

**Lake Linganore Association, Inc.**  
**August 20, 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 were: John Allemang, Robert Charles, Jim DiMeglio, Brandon Frazier, Stephen Hembree.

Staff in attendance: GM Edwards, CRM Gurley.

**APPROVAL of June 18, 2007 BoD MINUTES**

Minutes of the June 18, 2007 regular board meeting were approved as amended and noted below.

Page 5- Under Esplanade Update, the sentence that states that "LLA attorney Lynn said that a railing should be installed." is not accurate and should be removed from the minutes.

**DEVELOPER'S REPORT**

Because LLA director DiMeglio had not yet arrived at the meeting, Land Stewards project manager Gene Bollinger reported. He said that the Woodridge project had finished and noted that the matter of the punch list for that area would be discussed later in the meeting.

He said that Audubon townhouse sales had picked up and that construction on that project would start again in September.

GM Edwards said that the access road to the Brosius Dam will have to remain. He said that the proposed new bridge and amenities on Eaglehead Drive below the dam do not encroach upon the nearby trails and noted that the right-of-way is a non-issue. The GM also noted that the county wanted clarification regarding the maintenance of storm water management aspects of the bridge structure. Mr. Bollinger said that the county needed the consensus of the LLA board on the matter and that the LLA would need to grant easements to the county for the county to take over maintenance.

### **CDA UPDATE**

Lake Linganore Conservation Society (LLCS) president Larry Dusold thanked the GM for work on getting the permits for the CDA project. He said that a notice to proceed had been officially issued for the village of Coldstream.

At this time, LLA board president Frazier introduced LLA attorney Shelah Lynn, who came to review the closing documents on the LLA loan to the CDA and the Maryland Department of the Environment (MDE) loan to the CDA. She explained that the documents involved were: the Promissory Note; the Loan and Contribution Agreement between the LLA and the LLCS; and, the Construction and Funding Agreement between the LLA, LLCS and Frederick County. Mrs. Lynn noted that the closing documents on the loan agreements were almost completed and said that a maintenance agreement associated with the Construction and Funding Agreement was to be completed within 90 days. She said the board needed to approve the three documents. Director Frazier asked if it was appropriate for the board to do that and whether such action was against the covenants. Mrs. Lynn said that the roads belonged to the LLA and that the LLA would be maintaining the roads and so the documents were not against covenants and were appropriate for the board to approve. She noted that there were some minor adjustments to be made to the language of the loan agreement, specifically on page 16, an exhibit to the loan agreement.

**MOTION:** Director Charles made a motion to approve the documents as presented by LLA attorney Lynn and allow for minor changes in languages in the following areas; section 6.04 of the Construction and Funding Agreement to clarify the maintenance agreement; section 3.02B of the Construction and Funding Agreement (already agreed to by the LLCS); to clarify on page 16 of the loan agreement whether the project is to be \$119,594 or \$169,594; pages 10 and 16 of the promissory note. Director Hembree seconded the motion. **VOTE:** five of the directors voted in favor of the motion; none of the directors voted against the motion.

LLCS secretary Charlotte Dusold told the board that the maintenance agreement was to be done following construction of the roads.

Director Frazier said that staff did an excellent job in getting the grading and construction permits from the county and believed the board should discuss a bonus for staff.

**MOTION:** Director Charles made a motion to approve up to \$2,000 for the purpose of a bonus for staff to be decided by the general manager, with the stipulation that the general manager inform the board on the amounts granted and the total used. **VOTE:** five of the directors voted in favor of the motion; none of the directors voted against the motion.

### **COMMITTEE REPORTS**

•**Environmental Control Committee**— AGM Seligson, administrator. General manager Edwards said that the committee was still busy with new home applications and

noted that the committee had received three this week. He said that the house on Woodcliff Ct. was done although it had not yet sold.

•**Finance Committee**— Director Hembree, chair. It was noted that the \$28,000 spent in May for the CDA was mostly for legal and FRO expenses. GM Edwards said the finance committee was not prepared for the cost of reworking the indenture document. Director Hembree said there may be more expenses before the end of the year. He also noted that LLA finances are in good order at this time. Director Frazier asked the GM about expenses on road work. GM Edwards said there had not been a big change in the expenses through the summer and that most likely the full budget would be spent in the fall.

•**Trailblazers Committee** —Katrinka Westendorf and Cathie Reed, co-chairs. It was reported that the August work session had focused on the trail below the Balmoral homes. Westwinds was to be the focus of the work party in September, and only the section from Ben's Branch trail bridge to the village. It was noted that a tree was down on the lake trail below Aspen. Director Frazier asked if that trail was still closed to golf carts. The GM said it was still closed but that the notice was being ignored by residents. Director Frazier said the association was going to have to address the matter in the near future. Director DiMeglio said that Land Stewards was setting up a meeting the GM regarding trails in the new sections of Aspen and that he would make certain that Ms. Westendorf, Mrs. Reed and Mrs. Brown received the info.

•**Events Committee**— CRM Gurley said that the Endless Summer Hop was to be held the coming weekend. She told the board that the committee was dropping several events due to lack of attendance, among them GeoFest and the Haunted Cabanas. She said the focus of the events schedule would be the pool parties. The community-wide yard sale was still under discussion by the committee.

•**Friends of the Lake Committee**— Mike Mumma, chair. Director Frazier asked if the committee was still active because no one had reported for the group in some time. Committee member Kathy Brown said the group had not been very active. Director Frazier asked if the committee had done any work on the carp removal/lake restoration project. GM Edwards said that not much had lately gone on with the committee.

## VILLAGE REPORTS

•**Aspen Village**— Mrs. Brown said the only concerns at the time were the new homes being constructed in the village that were not part of the Land Stewards project, which generated questions regarding damages to roads. She told the GM that she was not able to make any determinations regarding road damages so she said that staff should check the roads and monitor conditions.

•**Balmoral Village**— village chairperson Brian Jacobs thanked the LLA for the new bulletin board for the village.

•**Coldstream Village** — Sandra Reed was introduced to the board as the new village committee chairperson. She said the group had established an executive committee and would be holding its second meeting in September.

•**Meadows Village** — village chairperson Jerry Dorsey said that all was quiet within the village. He said that two of the 10 kids in the neighborhood that had been causing trouble had been caught and that since the incident all had been quiet.

## **OLD BUSINESS**

**Woodridge Punch List**— GM Edwards said that the punch list had been reviewed by staff and the developer project manager and that the matter of a one-year warranty on the items in the list was in fact a requirement of state government. He said that the board would not be asked for any approval until Frederick County government signs-off on the review. Mr. Edwards said that the memo included in the board packet for this meeting was simply staff telling the directors that it was finished with the punch list. Project manager Gene Bollinger said that as of Thursday, the dry swales had been given partial release. Director Hembree said the board should not accept the roads in Woodridge until a wear-coat for Woodlake Place and the last 500 ft. of Woodridge Road had been received. Director Frazier asked whether the core samples of the road met LLA specifications. Director DiMeglio noted some areas where the roads did get the wear-coat. He said that staff walked the roads with Land Stewards to determine which would get the final coat and it was believed at that time that the roads did meet the core requirements. GM Edwards said the LLA did not have the raw data and that the bankruptcy documents were reviewed to see what could be required of the developer. Mr. Bollinger said that the side of the road was tested. He also noted that the MoU did not call for Woodlake Place to be paved. Director Hembree said that he read those documents and he disagrees with the interpretation made by Land Stewards.

## **NEW BUSINESS**

**ECC Appointment**— ECC members requested that Chris Collins be appointed to the committee. **MOTION:** Director Charles made a motion to approve the appointment of Coldstream resident Chris Collins to the ECC. Director Allemang seconded the motion. **VOTE:** four of the directors voted in favor of the motion; none of the directors voted against the motion. [Director Hembree had left the room momentarily.]

**LLA Board Appointments** — in late June the LLA board called for candidates to be appointed to the board; final selection for appointments is made by the existing board. Five residents had submitted resumes and letters of interest. The two candidates selected for appointment to the board are Mark Paxton of Meadows and Brian Jacobs of Balmoral. The new members were to assume the position at the September meeting. **MOTION:**

Director Charles made a motion to approve the appointment of Mr. Paxton and Mr. Jacobs as members of the LLA board as of the September 17 meeting. Director Hembree seconded the motion. **VOTE:** five of the directors voted in favor of the motion; none of the directors voted against the motion.

**Governing Document Violations Hearing**— the hearing covered three different violations on Lot #050184. Violations were as follows: structure built (screened porch on deck) without obtaining ECC approval, fine \$150; storing vehicle on parking pad without license plates; fine \$100; use of illegal vehicle (ATV) on LLA Coldstream Beach property, fine \$250. The total amount in fines is \$500. **MOTION:** Director Hembree made a motion to impose the total of \$500 in fines on the owner of Lot #050184. Director Charles seconded the motion. **VOTE:** five of the directors voted in favor of the motion; none of the directors voted against the motion.

**ATV Usage on South Side of Lake Linganore**— North Shore resident Steven Hood summarized to the board his email of Aug. 13, 2007 about ATV usage on the south side of Lake Linganore. He said that he knew the LLA had been dealing with this issue for awhile and that the LLA had already instituted some of the suggestions he made in his email. Mr. Hood said that he had talked to Dept. of Natural Resources officers who had indicated that reason nothing was getting done about the ATVs was because Land Stewards did not want to press charges. GM Edwards said that was not accurate. He said that the LLA and Land Stewards had some success with dealing with this problem but not for long. Mr. Edwards said that the difference now is that trespassing laws have changed and with the proper signage allows deputies to approach trespasser without first having to be called by the property owners. The other problem is that there are no vehicles available to go back to the area to catch the trespassing vehicles. Director DiMeglio asked the board to give Land Stewards time to readdress this matter. He said that he would discuss any strategies with LLA staff and have a report for the board at the Sept. 17 meeting.

## **RESIDENT FORUM**

- Resident Charles Packan asked the board how often it looked at the dues structure of the association. Some history on this matter was explained to Mr. Packan. He was encouraged to take the lead on the matter and to pull together a group of residents from each village to work on the matter.
- Resident Jerry Dorsey asked about whether the LLA would be grading courts along Masters Road. GM Edwards said yes.
- Nightingale resident Clifford Burke asked the board to forgive his dues on the house he built in that village. He said the house has not sold and that he wanted to build a boat dock for the property as a selling point for the lot but that he could not get the permits

from the LLA because he has not paid his dues. He said that he does not use the amenities and as a result the land works like an unimproved lot. He asked if he could make payments on the dues he owed. Director Frazier encouraged Mr. Burke to contact LLA finance administrator Gary Jenkins and noted that payments on dues could be arranged.

## **ADJOURNMENT**

Director Charles made a motion to adjourn the meeting. Director Hembree seconded the motion. The meeting was adjourned at 9:25 p.m.