

**Lake Linganore Association, Inc.**  
**July 11, 2011**  
**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: Brandon Frazier, Hilary Moore, Tom Roland.  
BoD Absent: Stephen Ekanger.

Staff in attendance: GM Howe, CRM Gurley.

**APPROVAL of June 13, 2011 BoD MINUTES**

Minutes of the June 13, 2011 regular board meeting were approved as written.

**CDA UPDATE**

**No report.**

**COMMITTEE REPORTS**

•**Finance Committee**— Director Frazier, treasurer. Director Frazier reported that the newly created charter for the committee had passed the committee and was available for the LLA board to review. Director Roland said that the board should wait to vote on the new charter after Director Ekanger returned from vacation.

Mr. Frazier said that the townhouse reserves funds that were discontinued by the board remained in a separate account in the financial and he recommended that the funds be placed into the common reserves account and that the line item for the townhouse reserves be deleted at this time.

**MOTION:** Director Frazier made a motion to delete the townhouse reserves line item in the budget and to place the money into the common area reserves line item. Director Moore seconded the motion. **VOTE:** three of the directors voted in favor of the motion; none of the directors voted against the motion.

Attorney fees for association business were discussed. It was decided that the general manager only should be the point of contact for putting into motion any work by the legal counsel. GM Howe said that he would create a policy for the LLA related to legal services.

Director Frazier discussed the auditor's report completed this year. He noted the collection policy for the association needed to be updated. The delinquency rate for payment of LLA dues assessment also was discussed. It was noted that the current delinquency rate of approximately eight percent was not good but not bad for the current economic times. Mr. Frazier noted there were only minor variances in the current financial statement.

Director Moore asked if the budget was on target. Director Frazier said that approximately \$10,292 had been collected from spot lot builders for road maintenance. He noted that staff salaries budget category was well below the budgeted amount. In addition he said that payables to the LLCS for the road maintenance fund had been transferred but that the committee did want to look at a better way to handle the funds and the transfer of the funds, noting that a letter of credit may be a better alternative.

Director Roland asked for an update on the tennis courts. GM Howe handed out a sheet showing the budgeted amounts and the actual costs of the projects (attached to minutes). The total LLA funds to be expended on the project are \$174,927, while total actual costs are \$171,371.94. GM Howe said that the contract for the CCTV had not yet been signed. Director Roland asked if the project would come in as financially planned. GM Howe said it would. He noted that the power company will move and rewired one of the poles as single phase, for which the LLA would have to assume the cost. He also said that the LLA would be able to use the former pole for CCTV cameras.

Director Roland asked Director Frazier whether the Long-Range Planning Committee had recently met. Director Frazier said that only one meeting had been held but that if his unavailability for meetings blocks the success of the committee he would step down as chairperson.

Director Frazier also discussed collateralization of \$150,000 worth of Certificates of Deposit (CDs).

•**Trailblazers Committee** —Katrinka Westendorf and Kathy Murtaugh, co-chairs. Ms. Westendorf explained the recent work done by the committee volunteers. She asked for a status report on the work to repair the lake trail that was damaged in April. GM Howe said that work on the trail had started the previous week. Director Roland asked that a status report be sent to her. Ms. Westendorf asked about the trail section in the area of the Meadows booster station construction site and whether the super silt fencing could be removed at this time so that people could use the wooden foot bridge built recently by the Golf Cart Committee volunteers. She also wanted to know if access to the path under Eaglehead Road would be available at completion of the station project.

Balmoral resident Bill Dean said the land at the lower part of the bridge was very steep and that he worried about erosion. Ms. Westendorf said that there was grass in place in that area.

•**Events Committee**— CRM Gurley. Gurley noted that the June pool party was successful and that planning continued for another in August.

•**Tennis Committee**— Mary Roland, chair. Mrs. Roland reported that the first First Saturday social evening planned by the committee had 45 people in attendance.

•**Golf Cart Committee**—Phil Bump, chair. Mr. Bump reported on the work done by his committee volunteers in conjunction with the LLA Trailblazers. He said the two committees would begin to have joint meetings. He said his volunteers widened the trail next to the Boyer's Mill Road pump house.

Mr. Bump expressed his interest in establishing a recycling program for the beaches. It was noted that someone had placed a recycling container at Coldstream Beach. How the materials would be sorted and who would collect them was to be worked out with staff.

Mr. Bump also discussed installing and anchoring picnic tables and benches at the beaches. He noted that five or six picnic tables are needed for Coldstream Beach and suggested that a wish list of locations for these tables/benches be developed by residents and presented to staff.

•**Friends of the Lake Committee**—Bob Charles, chair. Mr. Charles requested that the LLA board send a letter of commitment to the Frederick Board of County Commissioners (BoCC) about the association funding \$76,000 for the county to modify its contract with US Geological Survey to survey the eastern portion of Lake Linganore. He said the survey would likely be done in the fall with a preliminary report available in late fall and that it was hoped to have a final report by winter of 2012. A resident asked why the lake needed to be dredged. Mr. Charles and the LLA directors explained the need for the restoration project. Director Roland said that any future plans related to restoration would be worked out with residents to understand all aspects of the project, as well as the financing. Aspen North resident Jon Peters said he had experience with dredging projects and asked about the toxic content of the sediment in the lake. Mr. Charles said the county had tested the materials and found nothing to be worried about regarding heavy metals and other toxic materials.

## VILLAGE REPORTS

•Aspen Village— Brian McMynne, chair.

•**Aspen North Village**— MJ Minton, CDA chair. Ms. Minton addressed the LLA directors about their recent decision to alter the LLA funding for the Aspen North CDA

effort to build utilities and road/storm water infrastructure for the village. She thanked the board for its support during the past few years to the property owners and for agreeing to allow the village to use the dues it pays to the association to help fund the preliminary work for the sale of bonds to pay for the utilities and roads. She explained the history of what has been happening with the CDA, the change in the bond market and the delay it has caused in full funding of the CDA work. She emphasized the Frederick Board of County Commissioners' requirement that the project be shovel ready in order to go to bond market, which would require completion of engineering studies and drawings. She explained that the property owners had been paying out of pocket (\$1500/\$1310/\$1310) for the past few years toward the costs of the preliminary work, which is an extra cost to them. She said this year the out-of-pocket amount had been reduced as a way to give owners a bit of a break considering the economic times. Ms. Minton explained the many hurdles the project has undergone during the past three years and the extraordinary new state requirements for the construction.

She told the board that based on its assurances during the last budget cycle that the CDA board of directors had presented to the county a budget for the next two years that included the previous amounts of LLA funding and that the association board's recent decision to cut out or back the funding left the project at a great disadvantage. Director Moore said that residents had raised concerns about giving this money to these property owners.

Director Frazier noted that unimproved lot owners in other CDA villages received the value of LLA funding toward those CDAs. He said it was his idea to help fund the Aspen North CDA by using the dues but that when he saw the drop in the amount the lot owners were paying this year he assumed the full LLA funding was not as critical. Director Roland said he assumed the same. Director Frazier said that he wanted to see the revenue side of the project, noting a \$400,000 revenue stream that may show the LLA funds are not needed. He also said he wanted to see the dues delinquency rate for Aspen North.

Lot owner Frank Dertzbaugh said the money paid by Aspen North lot owners for many years was used to support amenities and other business of the LLA and that the association would gain even more through a stronger tax base of new homes in that village than what it would expend in supporting the project at this time. He said the village was two years away from having buildable lots and it needed the continued support of the LLA. He said because numerous lot owners were thinking about bailing out on the project and their lots, this year the Aspen North CDA directors decided it would be prudent to reduce the amount to ask lot owners to pay out-of-pocket.

The board discussed continuing the funding for the next budget cycle but to revisit the matter the following year. The LLA funding commitment is to be reviewed again next year. Director Moore instructed the Aspen North CDA directors to send its financials to the LLA board.

- Audubon Condos — no committee at this time. No report.

- Audubon TH—Gary Timberlake, chair. No report.
- Audubon North SF—no chairperson at this time. No report.

•**Balmoral Village** — Bill Dean, chair. Mr. Dean expressed concerns about resident safety due to road angles and blind spots in relation to speeding in the village. He asked where he should go to address these concerns. He was told to address the matter during the monthly village committee chairpersons meetings. He also was told that speed bumps on roads funded by the CDA were not permitted. He said residents were planning a list of locations for needed stop signs.

- Coldstream Village — Lisa Martinis, chair. No report.
- Meadows Village —Cary Frey, chair. No report.
- Nightingale Village — Stephen Hembree, chair. No report.
- North Shore Village— Katie Mitchell, chair. No report.
- Pinehurst Village — Dana Schlichting/Guy Reese, co-chairs. No report.
- Summerfield Village — Judy Getz, acting chair. No report.
- Westwinds Village — Skip Iacobucci, chair. No report.

•**Woodridge Village** —Trish Flora, chair. Mrs. Flora reported the village was having a meeting with the Eaglehead developer on July 25.

## **ACTION ITEMS REVIEW**

**Long-Range Planning Committee**—this item remains open. Director Frazier is heading the committee.

**Coldstream Parking Lot Project**—this item remains open. GM Howe did not know when the handicapped parking space marking would be completed.

**Esplanade Structure Repair**—this item is completed/closed. The project was updated to split apart phase 1 repairs.

**Esplanade Bridge**—this item remains open. The project has gone out for bids.

**Summerfield Pool Repairs**—this item was closed.

**Trail Repairs**—this item remains open. The contract was awarded.

**Westwinds Trail**—this item is open. It was placed as part of the above trail repair contract. Clarification of land ownership is needed regarding this trail.

**Lake Merle Dock**—this item is open. Director Moore stated she contacted staff about this three times and nothing was ever done. She said the dock was never properly installed.

Director Moore asked how what the process is for the board to get feedback from staff regarding work on projects requested by village committees.

## **NEW BUSINESS**

**Townhouse Reserve Accounts-** see under Finance Committee.

**Proposal for Pool Concession Sales by Local Girl Scout Troops-** Local Girl Scout troops submitted a proposal that would allow them to sell pre-packaged foods at Coldstream Pool until the end of summer operating season. The activity is to be a fundraiser for the troops.

**MOTION:** Director Frazier made a motion to accept the proposal. Director Moore seconded the motion. The activity is to be limited to Coldstream Pool only. **VOTE:** three of the directors voted in favor of the motion; none of the directors voted against the motion.

**Request for Memorial Bench to be Placed at Indian Cave Area—** The Balmoral family of Lisa Booth had requested permission to place a “memorial” bench in memory of her husband, who died in 2009, in the Indian Cave area. Discussion focused initially on the fact that the parcel is not owned by the LLA and that ownership at this time is actually undetermined due to the bankruptcy proceedings.

GM Howe said that memorials can be a special problem for the association, noting that over the years the LLA could get many more requests and that there needed to be developed some guidelines regarding how these matters were to be handled, possibly to create an agreement between the LLA and the other party about the care and length of life of a memorial and who has the financial responsibility to maintain the memorial, among other considerations. He suggested the guidelines/agreement on the matter be renewed very few years. GM Howe said that he would write a policy on the matter.

The board asked the GM to discuss with Ms. Booth another location for the memorial. CRM Gurley explained that a small grove of trees between the LLA building and the tennis courts is a memorial grove of trees and that each of the trees used to carry a small plaque noting the individual for whom the memorial was planted and that it might be an acceptable alternative to the Booth Family.

## **OLD BUSINESS**

**Developer Proposal for Amenities/Road Maintenance Fees for New Construction in Woodridge and Aspen—** after lengthy review of the developer letter outlining details of its plans for building in Woodridge 4 and Aspen 3 & 4 the following changes were made:

- The second to the last paragraph of the letter is to read as follows:

“At the June 13 meeting, the Board expressed a desire to have Oakdale Investments participate in the protection of existing LLA roads from the impacts of construction traffic. Recognizing that these sections are “in-fill” within the existing community and will use existing LLA roads, Oakdale Investments will commit to the following items in an effort to limit impacts and mitigate potential problems our construction activities may cause. First, we will re-establish the old farm road up to Gas House Pike which will become the primary construction entrance for all construction activity in Woodridge 4. We will install a gate which will allow us to limit the use of the road to only authorized vehicles involved in construction in Woodridge. Second, we will install signage acceptable to the Board and/or LLA staff along Eaglehead Drive which imposes limits to use of Eaglehead to only Aspen construction traffic. Any construction vehicles associated with Woodridge of more than two axles will be required to use the Gas House Pike entrance or the operators will be subject to fines. Finally, in order to mitigate potential impacts to existing LLA roads which will inevitably occur through the construction process, Oakdale Investments agrees to pay \$500 per lot to the LLA road maintenance fund at each lot settlement. The intent of this contribution is to repair any roadway damage to existing LLA roads incidental to the construction of these 106 lots in Aspen 3, Aspen 4 and Woodridge 4. These funds will provide \$53,000 towards the road maintenance fund. This payment is offered in lieu of any LLA impact fees which will not be collected on the Declarant lots in Aspen 3, Aspen 4 and Woodridge 4. For any lots sold by Oakdale Investments to a spot lot builder, this exemption of impact fee will only apply for a period of 12 month after the lot transfers.”

**New LLA Procurement Policy**—under section M. of the proposed policy, final sentence in the section should read: Contracts which do not have an approved budget or exceed budget by more than \$5,000 must be presented to the Board of Directors for approval.

**MOTION:** Director Frazier made a motion to approve the proposed policy with the amended language to section M. Director Moore seconded the motion. **VOTE:** three of the directors voted in favor of the motion; none of the directors voted against the motion.

## **RESIDENT FORUM**

- A Balmoral resident spoke to the board about recent vehicle break-ins and an attempted home invasion in that village and asked about LLA security. GM Howe explained that the patrol officers are not law enforcement and are here to enforce LLA rules and regulations. Residents should always contact the sheriff’s office in cases of personal safety and criminal activities.

- Balmoral resident Phil Bump told the board about a motorcycle that was parked at Coldstream Beach that was towed. He said motorcycles are not given vehicle tags and that the LLA office needed to review with patrol officers about the special considerations given to motorcycle owners.

### **ADJOURNMENT of Regular Meeting**

Director Frazier made a motion to adjourn the meeting. Director Moore seconded the motion. The regular meeting was adjourned at 10:30 p.m.

## **CLOSED SESSION**

### **Governing Documents Violations Judgment Hearings**

**Regarding Status of a Member at Lot #050234**—The discussion was about the suspension of membership privileges of a juvenile member of this member household. Following a lengthy discussion the board decided to let the father decide on the appropriate “punishment” and to come back in a couple of weeks to show the board his plan for addressing the matter with his son.

**Lot#140255**—the owner had sent a letter requesting that the board rescind the fines assessed to the property related to compliance violations. Lengthy discussion took place on LLA authority to enter property and make repairs. **MOTION:** Director Moore made a motion to give the owner the opportunity to make arrangements for the home repairs but if the arrangements were not made that the LLA do so and charge the cost of the repairs to the \$3500 in compliance violation fees, as well as add a \$50 administrative fee. Director Frazier seconded the motion. **VOTE:** three directors voted in favor of the motion; none of the directors voted against the motion.

**Tulloch vs. Valukas**—if the legal case is settled in court the board would like a recommendation from the ECC regarding the elimination of ECC fees in this case.

### **ADJOURNMENT**

Meeting adjourned at 11:20 p.m.

Director Frazier made a motion to adjourn. Director Moore seconded the motion. All agreed.