

Lake Linganore Association, Inc.
July 7, 2008
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, James Arieno, Jim Cates, Jim DiMeglio, Stephen Ekanger. Director Allemang chaired the meeting.

BoD Absent: Alan Dinkelacker, Tom Roland

Staff in attendance: AGM Seligson; CRM Gurley.

APPROVAL of May 5, 2008 BoD MINUTES

Minutes of the May 5, 2008 regular board meeting were approved as written.

APPROVAL OF JUNE 2, 2008 BoD MINUTES

Minutes of the June 2, 2008 regular board meeting were approved as written.

DEVELOPER'S REPORT

Director DiMeglio reported that the Development Rights and Responsibilities Agreement (DRRA) submitted to the Frederick Board of County Commissioners by Land Stewards' is dead. He noted that the New Market Region Plan (NMRP) will go to public hearing with the bulk of Land Stewards land down-zoned to agricultural (Ag) or resource conservation (RC). He was asked whether Land Stewards intended to take the matter to court. Director DiMeglio said that Land Stewards does not plan to take any action until the county approves a NMRP. He said that if Land Stewards does take the matter to court it will be several years in litigation, which is not good for the developer. Director DiMeglio said that Land Stewards' legal and financial obligations to the LLA are not at risk. He said that Land Stewards may be able to process the plans it has submitted for specific sections in Aspen.

Director Ekanger said that he found it disconcerting that as the region grew that no developer, other than Land Stewards at this time, was held accountable for the construction of an interchange for I-70. Director DiMeglio said that Land Stewards did go back to the county and offer \$3 million toward the cost of the interchange but the county expressed no interest in the offer.

Director DiMeglio also discussed the remaining lots in the Aspen I section “that back up to Eaglehead Drive.” He explained that the county brought up a requirement of an 80-foot right-of-way on that section of Eaglehead Drive down to the former bridge area. He said the county wanted the 1988 resolution on Eaglehead roads fixed or the developer would have to build a four-lane road, which he noted as impossible to do. Mr. DiMeglio said that with regard to the Aspen I approvals the county is requiring that the resolution be fixed before permits can be obtained. He said that Land Stewards has asked the county if a grading easement would be an acceptable solution with the promise of not building on these easements and that the easement would be given to the county and to the LLA and that way no one would be required to build the four-lane road. Mr. DiMeglio told the directors that Land Stewards would be coming to the LLA to seek its part in this easement. He also noted that there is legislation before the county commissioners to rescind the '88 resolution and keep Eaglehead Drive two-lanes in the Aspen area. (Easement is attached to minutes.)

CDA UPDATE

No report was given.

COMMITTEE REPORTS

•**Finance Committee**— Director Allemang, chair. Director Allemang briefly reviewed the most recent monthly statements.

•**Events Committee**— CRM Gurley. CRM Gurley explained that the last pool party was rained out, as were the last two parties of last year and that as a result the committee decided to change the hours of the parties to noon to 5 p.m. She said the parties had been hit by later afternoon thunderstorms and that due to that factor the committee was going to try the afternoon hours to see if the storms can be avoided.

•**Trailblazers Committee** —Katrinka Westendorf and Kathy Murtaugh, co-chairs. Ms. Westendorf reviewed with the board the work done by the committee in June in the village of Balmoral. She said the July work meeting would take place in Westwinds near Ben's Branch.

VILLAGE REPORTS

•**Summerfield Village** — June Cates, chair. Director Cates asked whether signage could be placed at the townhouse dumpster locations to notify people of who to contact to have furniture removed. He thought taking this action might help to eliminate the problems of furniture being dumped at the trash sites. AGM Seligson said that a listing of haulers could be placed in LakeTalk but that he did not want to place any additional signage at the dumpster locations.

NEW BUSINESS

Governing Documents Violations Judgments:

• **Lot # 050184— Violation:** storing trailer on property. **Fine:** \$100. Director Ekanger asked if the LLA had any place for member residents to store these kinds of trailers. AGM Seligson said no. **MOTION:** Director Ekanger made a motion to implement the \$100 fine with additional fines of \$10 per day per violation until the violation is resolved or recurring violation fine amount reaches \$500 and to include in the notice the language that “this is a reoccurring violation and that any further notification of this violation will be an automatic fine without the opportunity for a hearing.” Director Arieno seconded the motion. **VOTE:** five of the directors voted in favor of the motion; none of the directors voted against the motion.

• **Lot #090270— Violation:** failure to maintain shed structure. **Fine:** \$150. AGM Seligson explained that the graffiti noted in the information had been removed from the shed structure but that it still had not been painted to match the house color. It was noted that the lot owner was a repeat violator. **MOTION:** Director Ekanger made a motion to implement the \$150 fine with additional fines of \$10 per day per violation until the violation is resolved or recurring violation fine amount reaches \$500. Director Cates seconded the motion. **VOTE:** five of the directors voted in favor of the motion; none of the directors voted against the motion.

• **Lot #140134— Violation:** failure to maintain house structure. **Fine:** \$150. AGM Seligson explained to the board that this violation was generated during a time when the covenant compliance staff was doing a sweep of villages. Lot owner Sharon Early requested a hearing with the directors about this matter and presented to them information and photos that recorded the many repairs she has done to her house over the 20-years since she bought it. She said the work noted in the violations notice was work that she wanted to have done but that she could only do it as her income allowed. She said that the items noted in the violation were not serious violations and that it did not warrant the fines. Director Ekanger said that he could see that she is a lot owner who cares about her property and that she is doing work to the house within her means and that he agreed that the chipped paint did not justify the fines and did not see the point of doing so. Director Allemang said he drove past the house before the meeting and said that front looks good but that the side wall needs attention. He reminded Ms. Early that residents continually express appreciation for the results of the program. He also asked her when she could get the house painted. Ms. Early said that she was hoping to have it done in the fall but was worried that she might not be able to afford it then and that committing to that timeframe would put her in jeopardy again. She said she thought she would be able to do it by spring. Director Allemang said he did not think the house should go through another winter without being painted. Director Ekanger said that he felt she was showing good faith and was willing to work with Ms. Early.

MOTION: Director Ekanger made a motion to hold the fine in abeyance and to set November 30 as the timeline for Ms. Early to get the house painting completed or to making first steps toward getting preliminary work done to have it completed in the

spring and that if she needed an extension that a subsequent date would be discussed in November. **VOTE:** five directors voted in favor of the motion; none of the directors voted against the motion.

MATTERS FOR BOARD INFORMATION

Security Discussion— Director Roland had asked management for a report about security enforcement and patrol services. Because Director Roland had to be out-of-town due to work obligations, it was decided to table the discussion at this time.

Teen Loitering at Amenities— AGM Seligson explained to the board that the LLA is not a law enforcement agency and therefore has to be careful about what staffing it provides and what actions it takes to “protect” the community. He noted that the crime rate in Eaglehead is low but that during summer months teens generate a lot of trouble for the association, residents and management. He said the youths encountered nowadays are more dangerous and have a greater disregard for authority. Mr. Seligson noted that the esplanade has been a location for teen misbehavior, etc. He said that towing figures are up 125 percent this year compared to the same time last year, and shows that teen trespassing is becoming a bigger problem and that the LLA will have to look at ways to address the problem for next year. Some of the points under consideration include requiring members to have membership cards on them at all times while at the amenities and hire new staff as amenity monitors with enforcement powers. He said that the community must buy-in to the proposed solutions and that a united community front must be presented to protect amenities from the destruction now occurring.

RESIDENT FORUM

- Meadows resident Sherry Ward told the directors that the sewer project work had cut down more trees than was suppose to be done and as a result the erosion of the nearby stream banks is generating extreme water flow during rain storms that threatened her property and that of two other homes. She said that she had talked to the LLA GM and that the plan to address the problem would not be adequate at this time. She said she had been talking with the LLA about the problem for five years and nothing had been done and now that something is being done it is not sufficient. AGM Seligson said that within the prescribed easement area the water/sewer contractor had the right to clear cut. Ms. Ward said she had talked to the project manager and that he had admitted that more trees were removed than needed to be. She reiterated that the stream needed to be addressed by the LLA before the homes were negatively impacted. Director Allemang encouraged her to keep talking to the GM, to get the information to the association and the matter would be reviewed again.

ADJOURNMENT

Director Cates made a motion to adjourn the meeting. Director DiMeglio seconded the motion. The meeting was adjourned at 9:07 p.m.