

BOG Meeting April 10, 2023

In attendance in person: President Beau Breeden, Governors Joe Angel, Jennifer Connor, Ed Hayes, Mary Lamb, Neil Macindoe, Kim Pollack, Michele Shipley, and Jerome Zadera, Budget committee members Thor Harris, Charlie Moore and Charlie Shoul, Town Manager Frank Tewey, and guests Steve Arnold, William Arnold, Becky Benner, Cathy Gazzo and Stacey Wildberger. In attendance online: Governors Cheri Fairchild and Marissa Mianti.

President Breeden called the meeting to order at 7:33 pm, thanked all for attending and said activity is increasing at the beaches and parks with preparations for a busy summer season. He noted that stickers were sent to all those current on the maintenance fees and should be on cars by the May 1 expiration of the old ones. Governor Lamb made a motion to amend the agenda to include a building hearing from resident Steve Arnold regarding construction of a retaining wall. The motion was seconded by Governor Angel and passed unanimously.

VARIANCE REQUEST

Steve Arnold, owner of 1226 and 1228 Riverbay Rd presented his variance request to have a retaining wall built where the previously existing rock wall stood, partially on CSCIA property. Mr. Arnold spoke about the history of the original wall, built over 70 years ago by his grandparents. The October 2021 storm damaged walls at homes along that section of beach. He shared aerial photographs showing how the sand has accreted near the bulkhead but not at his house. One of the survey stakes marking his property is in the water, the other end is inside the line of his original wall. During high tides, people walking to the inlet cross his property. He would like permission to build a wall the entire length of the original wall, which is partially on CSCIA land, in order to protect his property if the beach continues to erode. He may not need to build the wall that long, but asking for a shorter length now would require new permits to extend it later. Further discussion will be held during the closed session.

MINUTES AND FINANCIAL STATEMENTS

Minutes of the March 13, 2023 BOG meeting were reviewed. A motion to approve the minutes was made by Governor Angel, seconded by Governor Macindoe and approved unanimously.

The financial statements for February 28, 2023 were reviewed. A motion to accept the financials was made by Governor Angel and seconded by Governor Connor. President Breeden noted there are 4 months left in the fiscal year reporting after February, pier slip payments were received mostly in February and March, one more check is expected from the county to complete the Special Community Benefits District (SCBD) payments for the year, and most revenues and expenses are in line with expectations. The motion passed unanimously.

COMMITTEE REPORTS

Town Manager: Town Manager Tewey reported on several committees and those comments are in the committee reports below. In addition, he noted that the Mosquito Program application was received by the Department of Agriculture and when the website is updated, information for opting out will be available. Due to a new state law, all Homeowner Associations (HOAs) are required to do a reserve study by October 1, 2023 to determine the replacement cost of all community owned assets. Mr. Tewey will solicit bids from three firms to conduct the study. Invoices for all tree work completed have been received and paid and Mr. Tewey is waiting for the status of the tree removal on Cape St Claire Rd. He is planning to work with Richard's Tree Care to assess the health of trees on CSCIA properties in order to budget for future tree removal needs. A question was asked about the Lewis Tree Service trucks that have been in the area. They are contracted by BGE and are assessing trees near power lines.

Broadneck Council of Communities (BCC): President Breeden announced that Congressman Sarbanes will attend the April 27 BCC meeting at the clubhouse to discuss the Chesapeake National Recreational Area project at the Whitehall historic home on Whitehall Rd. Mr. Breeden, along with Pat Lynch, held a phone meeting with Charlie Scarlett III, who lived in the house as a child and is president of the Brandywine Foundation which operates the home. Mr. Scarlett's vision is for limited access to the house, perhaps by appointment only, and with no beach access except by kayak or water taxi. He would like the Foundation to work in conjunction with the government, not relinquish control of the house or grounds. Mr. Breeden noted that the last congressperson to attend a meeting in the Cape was probably Wayne Gilchrest, about 20 years ago.

Beaches & Parks: Governor Macindoe reported that the beaches are becoming busy, and he has been seeing many new orange stickers. Town Manager Tewey reported that eleven applicants were interviewed and will be offered positions as beach attendants, with a possibility of one being a lead attendant. Applicants must be at least 14 years old, apply, provide 3 references and go through an interview process. T-shirts and hoodies are on order. Additional portable toilets will be installed in May. Recent high winds caused little damage around the Cape properties but two compromised fence panels along the field behind the clubhouse did fall. The panels cannot be easily reinstalled because three trees have been growing into the fence, causing it to lean, and prevent it from being installed plumb. A temporary plastic mesh was installed to discourage travel through the neighboring property while a decision is made on whether to remove the trees or move the fence.

Business Lot Owners Association (BLOA): Town Manager Tewey reported he will confirm the BLOA contribution to insurance and security was received. President Breeden said that though outdoor dining was approved for another year, Riverbay Roadhouse and Blue Rooster Café have not yet asked to put tables in the parking this year. Broadneck Grill has not asked but tents and tables are still out from last year. They will need to either remove the tents or use them again after obtaining permission.

Building: Town Manager Tewey has reviewed 3 applications to be approved by the committee. He said there is an appeal to a denied variance request for 1080 Little Magothy View to be heard May 16th at the county. Governor Shipley will be transitioning out of the committee before July and Governor Layman will take on those responsibilities.

Budget: Town Manager Tewey reported the county requested changes to the format of the SCBD budget request and those changes were made and submitted. Charlie Moore announced the next budget meeting to be held April 27. Governor Breeden noted the conflict with the Congressman Sarbanes listening session. The budget meeting will be rescheduled.

Caper: Governor Lamb said she needs articles to be submitted in a timely manner.

Clubhouse: Governor Lamb announced that cubicles were installed in the Cox meeting room today to create the new business office. When the move to that room is complete, renovations to the old office will begin. Mr. Tewey said Richard's Tree Service will add a soil/stone mix to the low area of the parking field behind the clubhouse parking lot.

Events: Governor Lamb said the Easter Egg Hunt was moved to the rain date, but all went well. The Virtual Egg Hunt received many good reviews. The Cape Clean Up will be July 14 and 15 and volunteers are needed. She would like a representative from the Cape to be always present throughout the two days, not just the county workers.

Grants: See Old Business.

Legislative: Town Manager Tewey reported the county council passed a bill to allow accessory dwelling units and noted that community covenants supersede the county ruling, though the burden is on the community to enforce their covenants and challenge any infractions in court without support from the county. They also passed the floodplain management bill allowing stream restoration projects without modifications to the county special permit. The bill regarding permitting for special events is pending and another hearing will be held April 17. Mr. Tewey's written testimony on behalf of CSCIA given the hearing on April 10 can be accessed online. The 90-day Maryland legislative session is complete. There were 16 bills relating to HOAs, of which only two (regarding mobile home communities) passed. House bill 496 regarding riparian rights failed to pass. President Breeden thanked Governor Mianti for keeping him and Mr. Tewey informed about the various bills and due dates for comments.

Piers: Town Manager Tewey noted that new slip number signs were installed, and some deck board replaced. Seven throw rings and 4 safety ladders need replacement. The process to get water turned on at the piers will begin tomorrow. President Breeden reported that slip contract renewals have been completed and generated about 95% of expected pier revenue, some contracts were not renewed by the renters and Pier Administrator Williams is working on the move list. Once moves are completed, offers will go to those on the wait list. The next pier meeting will be held April 11 at Deep Creek boat ramp, and the safety equipment will be discussed.

Security: Town Manager Tewey reported that the pay rate for officers has increased, and one officer is out on light duty. Mr. Tewey is waiting on approval from the Sheriff's department for a deputy sheriff to be hired as Cape security. T-Mobile is to provide a quote for new cellular service and equipment at the piers to help with the security camera issues. Poor signal strength is hampering their original plan, so they are working on other options. Mr. Tewey has assessed the cameras, replaced one camera at Deep Creek and has purchased replacements for the Lake Claire cameras that are failing from weather exposure.

Strawberry Festival: Governor Pollack said she is working on the volunteer schedule. Governor Lamb stated that planning is in full swing and that there is a lack of volunteers for non-profit groups such as scouts to provide games at the park. Other activities for children will be available, such as a petting zoo and a kids' train ride, thanks to sponsorship by local businesses. Volunteers are needed for shifts in the ticket booths. Governor Lamb submitted parade permit applications for both the July 4 and the Strawberry Festival parades.

Technology: No report.

OLD BUSINESS

Governor Shipley reported that Automated External Defibrillators (AEDs) would cost about \$2,000 each. President Breeden asked the Budget Committee to work with Governor Shipley to determine what amount could be budgeted for them in a future year and where they should be located. If located at the piers, the cost might be shared with piers. President Breeden recommended that if purchased, the first two should probably be at the clubhouse and at Lake Claire due to the sailing camp.

Governor Zadera asked about the proposed Eagle Scout project to install fishing line disposal tubes on the crabbing/fishing pier and at the inlet. Governor Macindoe said he has not seen them and will follow up with the Eagle Scout candidate to find out if they were, or are to be, installed. The scout had reported earlier that his project was deemed too small to qualify for Eagle Scout.

President Breeden reported that a group of residents who own homes on the water near Lake Claire signed a petition asking CSCIA, as owner of riparian rights, to reserve the offshore blinds on the water by their homes, as has occurred in previous years. If not reserved by the riparian rights owner, the waterfowl hunting blinds go into a lottery to be assigned to hunters. The goal of the residents, who will pay the fee to reserve, is to prevent hunting disturbances along the shore in that area. President Breeden made a motion to approve the reservation of the 2023/24 offshore hunting blind spaces at the Lake Claire property, and Governor Macindoe seconded the motion. It passed with one abstention by Governor Angel.

President Breeden and Stacy Wildberger spoke about the status of the beach restoration grant application to US Fish & Wildlife for \$70,000 in funds for beach restoration design by BioHabitats at all 7 sites previously identified for improvement. Alliance of the Chesapeake is under contract to assist with the application, due April 24. Their part of the application has been completed and edited by the grants committee and Board of Governors. They are now seeking letters of support from CCC, Anne Arundel County, Goshen Farm, the Garden Club and CSCIA. Christina Ryder has sample letters to use for guidance. If awarded this grant, Alliance will help with grant requests for construction funding.

President Breeden further explained the new state law requiring a reserve study every 5 years for common interest communities such as condominiums and HOAs. The purpose of the study is to identify how much funding is needed to maintain and replace the assets of a community and to develop a plan to build up reserves to cover full replacement costs. Every asset of CSCIA would have a replacement cost assessment. This would include the clubhouse, piers, guardhouse, sheds, playground equipment, fences, pumphouses, parking lots, picnic tables, etc. Town Manager Tewey will request proposals to complete the study by the October 1 deadline. There is a possibility that if the reserves are not sufficient to satisfy requirements for FHA loans, homebuyers could be denied funding for mortgages. CSCIA may need to start budgeting to put a large amount of money into a reserve account.

NEW BUSINESS

Town Manager Tewey asked where walkie talkies used at the Strawberry Festival might have been stored because some are missing from the office, and he was told to check the Strawberry Festival shed.

President Breeden reminded everyone of the April 25 Quarterly Membership meeting and noted that 25 attendees are required for a quorum. He may ask county council member Amanda Fiedler to attend. The BCC meeting with Congressman Sarbanes will be April 27.

COMMENTS

Becky Benner announced the Goshen Farm Preservation Society (GFPS) spring open house to be held April 15, 10am-4pm. They will have several vendors such as Raptor Eyes, a library story walk, and a recycling representative from the county landfill. The Arundel Ambassador truck will be there to present information on great places to visit, eat and stay in Anne Arundel County. The next Goshen Farm meeting will be held April 19.

Mrs. Benner also announced the Garden Club potting parties to prepare for the plant sale scheduled for May 20, 8am-2pm. The plant sale is a fundraiser to support various grants and scholarships the Garden Club provides. The next club meeting is May 2.

Stacy Wildberger of the Cape Conservation Corps (CCC) said the Project Clean Stream event, led by Brad Knopf went well despite low turnout due to a change to the rain date. Wednesday Weed Warriors has begun and will continue throughout the summer at Little Magothy beach, Deep Creek marina and the Serene Ravine. Four benches will be installed along the path at Little Magothy beach. The Watershed Steward project is to be done at 1265 Swan Dr on April 15 and 22. Mrs. Wildberger will submit a request for parking passes. The Earth Day kickoff event will be held at Little Magothy beach on April 21, 5:30-7 pm. Plants arriving on April 28 to are to be planted at Little Magothy Beach on April 29.

Resident Steve Arnold thanked all volunteers who helped move rocks from his collapsed wall into his yard. He asked if the final transect report from the main beach restoration project is available for viewing. President Breeden said it will be posted on the website soon, along with the narrative by the engineer stating that we should continue with the plan to add dredged sand as we can to continue the embayment behind the groin, where sand is accreting now. Mr. Arnold reiterated his concern that the beach would continue to erode. President Breeden explained that there has been a 70-year history of beach loss and the decimating effect of retaining walls the beach. With sand loss, there is no runoff to dissipate the wave energy, which is why the cobble beach was installed. The October 2021 storm had the second highest tides on record, with Tropical Storm Isabel being the first. Thirty waterfront properties along Riverbay Road sustained damage, not just the ones near the groin. Mr. Arnold added that the county has contacted him about relining the storm drain that runs under his property from Riverbay Road to the beach. The drain used to go much further out into the water but has deteriorated and now flows onto the beach at the edge of his lawn, further eroding the beach.

ADJOURNMENT

A motion was made by Governor Angel to adjourn to closed session, seconded by Governor Shipley and approved unanimously. The meeting was adjourned to closed session at 8:55 pm. The closed session occurred from 9 pm to 9:36 pm. The April 10, 2023 CSCIA Board of Governors meeting was adjourned at 9:36 pm.