

Lake Linganore Association, Inc.
May 5, 2008
Board of Directors Meeting Minutes

CALL TO ORDER

The meeting was called to order at 7:03 PM at the LLA Coldstream Drive Office.

Board Members present: John Allemang, Jim DiMeglio, Brandon Frazier, Stephen Hembree, Brian Jacobs.

Board members absent: Robert Charles, Mark Paxton

Staff in Attendance: GM Edwards

APPROVAL of April 21, 2008 BoD MINUTES

The minutes of the April 21, 2008 regular board meeting were reviewed and approved with no amendments.

DEVELOPER'S REPORT

Director DiMeglio reported that at the April 30, 2008 meeting with the Frederick County Planning Commission (FCPC) the commission decided that the DRRA was not consistent with the Frederick County Comprehensive Regional Plan. However, this vote does not stop the process from moving forward. The DRRA cannot be materially changed at this point and it will go as-is to a public hearing before the BoCC on May 27, 2008. The BoCC could vote after the hearing to either approve or disapprove the DRRA or they could schedule further evaluation meetings. If the DRRA ultimately is not approved, the situation will likely end up in litigation.

CDA / LLCS UPDATE

The first layer of paving has been completed in Coldstream. Storm water swales and other water management issues still need to be completed before the final topcoat paving is done. GM Edwards will have compaction tests done before final paving to ensure the base provided by the Frederick County project is adequate.

Verizon issue: LLA will have to move a 600-pair telephone cable in Coldstream and it will be a mix of direct-bury and conduit. Estimate is \$39,000 but GM is working with Verizon and American Infrastructure on the price and payment schedule so the cost could be less. Discussion on where the \$39,000 should come from ensued. GM requested to use money from the Road Maintenance Fund for this item.

MOTION: Director Hembree made a motion that a maximum of \$40,000 be taken from the Road Maintenance Fund for payment of the Verizon cable relocation, with the payment schedule to be set by agreement between the GM and Verizon. Director Jacobs seconded the motion.

VOTE: Five of the directors voted in favor of the motion, none of the directors voted against the motion.

NEW BUSINESS

Water and Sewer Easements for Pinhurst/Nightingale required for Bid Process – Director Hembree objected to the language used in the easement documents because it employs the old format for restoration of the disturbed areas and should use the new format for the restoration. Discussion ensued that Frederick County is resisting changing the document.

MOTION: Director Hembree made a motion to table the easement documents for Lakeridge Road, Oakridge Road, and Nightingale until we can get an opinion back from LLA legal counsel on whether the county can be required to and/or will change the language to the new restoration format. Director Allemang seconded the motion. **VOTE:** Five of the directors voted in favor of the motion, none of the directors voted against the motion.

Discussion was held on the need to pay John Stalfort and LLA legal counsel for their time in researching this issue. GM Edwards was directed to discuss the necessary language changes with Mr. Stalfort and the LLA lawyer. The resultant information is to be delivered to the county lawyer for potential action.

Covenant Enforcement for Unkempt Properties – GM Edwards is requesting permission to take action on unkempt yards (mowing). Most of these are on vacant properties that are unsold or possibly in the foreclosure process. The appearance is degrading to the community and adversely affects the property values and resale potential of nearby homes.

MOTION: Director Hembree made a motion to give the staff permission to determine when action to mow unkempt yards is necessary and to stipulate that they have the authority to take action after 7 days from the date of violation notification. This permission is to take effect immediately and expire on 1 December 2008. Director Jacobs seconded the motion.

VOTE: Five of the directors voted in favor of the motion, none of the directors voted against the motion.

Governing Documents Violation Appeal – Staff recommends that the Violation Judgement fine assessed for lot # 130354 be rescinded as the owner did not receive the violation notifications due to an incorrect address on file and has expressed his plans to correct the violation (lack of lamp post) within 30 days.

MOTION: Director Jacobs made a motion to rescind the fine of \$100 imposed on lot #130354 on April 7, 2008. Director Hembree seconded the motion. **VOTE:** Five of the directors voted in favor of the motion, none of the directors voted against the motion.

Other Business:

The GM is working on the illegal parking problem in Coldstream and Nightingale. Towing will be enforced.

RESIDENT FORUM

No issues were brought up by residents.

ADJOURNMENT

Director Hembree made a motion to adjourn the meeting. Director Allemang seconded the motion. The meeting was adjourned at 8:27 p.m.

Respectfully Submitted,

Clay Edwards
LLA General Manager

John Allemang
LLA Secretary