

**CAPE ST. CLAIRE IMPROVEMENT ASSOCIATION MINUTES  
CSCIA BOARD OF GOVERNORS MONTHLY MEETING  
NOVEMBER 12, 2018**

President Breeden called the meeting to order at 7:32 P.M. in the Main Room of the CSCIA Clubhouse. He introduced himself and welcomed visiting Boy Scouts and their leaders, who were attending as part of the requirements for the Citizenship in the Community Merit Badge. He explained what the Board of Governors does, when and how it meets, and the rules of discussion and conversation. The Board members then introduced themselves to the Scouts.

President Breeden led his remarks with a moment of silence for veterans, noting that Mike Buchet (Marines), Town Manger Anderson (Navy), and Governor Layman (Coast Guard) are all veterans. He also noted that it was Administrator Coble's birthday tomorrow and he had given her the night off, and added that her son, Scott, is now a Marine. He said it has been a busy month with lots of events, and tonight's agenda would touch on the Business Lot Owners' Association (BLOA) SCBD, covenants, the Swim Club, the Magothy River Land Trust, the bond bill, Biohabitats and the Alliance for the Chesapeake Bay. He added that there will be a Highway Administration meeting at Magothy River Middle School on Wednesday at 7:30 to discuss many issues.

Guests included leaders from Boy Scout Troop 2214, Chris Fuller, Thomas Johnson, and Doug Humphries, and Scouts Ethan Fuller, Grant Kelly, Benjamin White, Bradley White, Arnold Stout, Luke Stout, Reese Johnson, Adam Crouch, and Jackson Heim. Also attending from the Swim Club were President Corey D'Agostino and Gwen Gibson.

**October 8, 2018 Monthly BOG meeting minutes:** Governor Fairchild moved that the minutes be accepted. The motion was seconded by Governor Schmidt and passed unanimously.

**September 30, 2018 Final Profit and Loss Statement:** Governor Szczytko moved that this P&L statement be approved. The motion was seconded by Governor Lamb and passed unanimously.

Corey D'Agostino, President of the Cape Swim Club, began his comments noting the history and relationship to the CSCIA of the Swim Club. The Club sits on CSCIA property and has a 99 year lease that began in 1967. He is here because the Swim Club's septic system, a steel tank and a leach field, which was originally installed in 1968, may be in danger of failing, with toilets backing up, and the county is going to require them to hook into county sewer at considerable expense. The total cost, including engineering plans and connection, could cost between \$160,000 and \$180,000, depending on whether the connection is through the shopping center or up to Hilltop Drive. There was discussion of the EDU calculations and whether that took into account the seasonal usage of the facility. Among issues that were raised was the question of being able to get a variance to replace a septic system with another septic system, based on the fact that the use is seasonal. There was also a question if there was a variance granted for the original installation. Also, the possibility of getting a temporary variance for 10 years or so was brought up, so that the Club would have time to raise the money for sewer connection. The Club has increased fees from \$500 to \$600, and membership from 175 to 200 to increase revenue, but it was pointed out that increased membership will only put more strain on the septic system. The Club was hoping that the CSCIA would support the request for a variance or temporary variance, with a letter to the county, and also look into any ways to possibly share in the cost of sewer connection in the

event no variance is granted. Governor Breeden pointed out that the Club is a nice amenity for the Cape, but only benefits 200 families.

And he added that, in any case, the Board could not consider any financial help until the FY2021 budget. He said the final solution may not be monetary, and we need to find the original variance. Both the BOG and Swim Club will need to meet and research possibilities of a future variance. He noted that variances exist in the code for reasons such as this. The question of measuring the actual water usage to counter the EDU calculations was raised and Mr. D'Agostino said that had not been done. Governor Breeden summarized by asking if there was an original variance, and if it can be found; if there is a seasonal usage variance that can be gotten; if there is a temporary variance that can be gotten; if there is a way to split the costs of a new system or county connection. The Board will do some research on its responsibilities, noting that the Swim Club was created as a separate entity. The Board will discuss all of this in a closed session tonight and begin to research the issues.

### **COMMITTEE REPORTS**

**Clubhouse:** Governor Lamb said bathroom construction is scheduled for several weeks in February. She is currently evaluating rental fees.

**Signboard:** Governor Lamb is pleased with the new sign board and has gotten a lot of positive feedback.

**Caper:** Governor Lamb said the December/January issue will feature a "Pictorial Year in Review" and she is looking for photos to include by November 20.

**Breakfast with Santa:** Governor Lamb said it is scheduled for December 8 with 8:30am and 10:30am sittings, which are half full at this time.

**Halloween Happenings:** Governor Lamb said that even with the rain date it turned out well.

**Beaches and Parks:** Governor Macindoe had nothing new to report.

**Technology:** Governor Szczytko added an Event page to our website. He is still looking into online payment possibilities.

**Town Manager:** Ryan Anderson said the port a pots are leaving November 15. Dealing with phragmites and bushkiller at Lake Claire is ongoing. The boat ramp repair/replacement is being looked into along with dredging the debris there. Winglets will be added to the Lake Claire boat pier gate. Cameras are up at Little Magothy pier. Water to the piers will be shut off on November 30. The Clubhouse HVAC system has been checked. We still need a permit for the bathroom construction. The wainscoting in the Main Room will be painted while bathroom construction is underway. There has been a request to add flasher to the existing stop sign at Blue Ridge Dr. and Hilltop Dr. The SCBD audit has been submitted. He has attended grant writing workshops. The election went well at the Clubhouse. The last Piers Committee meeting is tomorrow night.

**Treasurer:** Governor Zadera said he has received the FY20 SCBD budget request form. He said we are requesting the same amount as last year in the bond bill requests. He noted that we now have 2,311 tax accounts.

**Building:** Governor Roche said we have had 47 building permit applications, with 2 still pending. Anyone with concerns about building issues can email him at [building@cscia.org](mailto:building@cscia.org).

**Membership:** Governor Fairchild mentioned the Membership Meeting on October 23 and noted the Annual Meeting on January 8<sup>th</sup>, 2019 will be dealing with the budget and elections.

**Covenants:** Governor Layman had nothing new to report.

**Events:** Governor Schmidt said there will be a community sing-along on December 19, and Santa at the guardhouse will take place on December 1st at 5 P.M.

**Roads:** Governor Breeden said that speed flashers are now up at the elementary school and will be on the Green Holly and Cape St. Claire islands by Thanksgiving. We will be looking into studies on other roads.

**Piers:** Governor Breeden said letters to slip holders will go out on December 1 and contracts will go out on February 1.

**Beaches and Parks:** Governor Breeden said that beach erosion has resulted in us being required to get permits for the new Main Beach playground, as we are now too close to the water, and we may need a variance for the one at Deep Creek due to new lot regulations.

**Security:** Governor Breeden again stressed locking vehicles at the Clubhouse due to continued trespassing and theft by Mr. Murphy, who has 49 pending charges on the peninsula in the last 6 months. He also stressed watching for pedestrians in the early darkness.

**Budget:** Committee chair Buchet explained the budget process to the Scouts.

The Board took questions from the Scouts and leaders relating to roads, the Swim Club, and the Budget Committee.

## **OLD BUSINESS**

Governor Layman said that he had sent out an email to the Governors regarding the work on revising the bylaws. He noted there are 3 categories to consider: removing, adding, and editing. Governor Breeden said we need to have further discussion in December to get back to our attorneys, with an eye on having them come to a Board meeting in January after the Annual Meeting, and then to the April Membership Meeting to present the changes to the members, with a possible vote on the changes at the July Membership Meeting. He added that it is our job to go over it line by line and present changes as a whole to the members.

Governor Szczytko said he has been in contact with 3 companies regarding setting up online payments and they are all very affordable.

Governor Breeden presented a petition by the Business Lot Owners' Association to set up an SCBD to pay for connecting to county water. The county office of law insists that we become part of that SCBD due to our ownership of the parking lot. We need to sign on or there is no SCBD without our agreement. We, along with the BLOA, got the county and state law changed to allow this SCBD. There was a

discussion of the assessment charges we would incur and a brief history of the relationship between the shopping center and the CSCIA, including our lease and operating agreements. We would be one of 24 votes in the SCBD and our assessment could roughly be in the range of \$30,000 to \$40,000 a year, based on the scope of the project. Governor Breeden read the full petition, ***a copy of which is appended to these minutes.***

Governor Breeden presented a motion “to vote yes on the petition for the Special Community Benefit District of the Cape St. Claire Business and Lot Owners’ Association, as we are one of the 24 tax accounts included, that we vote yes contingent on the fact there are leases and operating agreements with the civic association known as the Cape St. Claire Business and Lot Owners’ Association is updated to reflect any and all assessments from us joining this Special Community Benefit District.”

Governor Roche proposed the motion. It was seconded by Governor Lamb and approved unanimously. President Breeden will sign the agreement on behalf of the Board and give it to our attorneys.

Governor Breeden brought up the removal of Covenant #6, which we are now legally able and required to do no later than September 30, 2019 by changes in state law. There is a resolution to accomplish this, noting that the number 6 will stay and will now read “Deleted in its entirety.” Any future changes involving renumbering the covenants and to delete that number 6 will have to follow normal procedures of going before the membership. All Governors must sign the resolution for it take effect. Governor Breeden then read the full resolution, ***a copy of which is appended to these minutes.*** He noted that the resolution must be signed by all Governors, and all Governors must vote in favor of signing it. He then presented a motion to be approved. “I so move that we, individually, sign the resolution so it can be recorded with the land records.” Governor Lamb moved the motion. It was seconded by Governor Layman and passed unanimously by voice vote. The resolution was then passed around and every Governor signed it.

Governor Breeden noted that Town Manager Anderson had attended grant writing workshops. There are maximum awards of up to \$300,000 through the Chesapeake Bay Trust. We will be having a site walk with all involved to coordinate this with a \$2,000,000 request in the spring.

## **NEW BUSINESS**

Governor Breeden said we have received a request for support from the Magothy River Land Trust, which is separate from the all-volunteer Magothy River Association which we already belong to. The Land Trust works to obtain conservation easements. After some discussion, Governor Lamb moved that we become a member of the Magothy River Land Trust and donate \$100 to them. The motion was seconded by Governor Zadera and passed unanimously. Governor Roche indicated that he would like to be notified about Trust meetings and he would go to represent the Board.

Governor Layman asked about Swim Club discussion and was told by Governor Breeden that it would take place in Closed Session.

## **COMMENTS**

Budget Committee suggested that we look at the Swim Club situation in the same way that we look at Piers.

**ADJOURNMENT**

Governor Fairchild moved that the meeting be adjourned to a Closed Session. The motion was seconded by Governor Zadera and approved unanimously. The November 12, 2018 meeting of the Board of Governors was adjourned to a Closed Session at 9:32 P.M.

**CLOSED SESSION**

A Closed Session was convened at 9:32 P.M. and adjourned at 10:20 P.M.

**MEMBERS PRESENT**

Governors Breeden, Fairchild, Lamb, Layman, Macindoe, Roche, Schmidt, Szczytko, and Zadera were present, as were Town Manager Anderson and Budget Committee chair Buchet.