



Volume 20, Issue 3  
September 2020

# THE CAPE ANNE TIDE

*Next General Meeting*  
*Saturday, September 19, 2020, 9 am*  
*The Pavilion*

## *President's Message*

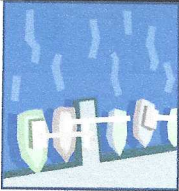
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Thank you for allowing me one last term as your president. We have renewed our marina construction permits and have a contract to reinstall our fire system. Once installed, we will call for final inspections and the project will be completed. Have a safe and restful Fall season.

— *George Donohue, President*

## *Cape Anne Harbormaster*

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I wanted to take a moment to offer up a quick reminder to follow safe boating practices and to be a respectful neighbor as we enjoy Broadwater Creek. We all have a role to play, and as a boater, kayaker, and SUP'er myself, I understand the issues from all sides. Bottom line, let's be considerate of each other and make sure Cape Anne residents aren't the cause of any problems on the water.

For boaters, per the Maryland DNR, we are responsible for our wakes. While Broadwater Creek is not officially a no wake zone, we could be held liable for damages or injuries caused by our wakes. Worse, MD considers negligent boating (subject to fines and imprisonment) any "excessive speed in the vicinity of other boats."

For kayakers and SUP'ers, MD's *State Requirements for Recreational Vehicles* requires that we operate in a manner that allows everyone to navigate safely, we paddle as close to shore as is safe, avoid channels used by larger craft, and keep out of the way of boats that can only operate in the deepest part of the channel. It is important for us to remember that the Broadwater Creek marked channel and other dredged areas are very narrow and still very shallow. If we force a powerboat to move even 5 feet to avoid us, they may run aground.

For Personal Water Craft (e.g. Jet Skis, etc), MD's *State Requirements for Recreational Vehicles* states they shall not operate in excess of 6 knots within 100 feet of any shore, wharf, pier, bridge abutment, another personal watercraft or people in the water.

Again, let's just be considerate of each other out on the water. The last thing we want is to create any ill will with our neighbors who have graciously agreed to fund the dredging and marina rebuild, and who I hope will continue to support future projects on this incredible resource we have here in our community. (The *State Requirements for Recreational Vehicles* can be found at

<https://dnr.maryland.gov/nrp/Documents/BoatingSafety/recreationvessels.pdf>)

-Josh Tromp, Harbormaster

### **Cape Anne Fall General Meeting**

**September 19, 2020, 9 a.m.**

#### **Cape Anne Pavilion**

#### **Proposed Agenda**

Call to Order

1. Welcome new members & residents
2. Review minutes of 7/11/20 General Meeting, as published in *The Cape Anne Tide*
3. Review Treasurer's Report, as published in *The Cape Anne Tide*
4. Board Report
5. Old Business
  - a. County Audit issues
  - b. Community Property Maintenance
6. Harbormaster Report
7. Committee Reports
  - a. Facilities & Maintenance
  - b. Special Events
  - c. Community Outreach
  - d. Web Site
  - f. Loop Captains
8. New Business
  - a. TBD
9. Adjournment

**CAPE ANNE CITIZENS' ASSOCIATION**  
**GENERAL MEETING**  
**July 11, 2020 Minutes**

Vice President Cathy Freel called the meeting to order at 9:00 a.m. Attendance was noted on a list maintained by the Secretary.

The spring meeting was cancelled due to the Covid pandemic.

Treasurer's Report - Ken Farris presented the Treasurer's report for FY 2020 (7/1/2019 – 6/30/2020).

**Treasurer Report for 07/11/2020 (includes draft data and analysis)**  
**Special Community Benefit District (SCBD) FY20 (07/01/2019 – 06/30/2020)**

Beginning balance for FY20: \$64,456.88

Ending FY20 balances for individual accounts:

Account 1428: \$20,429.55

Post FY20 Deposit: \$24,507.96

Account 1428 Total: 44,937.51

Note: The assessment funds from the county were received and deposited after the end of FY20. However, the County will expect these funds to be included in the ending balance for FY20.

Account 1436: \$5,361.17

Estimated total SCBD ending balance: \$50,298.68

Difference between beginning and ending balance: -\$14,158.2

**Boat Owners Association (BOA):**

Beginning balance for FY20: \$1,768.59

Ending balance for FY20: \$7,672.79

Real ending balance for FY20: \$4,854.57

Note: This account includes \$2,818.22 in General Funds. These funds were incorrectly commingled with SCBD funds in FY20. The county authorized and recommended Cape Anne move these funds out of the SCBD accounts in FY20. However, there were COVID-19 administrative complications which prevented a new account from being created. Therefore, the General Funds have been temporarily moved to this account.

FY20 Estimated income in excess of expenses: \$3,085.98

**Loan 0004 for Marina:**

Original Loan: \$60,000

Current Principle Balance: \$45,636.22

Maturity Date: 05/25/2024

FY19: Expended \$54,444.52 on marina

FY20: Expended remaining \$5,555.48

Total Marina Building Expenses To-Date: \$64,865.22

Estimated cost for Fire Standpipe Installation \$8,200

**FY20 Analysis:**

Estimated costs filed to AACO: \$30,086.5

Estimated income from AACO: \$26,250

Estimated costs in excess of income: \$3,836.5

Board Report- Due to uncertainty about status of the Covid pandemic and the need for social distancing, the Crab Fest won't be held this year.

Harbor Master Report - Josh Tromp reports all slips have been rented for the season, with a waiting list. Although not all slip renters have boats at the pier now, the pier is actively used for boating and kayaking. Another fire extinguisher has been replaced. The standpipe in the fire suppression system must be replaced with a larger pipe before final inspection. The original work was done to specifications on the plan, so there is no recourse to ask the installer to redo the work. The specification for the smaller pipe was an unintended oversight. We have received one quote for the work, for approximately \$8,200.

### ***COMMITTEE REPORTS***

- Facilities & Maintenance-Larry Bell reported that the mower has been repaired. We had received a quote for contracted lawn service but did not accept due to budget concerns. Volunteers are harder to find for parks and common area maintenance. We will get new quotes to present at next meetings.
- Special Events-As noted earlier, the Crab Fest won't be held this year. Darcy has set up a list serve mailing list. Please contact her ([darcyscott554@gmail.com](mailto:darcyscott554@gmail.com)) to join or if you have any announcements.
- Community Outreach-Kathy Heiner has taken on this responsibility. Kathy receives announcements on the County Executive's mailing list, and attends the Police Relations meetings. Kathy welcomes suggestions from members for other activities ([kathleencunigan@gmail.com](mailto:kathleencunigan@gmail.com)).
- Loop Captains-Joyce Hermann said the list is fairly up to date, as of late last year. She has stopped personal visits due to Covid. Please contact Joyce if you know of new members or other changes ([bayview1976@gmail.com](mailto:bayview1976@gmail.com)).
- Website-Cape Anne Tides are posted on the website ([capeanne.org](http://capeanne.org)).

### ***NEW BUSINESS***

- Elections-The Board presented a proposed slate for two-year terms ending May 31, 2022, with George Donohue for President, Lyla Baumann for Secretary, Josh Tromp for Harbor Master, Larry Bell for Director, Denny Mullineaux for Director, and for Ken Farris to fill the remaining one year as Treasurer. The slate was approved.
- Associate Membership-Ken Farris presented a review of community association membership. There has been long standing confusion over membership in the past. Property owners are members and may vote. Lessees have a right to use community facilities but may not vote. The by-laws identify certain properties surrounded by or adjacent to Cape Anne that may become Associate Members by paying the annual fee, currently \$175. Lessees also may become Associate Members by paying the annual fee. Associate Members may vote, except on disbursement of funds raised in accordance with the Special Community Benefit District, and may use all community facilities. In the past a small number of people have become Associate Members who did not meet the requirements in the by-laws. They used the pier, at a time when slips were not in demand. The question now is whether to amend the by-laws to allow Associate Membership for people who do not live in the specified properties. Mark Smith provided some background on the issue. During a review of the by-laws last year, the Board realized procedures were needed to address the Associate Membership issue. One resident of the Swans had been

renting a pier slip for years and had contributed to maintenance of the pier, but there were no records of annual membership. He has since made other arrangements for his boat. To comply with the by-laws and to accommodate this long-standing neighbor, as well as others who may wish to join the community association, the Board intended to establish a process for application and to change the specific property locations. Lengthy discussion followed, addressing the questions of access control (will not provide control), marina slips for residents versus non-residents (possibly not allow slip rentals to non-residents), possibility of non-residents voting against interests of residents, what criteria would be used to accept/not accept non-residents. Ken made a motion to leave the by-laws as they are, Larry seconded, and the motion carried. At present there are no Associate Members.

- Marina slips-Although all slips are rented, many are empty and there is a small wait list. Josh said that some who have rented slips have plans to bring boats in later this year or next year. He is working on transient space to accommodate those needing space.
- Signs-Bori Soros is interested in adding a planting bed around the entrance sign, and has offered to weed the bed. We will get an estimate of costs and determine if there are funds in the budget or if interested members will self fund. Lois Yates mentioned that some boaters were creating wake in the creek, causing a hazard to kayakers and paddleboarders. DNR is responsible for markers in the creek. We can add some language to the slip leases but cannot control all boaters.

The meeting adjourned at 10:15.

Respectfully submitted,

Lyla Baumann, Secretary

**TREASURER'S REPORT**

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**CAPE ANNE CITIZENS ASSOCIATION INC**

Balance Sheet as of June 30, 2020

**Assets**

Cash held by county	251.71
Cash held by the community - Checking	20,429.55
Cash held by the community - Savings	5,361.17
Deposits in Transit	24,507.96
Total Assets	50,550.39

**Liabilities and Fund Balance**

Fund balance	50,550.39
<b>Total Liabilities and Fund Balance</b>	<b>50,550.39</b>

**CAPE ANNE CITIZENS ASSOCIATION INC**

Statements of Revenue, Expenditures and Changes to Fund Balance

As of June 30, 2020

**Revenue :**

Property taxes	26,056.41
Other (crab feast )	825.00
Interest	0.83
Associate Member Fee	175.00
<b>Total Revenue:</b>	<b>27,057.24</b>

**Expenditures:**

	<u>BUDGET</u>	<u>ACTUAL</u>	<u>VARIANCE</u>
Maintenance	4,500.00	14,748.21	10,248.21
Recreation	1,500.00	2,821.43	1,321.43
Administrative	3,000.00	6,254.47	3,254.47
Funds held for future use	63,328.34	0.00	-63,328.34
County Administrative Fee	1,312.50	1,302.82	-9.68
Loan Repayments	0.00	15,836.80	15,836.80
	<u><b>73,640.84</b></u>	<u><b>40,963.73</b></u>	<u><b>-32,677.11</b></u>

**Excess of Revenues over Expenditures**

(13,906.49)

\$64,456.88

**Ending Fund Balance**

**\$50,550.39**

**Notes to Financial Statement of Cape Anne Citizens Association, Special Community Benefits District as of June 30, 2020**

**Note 1 - Reporting Entity**

The Cape Anne Special Community Benefits District is a taxing district of Anne Arundel County and is administered by the Cape Anne Citizens Association (CACA).

**Note 2 - Basis of Accounting**

The Cape Anne Special Community Benefits District maintains its books and records on a cash receipt and distribution basis of accounting

**Note 3 – Loan**

In May of 2019, Cape Anne Citizens Association took out a BB&T loan in the amount of \$60,000 for all the marina costs of the community. *Cape Anne Citizens Association received approval from the County in Bill No. 16-19 to enter into this loan.*

As a requirement for the loan, the Bank of America SCBD checking and savings accounts were moved to BB&T on 04/16/2019.

In the fiscal year ending 06/30/2020 there were \$13,268.69 in principle payments and \$2,568.11 in interest payments. *The ending loan balance on 06/30/2020 was 44,697.58.*

**Note 4 – Commingling of Loan and Excavating Funds with County Funds**

The proceeds of the \$60,000 loan were incorrectly deposited into the SCBD checking account in FY19.

Additional proceeds of \$750 was received from Lindstrom Excavating Contractors, Inc. for the use of the community boat ramp as part of a Broadwater Creek dredging operation. These funds were also incorrectly deposited into the SCBD checking account funds during FY19. During FY19 \$54,444.52 of the loan identified in Note 3 were spent on the marina from SCBD checking account. These expenses were identified in the Marina column of the Itemized Transactions tab of the detailed statements spreadsheet. The remaining funds from the loan and Lindstrom Excavating Contractors, Inc. were expended on the marina construction in FY20. A Due to Association (A) adjustment of \$6,305.48 was made to the FY19 Balance Sheet for the unspent loan and excavating funds as of June 30, 2019. The association was authorized by the county to remove these funds from the SCBD checking account in FY20. Since the funds were already expended at the time the FY19 Financial Statement was approved by the county, \$6,305.48 spent on the construction was excluded from Expenditures on the FY20 Financial Statement.

**Note 5 – Commingling of Non-County Funds with Savings**

On 06/17/2019 the Cape Anne General account, which contained non-county funds, was closed and the remaining funds (\$2,818.22) were incorrectly transferred to the SCBD savings account. A Due to Association (B) entry was entered on the FY19 Balance Sheet to address the commingling of these funds. After receiving authorization from the county, these funds were moved to CACA non-SCBD account in FY20.

— *Respectfully submitted, Ken Farris, Treasurer* 



## CACA CONTACTS

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### Officers and Directors

		<u>Until</u>	<u>Phone Number</u>
President	George Donohue	4/22	301-346-7498
Vice President	Cathy Freel	4/21	301-922-4197
Treasurer	Ken Farris	4/21	240-731-1053
Secretary	Lyla Baumann	4/22	667-231-5416
Director	Larry Bell	4/22	410-867-8422
Director	Mark Smith	4/21	914-672-7731
Director	Denny Mullineaux	4/22	410-800-8047
Director	Ryan Hostetter	4/21	443-852-8385
Harbor Master.	Josh Tromp	4/22	443-333-8927

### Committees

Facilities & Maintenance	Larry Bell	410-867-8422
Special Events	Darcy Scott	202-669-7340
Community Outreach	Kathy Heiner	703-853-6619
Web Site	Ryan Hostetter	443-852-8385
Harbor Master	Josh Tromp	443-333-8927
Loop Captains	Joyce Hermann	301-332-6211
Newsletter	Lyla Baumann	667-231-5416



PO Box 58  
Churchton, MD 20733

## WHAT'S AHEAD FOR CAPE ANNE

### Fall General Meeting

Saturday, September 19, 2020  
9am Meeting, The Pavilion

### Winter General Meeting - Budget

Saturday, December 5, 2020  
9am Meeting, Deale Library Meeting Room

### Spring General Meeting & Cleanup

April 2021  
9 am Meeting, The Pavilion  
10 am Cleanup Marching Orders, The Pavilion

### Summer General Meeting

July 2021  
9 am Meeting, The Pavilion

*The Cape Anne Tide* is published quarterly — April, July, September, December  
Submit articles by the 1<sup>st</sup> of the month before publication.  
Send your article to Lyla Baumann – [lyla.baumann@comcast.net](mailto:lyla.baumann@comcast.net).