to get this cleared up with Chuck Saylor, by asking him to write a letter stating they will allow developer to put in traffic circle without curbs. According to Chuck Saylor's boss (Chuck is out on vacation) that appears to be OK and something they should be able to do. David will pursue Chuck to finish this up.
3. Speed humps: David will meet with developers' rep and city engineer to "paint in where the actual humps will be laid out". The city has to approve their layout before they can go in.
4. Treasurers report: Fred O'Bryan states that accounts have been merged—all into U.S. bank. As of Oct. 14, 2003, there is \$5,751.28 in the gen.fund, and \$91.37 in the entrance light fund. Fred also noted we have a \$139.38 credit due on the light account. Lowell motioned to accept the Treasurers report. Laura 2nd. Accepted.
5. No meeting will be set in December due to holidays and most of board being unavailable. Julie motioned to close meeting, Laura 2nd. Meeting adjourned at 8:30 p.m.