

**Lake Linganore Association, Inc.**  
**May 7, 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, Brandon Frazier.

BoD absent: Stephen Hembree.

Staff in attendance: GM Edwards, CRM Gurley.

**APPROVAL of April 16, 2007 BoD MINUTES**

The minutes of the April 16, 2007 regular board meeting were reviewed and approved as written.

**DEVELOPER'S REPORT**

Director DiMeglio said that Land Stewards was going to the Frederick County Planning Commission with the plans for Aspen III section. He said the main features were no sewers at the back of the lots, which will allow some areas to be placed in a Forest Resource Ordinance (FRO). He said all the lots would be custom lots and would be built near the front of the building restriction line and that there would be no grading at the rear of the yards so that the trees could be saved. He noted that these will have a lake view but are not lakefront. Director Frazier asked if the development of the lots would adhere to the county's new ordinance regarding setbacks for streams. Director DiMeglio said that the lots would adhere to the general sense of the new ordinance but would not exactly adhere because at this time the ordinance is still not law.

Director DiMeglio said that the work in Woodridge was almost finished. He said the development of the townhouse section was proceeding according to schedule. He also said that Aspen I sales were going well and that the grading permit for Accipiter Drive should be received in 60 to 90 days. First phase plans for Aspen II were at county at this time. Director Cates asked if Aerie Court or Aerie Drive was to be eliminated. Director DiMeglio said that development in that area was limited to the sewer line and explained

that Aerie Court is a recorded parcel A and that the hope was to break ground on Aerie Drive sometime in 2007.

Land Stewards president John Clarke was introduced so as to provide to the LLA directors an update on the county's revisions to the New Market Region Plan, which includes the Eaglehead Planned Unit Development (PUD) and Land Stewards' holdings in the PUD. He explained that Land Stewards was working with the county to create compromises that would allow development of the PUD to meet Adequate Public Facilities Ordinance (APFO) requirements. Following the election of a new Board of County Commissioners, things have changed and the county has recently been down-zoning a significant portion of Land Stewards holdings in Eaglehead, which he reviewed with the board.

Mr. Clarke said that Commissioner Kai Hagen was interested in a middle ground and that the two had recently met to discuss some ideas for compromise. He said one tool for accomplishing some of the compromises included a developer rights and responsibilities ordinance that would lock in rules, reduce the level of development and create some additional restricted areas. He said the county was interested in this because it would provide certainty and preserve forested areas. He said that Commissioner Hagen was interested in having two sections of the PUD preserved as forest areas and having them dedicated to the county for public access.

Director Decker asked about the status of the Land Stewards proposal for providing schools in the area. Mr. Clarke said that the proposed plan was now on hold and that Land Stewards would have to go back to the Board of Education for another look at what could be done. He noted that the 15-year build-out plan would have to be able to meet school capacity needs at all phases of development. Director Frazier asked about plans for the marina area in North Shore. Mr. Clarke said that at this time Land Stewards had no intentions for that area because it was focusing on the larger areas. Director Decker asked about the spoil site for the lake dredging project and whether Land Stewards still intended to offer the site to the association. Mr. Clarke said that the intention was to dedicate the site to the association but noted that there are still a lot of points for his company to consider on the matter.

Mr. Clarke said that Commissioner Hagen wanted to come to the annual meeting to have a town hall type meeting with the community about the development of the community. Director Frazier said that he wanted all of the commissioners to be interested in discussing the matter in earnest. He also said that the county is interested in creating better legal tools that would allow it to work with developers. Mr. Frazier said that he believed the association should send an official letter to the county that supported the developer's rights and responsibilities ordinance. The board discussed the idea of having Commissioner Hagen at the annual meeting for the purpose Mr. Clarke noted. Director DiMeglio said that it was an opportunity to meet with at least one commissioner. The majority of the directors expressed reservations about meeting with only commissioner on this matter.

## **CDA UPDATE**

LLCS president Larry Dusold said that he did receive documents on the county loan and that it was circulating among attorneys of the LLA, LLCS and county bond counsel. He said that Fran Busby, who was a part of the original finance team for the CDA but has now moved on to another company, was also reviewing the document. Director Frazier said the association was interested in looking into whether it could use the line of credit it had obtained for the contingency funding to replace the money of the county loan. He added that the association was missing a significant opportunity to have the CDA work follow on the heels of the water and sewer work because the county loan document had been delayed so long. LLCS secretary Charlotte Dusold said that if the LLA took that action she believed the county would not follow through with its loan.

GM Edwards said that if the CDA work did not start soon the likelihood was greater of having to use the line of credit for contingency funding. He believed a loan to the CDA funds could be repaid to the LLA just as it could be repaid to the county. Director Frazier said that financial advisor Keenan Rice indicated that the LLA could advance the funds for CDA work to begin in Coldstream. GM Edwards said that he is not getting any communication from the county on the matter.

Director Frazier said he wanted to authorize negotiations to see if the line of credit could be used to replace the county loan but decided that the idea needed more work. He asked if the LLCS wanted the association to wait before taking any further action on this matter. Mr. Dusold said yes, he wanted the association to wait.

**MOTION:** Director Frazier made a motion to table the matter. Director Charles seconded the motion. **VOTE:** five of the directors voted in favor of the motion; none of the directors voted against the motion.

## **OLD BUSINESS**

**West Lakeridge Rd. Paving Request**—Following a lengthy discussion at the previous board meeting, residents were asked to present alternatives that would address their concerns. Chris Young of W. Lakeridge Rd. said that one option for reaching something of the desired goal was to partially pave the road. He said residents wanted to explore the possibility of paving from 6625 Old Barn Rd., uphill to 6616 because they felt that would help the majority of the dust problem. It was noted that W. Lakeridge Court was in really bad condition and the question was asked whether anything could be done for those residents. GM Edwards said that he planned to use millings again this year on that roadway. Residents asked whether the association would explore the possibility of residents donating funds to help with the costs. Director Decker said that the road was designated a CDA road and that the association has to be careful what it did to the road.

Director Frazier said that he wanted the residents to take back the original petition and revise it to reflect the new plan and to get signatures from residents that they agree with it. He also asked LLCS representatives how adding asphalt to this road would affect the CDA work on it. Mrs. Dusold said it would partly depend upon the contractor. Director Frazier said that in addition to a revised petition, he wanted a revised price list on the cost. Resident Jerry Dorsey asked if the board was setting precedence by taking this action. Director Frazier said that the board would look at any request on its merits.

**MOTION:** Director Frazier made a motion to review the revised petition and cost at the next meeting. Director Decker seconded the motion. **VOTE:** five of the directors voted in favor of the motion; none of the directors voted against the motion.

**Discussion of November 2, 2006 Motion Re: Eaglehead Drive—** Land Stewards project manager Gene Bollinger explained to the board that the language of the original motion would leave the association responsible for the maintenance and upkeep of a section of the road infrastructure (storm chambers), next to the Eaglehead Drive Bridge, and that he did not believe that was what the association intended. He suggested that the directors change the language to say “up to Woodridge Road,” which would then leave the responsibility to the county roads department.

**MOTION:** Director Frazier made a motion to change the language of the original motion to say “up to and including Eaglehead Drive Bridge up to the road station (to be identified by the GM) and not to extend beyond the private access trail path. Director Decker seconded the motion. **VOTE:** four of the directors voted in favor of the motion; none of the directors voted against the motion; one director (DiMeglio) abstained from the vote.

## **NEW BUSINESS**

**Request for Final Judgment of Governing Documents Re: Lot #090283—**  
Violation: storing box trailer in driveway. Fine: \$100.

Lot owner Chris Evans said that he occasionally left the trailer on the lot but did not store it on the lot. Director Frazier asked Mr. Evans for a commitment that the trailer would not be left on the lot again. GM Edwards said that the owner could contact the office and inform it of any times that the trailer would be left on the lot overnight or for short periods of times.

**MOTION:** Director Frazier made a motion to waive the fine, based on a commitment from the lot owner. Director Decker seconded the motion. **VOTE:** five of the directors voted in favor of the motion; none of the directors voted against the motion.

## **MATTERS FOR BOARD INFORMATION**

Financial Statements for March 2007—Director Charles said that the statement needed some corrections and would be reissued to the board.

## **RESIDENT FORUM**

· Layn Lesniewski of Rimrock Rd. said that a builder had damaged his driveway and wanted to know who to go to get the matter resolved. He said a verbal agreement had taken place between him and the builder but was concerned about protecting his position. GM Edwards said that he should submit a letter to the LLA and that the LLA could use that when it went to negotiate the release of the builder's bond at completion of construction of the home. He added that the LLA would continue to assist in the matter as long as it could. The GM also suggested that Lesniewski's lawyer send a letter to the builder on the matter.

· Coldstream resident Dawn Frizzell explained to the board her concerns regarding water and sewer work that was to be done on her property and how it would impact some of the trees on her lot. GM Edwards discussed the matter with her.

## **ADJOURNMENT**

Director Decker made a motion to adjourn the meeting. Director Cates seconded the motion. The meeting was adjourned at 9:23 p.m.