

**Lake Linganore Association, Inc.**  
**March 5, 2007**  
**Board of Directors Meeting Minutes**

**CALL TO ORDER**

The meeting was called to order at 7 p.m. at the LLA Coldstream Drive office.

Board members present: Jim Cates, Robert Charles, Jay Decker, Jim DiMeglio

BoD absent: Brandon Frazier, Stephen Hembree

Staff in attendance: GM Edwards, CRM Gurley

**APPROVAL of February 19, 2007 BoD MINUTES**

The minutes of the February 19, 2007 regular board meeting were reviewed and approved as written.

**DEVELOPER'S REPORT**

Director DiMeglio said that the Frederick Board of County Commissioners (BoCC) had taken "procedural" votes to down-zone many areas of the region plan, including Land Stewards' Westridge and Heritage Ridge; he said that one-half of Westridge specifically had been down-zoned to agricultural. He said the votes were related to the comprehensive plan, the defined growth boundaries and the county's water and sewer service plan. He said the BoCC will bring the revisions to public hearing by November 2007, when a new region plan is expected to be adopted. Director DiMeglio said that at this time Land Stewards was not certain which region plan the county is operating under at this time. Resident Charlotte Dusold told the board to be aware that the BoCC is down-zoning individual lots within Eaglehead and that such action was getting into the CDA plan and that if additional individual lots were affected it could impact the county water and sewer plan for Eaglehead.

Director DiMeglio said that Land Stewards cannot sign an agreement with the Frederick County Board of Education (BoE) for \$70 million in school construction funds it has been discussing because the company does not know what it can do at this time. He added that Land Stewards could continue with the smaller plan but that it is a very small part of the overall intended project.

Director Charles asked whether the BoCC had actually said that they were not going to proceed with the CDA. Mrs. Dusold said the BoCC had not actually said so. Director DiMeglio said that there will be many matters in this process that will affect the LLA and he encouraged board directors to attend the meetings and speak up. He added that the LLA would be unable to grow as a result of the down-zoning if it is accomplished.

Director DiMeglio said that Land Stewards had been meeting with Aspen North lot owners and that a letter recently was sent to them to begin negotiations regarding the pump station needed for that village's CDA and that Land Stewards was awaiting a response.

#### **CDA UPDATE/Lake Linganore Conservation Society**

LLCS president Larry Dusold reported that the LLCS was waiting for the county to decide what it needs the LLA to do regarding the processing of a zero percent loan with the county for the CDA. He said that until the LLCS gets this loan agreement settled it cannot move forward with the CDA project. GM Edwards said that the LLA has had to enlist the services of its counsel in order to deal with the legal aspects. He said that the LLA is attempting to obtain an unsecured guarantee from the bank on this loan agreement with the county. GM Edwards said that the LLA expects the bank to say no and then it will be up to the county manager to do what he can to salvage the loan agreement. Mrs. Dusold said that the loan agreement was approved give months ago. Mr. Dusold said that the county is collecting the "special tax" and is holding those funds so the money is there. GM Edwards said that he did not understand why this aspect was going the way it has been. He noted that LLA counsel Shelah Lynn was to contact county manager Doug Browning on Tuesday.

#### **NEW BUSINESS**

**Deer Crossing Elementary School 5<sup>th</sup> Grade Pool Party**— Director Decker reported that parents at the school had contacted him about getting the LLA to approve the pool party at no cost to the school PTA. He asked why the association charges the organization for this activity when almost all those who attend it are children who live in Eaglehead and whose families already support the facilities. Mr. Decker said that he felt Century Pool was taking advantage of the community because of the rates imposed on the 5<sup>th</sup> grade party. GM Edwards said that private parties, whether they are for members or not, goes above and beyond the rates and operating hours established within the annual pool management contract. Director Decker asked why the LLA could not give the school a rate and fee for the party. CRM Gurley said that she had just received the 2007 rates that day from Century Pool and would now be able to give rates to the school.

**MOTION:** Director DiMeglio made a motion to have staff contact the pool company to get the rates for the DCES 5<sup>th</sup> grade party; that the LLA collect no additional fees on the pool party; and, that the LLA provide as much in-kind services as it could to the school organization the day of the party. Director Charles seconded the motion. **DISCUSSION:** Director Decker asked that the 5<sup>th</sup> grade pool party be worked into the annual management contract. GM Edwards said that the contract is negotiated for the whole community and not for specific parties. Resident Charlotte Dusold said that the fee of \$450 paid by the PTA last year for the party seemed reasonable based on the fees that students have to pay for field trips. Director Charles said that he did not want the association to pay

for the cost of the party, at least not this year, and that the matter could be discussed again in the future. **VOTE:** four directors voted in favor of the motion; none of the directors voted against the motion.

**Judgments: Governing Documents Violations**— Lot #130490 was cited for the following violation: unkempt yard. The fine for the violation is \$100.

**MOTION:** Director Decker made a motion to impose the fine. Director Charles seconded the motion. **VOTE:** four of the directors voted in favor of the motion; none of the directors voted against the motion.

#### **MATTERS FOR BOARD INFORMATION**

**Pinehurst Farm Pond/Lake Anita Louise Dam Update**— GM Edwards reported that staff had met for the final time with state officials regarding the risers. He said everyone was in agreement that the pipe can go straight out and will not have to have a discharge structure at the base of the dam and that it would be acceptable to use the old riser as a drain, which meant that Lake Anita Louise would not have to be completely drawn down in order to have the work done. He noted that final plans would be submitted for permitting within 60 days if everything goes as planned. GM Edwards said that he expected the bidding process to begin in the fall. Director Decker asked about the pond and GM Edwards said that construction on that project would begin in early March '08.

#### **RESIDENT FORUM**

- Charlotte Dusold asked GM Edwards when the public hearing would be scheduled on the Pinehurst playground. GM Edwards said that he could not remember the exact date but that it was coming up sometime in March. She asked if the process was going favorably. Mr. Edwards said it was and that county staff indicated there should be no problem. Mrs. Dusold said that the condition placed on former developer Frank Ellis for that parcel of land was fairly rigid that a pool was to be built. She said that she had recently been approached by a planner who said there was concern at the county level about trees being removed in the Pinehurst “spoon” area of the planned park. GM Edwards said he did not understand that concern because there are no trees in the “spoon” area.

#### **ADJOURNMENT**

Director Charles made a motion to adjourn the meeting. Director Decker seconded the motion. The meeting was adjourned at 7:45 p.m.

Respectfully submitted,

Clay Edwards  
LLA General Manager

Jay Decker  
LLA Secretary