

## Approved Minutes of Board Meeting

Upper Las Colonias Neighborhood Association

July 1, 2014 4:00 (4:05)

Quail Ridge Tennis Facility

Attendance - Present - Eugenia Hauber, Jeff Tetenbaum, , Mike Tarleton, CJ Johnson, Kurt Edelbrock,  
Absent - Mike Borkland, John Mahoney and Steve Turner.

Also in attendance – for all or part of the meeting - Lou Sturbois, Luann Linsalata, Laurie Medley, Wilks Medley, Rick Edelman, Marion Summers, Melissa Delano, Lynn Jones, John and Honore Maloney, Jana Ebeling, Ellen Hamil, Nat Troy, Katie Spears and Dave Darus.

1. Treasurer's Report was given by Eugenia on advice from Mike Borkland that the balance is \$827.18
2. Minutes of the June 3, 2014 meeting were approved.
3. OBL – Laurie and Wilks (Laurie's son) Medley brought us up to date on their efforts to open a restaurant at the old OLB. Both Wilks and his wife, Pauline, are experienced chefs and plan on opening in time for the ski season. Closing should take place within the next month. They will continue to make changes after the opening. We are all looking forward to having a nice dining experience in the neighborhood. Name hasn't been chosen yet.
4. La Vida Feliz – After Rick Edelman blocked the east entry to LVF, creating a situation in which emergency and fire department vehicles would either not be able to or would have difficulty accessing the north and east facing residences, LVF owners will be creating a new entry by widening the entrance road, extending a culvert and moving landscaping. Luann provided a sketch from the design firm and discussions with the county planning department will take place to insure the design is acceptable.
5. Land Use Regulations – Passed on June 10<sup>th</sup> by the Commissioner's, with our Ordinance dating back to 2005 still in full force and effect. The JWG will meet to make changes required, if any, as a result of the final regs. Commissioner Barone will remain in his position until the end of the year.
6. KTAO – Discussion of the Edward Vigil letter from April, which just arrived earlier in the day. It gave KTAO permission to have fairly unlimited concerts and set decibel levels at 90 at the venue property line with an occasional 100 db in rare instances. The #s do not comport with the agreement reached last year, which set db levels at 83. Also, Commissioner Blankenhorn, in an email from April 2013, indicated the db level should be set by the neighborhood. The proposed overlay, as currently written, sets the db level at 70 at the nearest residential property line, which is a different measurement location from the county's. The board decided that Eugenia would draft a letter to be sent to the planning department with copies to Tom B and Katie Spears to indicate the discrepancies between the county approved db levels and those previously agreed upon and that Kurt would speak with Katie to set up a meeting. Subsequent to the discussion about KTAO, Katie and Dave Darus, GM of KTAO, came into the meeting. See below.
7. Website – the board agreed that the welcoming statement drafted by Eugenia was fine. The vision statement will be reviewed by the JWG and if changed will be included on the website as well as in the

Approved at Aug 12<sup>th</sup> meeting

overlay. A new section will be added to allow for updates on the Acequia matters that are currently under consideration.

8. Acequias – Melissa Delano gave an update on the status of the acequias and the Abeyta settlement. Melissa indicated that the wording in the settlement agreement is subject to interpretation and the possibility of a negative impact to the neighborhood is a real possibility, i.e. we wouldn't be entitled to any water for ranching, agriculture or from our wells! Lower Colonias which shares the same ditch is working with an attorney who will advise on options in the near future. Legal action may become a necessity. Subsequent to the meeting, Mike Tarleton indicated that well water would not be affected by the settlement.

9. Next meetings will be August 12<sup>th</sup> and September 9<sup>th</sup>. As suggested by Marion Summers, beyond sending the agenda to all email contacts as is our current practice, we will attempt to contact those members who may have more than a general interest in specific agenda items.

10. Meeting adjourned at 4:45

P.S. Subsequent to the board meeting, the board and Lynn Jones met with Katie Spears and Dave Darus. We discussed the inconsistencies between the Vigil letter and prior agreements as well as the differences of how our overlay is drafted regarding measurements of db levels from those at the venue's property line. The board indicated that it is in no way opposed to KTAO having outdoor concerts and that we are not trying in any way to restrict them. We are concerned about the quiet enjoyment of our owners on their properties and suggested, as had been suggested in the past, that if KTAO could rearrange speakers, plant some trees to muffle sound, etc., that there shouldn't be any problems. There were no complaints last year but there were complaints this past weekend. We realize inversions can't be helped and no one should complain about those when they occur. Various db measurements will be taken in the future. I believe that after all the discussion, which lasted over an hour, an understanding was reached that if problems develop, we'll speak to each other to try to work them out. The letter to planning, mentioned in 6 above, will not be drafted at this time and discussions will be held with the county on this matter as we pursue the overlay.