



GREATER SEVERNA PARK COUNCIL
Delegates Meeting Minutes
March 12, 2013 - FINAL



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The meeting was called to order at 7:35 pm by President Maureen Carr-York. Other Board members present included Brad Myers, John Norville, Steve Poland, and Kathy Michels.

Introduction: President Carr-York welcomed attendees and advised if anyone is a new member to sign in at the front desk and identify their community, and provide their name and contact information, or sign in as a guest. One of the things that is important during the course of the meeting is if they have a question is to raise their hand and to please step up to the front so they can be clearly heard.

She also welcomed new attendees Colleen Stevenson, Whispering Woods, and Kevin Smith, Hollywood on the Severn, and new community delegate Marcia Feliciano of Glen Oban, and welcomed back community members Wayne Howard, Delegate, and Leonard Hall, President of County Crusaders.

President Carr York also noted that there are very important issues that will be addressed dealing with important Bills that are pending before the County Council and Councilman Dick Ladd is here tonight to discuss the pending Bills and answer any questions.

Secretary's Minutes: Ms. Carr-York advised that the Minutes for the last two months have been completed but they have not been emailed to the delegates, but she promised they would be released soon since she now has a complete email list working, and noted that she has to try and break it down more since the Minutes and attachments are quite long.

Adoption of Treasurer's Reports: Mr. Poland advised that he received \$420 in dues last month and thanked the 29 communities who have submitted their 2013 payments. Based on the CD that matured in January have purchased another CD in February and are back up to 5 CD's totaling \$25,000. The following account activity was presented:

- **Account Balances as of February 28, 2013:** (1) \$420 in dues were deposited, (2) Bank service charge of \$2.00, (3) purchased (1) CD for \$5,000, (4) BB&T checking account balance is \$7,668.63, (4) Smith Barney money market account balance is \$833.29, (5) Smith Barney CDs (5) @ \$5,000 each= \$25,000

- **Membership Update:** 54 communities remain in "good standing" with four communities remaining ineligible to vote in 2013 since dues were not paid in 2012 including: Evergreen, Jennings Road, Sheffield Park, and Williams Woods. The motion to approve the Treasurer's Reports, as submitted, was unanimously approved, and filed for the record for audit purposes.

President's Report – Annual 2013 Dues: President Carr York advised attendees that instead of reading the entire list of communities the report is on the front table and if your Community is in red letters you are currently paid for 2013 dues. If your community is not currently paid please let whomever at your community association pays the bills know that the \$35.00 fee is due so we can get everyone re-upped, and Treasurer Steve Poland will send out another notice to the communities who have not paid yet so that you have the form to fill in and submit with your payment.

Guest Speaker – Councilman Dick Ladd:

- **Introduction – Stormwater Fee Assessments:** President Carr York noted our primary business of the evening with Councilman Dick Ladd, and her initial concern is the stormwater management fee which is going to be assessed on individual homeowners, and has been pretty well publicized. Basically if you live in RA, RLD, or R1 you will probably pay about \$170 per year. If you live in R2 or R5 zoning community your individual homes will be assessed at \$85 a year. If you live in townhomes, condos or very small homes in R10, R15, R22 zoning then your annual fee would be \$34 per household. And that's the basic fee structure and that has been pretty much out there and most of us are expecting those fees, and if you have any questions please bring it up to Councilman Ladd.

- Introduction – Stormwater Fee Assessments:

▪ **Community Association and Homeowners Association Property Fee Assessments:** President Carr York also noted the part that most residents were not aware of until very recently was that in addition to the homeowner's fees there is a provision for assessing a fee against the community association property or homeowner's association property in your neighborhood. So if you have private roads, play grounds, swimming pools or parking lots the County is going to assess that to see how impervious surface there is. That fee varies dramatically from community to community at least in the estimate that has been provided with some communities paying tens of thousands of dollars a year, and some paying less than a hundred dollars and the difference in fees is very dramatic. Obviously if you have to come up with a lot of money and perhaps you are in a community that has a voluntary home owners association or doesn't allow you to raise your dues much without a big majority of the homeowners then you could be facing a problem. With that said Councilman Ladd is here to provide information and answer questions.

Stormwater Bill: Councilman Ladd advised that they will introduce amendments this coming Monday, March 18th, and he will discuss where they are on some of the amendments but others are still in process and there are a number of things they are working on.

▪ **Residential Property:** Councilman Ladd noted that President Carr York mentioned the tiering structure. There is at least one community that he knows here in the Greater Severna Park Area (Severna Heights) zoned R1 with lots that are probably R5 down along the river. Mr. Ladd advised that they are doing an analysis to see if and what tier they should be put in to be fair and equitable. He is hopeful that if a community has R1 zoning with lot is about a quarter acre or has as little as 10,000 square feet of impervious surface they could be in that \$85 category or maybe even less. He thinks the Council will allow an appeal down to a lower level based on the review

▪ **Homeowners Associations:** Councilman Ladd advised that with respect to Homeowners Associations, some have tax accounts and receive tax bills, and some do not. The only thing that can be said with certainty is that there is no pattern and it varies all over. What the records show is the tax bill for homeowners associations with the roads presumably correctly reflected. Mr. Ladd noted that if you have a road he believes the amendment is going to say they will charge \$85 for all the roads in your community. If you have property like pools, tennis courts and parking lots that's where it begins to stretch out since there are wide variances in amounts of impervious surface. The typical cost is per household based upon the records appears to be about \$2 or \$3. In the legislation for residences there is a hardship provision. If a homeowner's income is below the poverty level, for a family of four in this county at \$30,000, you don't have to pay. The problem we are struggling to define is what is a hardship for a homeowners association, for a church, for a non-profit or for a business.

- Questions:

1. **Community Pools:** In response to Mr. Myers question whether the list included other home areas since there may be pools that are not owned by the homeowners associations but are in the communities, Mr. Ladd advised that the ones on the list show up as property coded to a homeowners association. Mr. Myers noted that he was talking about communities like Shipley's Choice or Chartwell since not everyone in the community is a member of the pool. Mr. Ladd responded that the list is of HOA's and not private clubs which will be billed separately.

2. **Determining Factors:** In response to a question whether the determining factor for the impervious surface if you have a community area where it is a totally wooded grass area you won't be charged for that, Mr. Ladd noted that is the expectation.

3. **Building Roof:** In response to Mr. Norville's question where you have a building does it include the roof as well as the parking lots, tennis courts, etc., is the roof considered a part of it and whatever is around it, Mr. Ladd noted that is correct. If anyone has a roof garden which is considered the Environmental Science engineering specific design where they plant gardens on the roof to absorb water the answer to that is no.

Mr. Ladd also noted that all driveways, no matter how fine the gravel is, are considered to be an impervious surface.

Stormwater Bill- Councilman Dick Ladd - Continued:

4. **Press Release and Website Information:** Councilman Ladd also advised attendees that a press release will come out within a couple of days and there will be a website where people can go and look up whatever records the County has. The County is trying to get the website up since it is the best information they have particularly for people who have businesses and non-residential property, whether the residential information will show on the website he can't say right now.

5. Driveways: In response to a question regarding driveways, Mr. Ladd stated that all driveways are considered imperious no matter how small they are, and gravel driveways and parking lots are also considered impervious. However, you have to be very careful here as engineers will tell you correctly that there are pervious driveway surfaces which are concrete with holes in them so that the water will run into the ground.

6. Formula Used to Calculate Residential Fee: In response to a question Mr. Ladd advised for homeowners there is no formula per se, it is based on small, medium or large categorization. They did that because otherwise they had to go back and do it on a square foot. There are categories for none residential property with a formula and a unit cost Some special cases are treated as a residential property such as roads and churches.

7. Homes Built in 2006 and Trenches: In response to a question regarding a community built in 2006 and the Department of Public Works came out and required these expensive infiltration trenches and they paid a front foot fee of over \$800, which over \$400 was paid in for the trenches which will be paying for another 27 years on top of another \$85, Mr. Ladd responded that because the trenches are non-residential the HOA could get a credit to apply to their road fee. Mr. Ladd also noted that this process has many unattended consequences which the Council will try to address as warranted.

8. BGE: Mr. Ladd advised that the single largest property owner in the County is BGE. There are between 4 and 5 thousand acres tied up in power lines. Every single situation has something unique about it and they are working on it.

9. Parking Lots: Mr. Ladd advised that the biggest and most extreme case are parking lots at BWI which the Council is considering..

10. Fees Collected and Total Bill Costs: Mr. Ladd advised that this fee right now is expected to generate \$25-\$26 million a year based upon the current estimate which in turn will support \$70-\$75 million worth of construction related work/business. The total bill from all the cleaning up the streams of the Bay based on this program is \$1.2 billion.

11. Homeowners Association Fees – Mandatory vs. Voluntary: Mr. Norville commented that Mr. Ladd noted briefly there is a difference between mandatory and voluntary dues where mandatory dues you can raise the fee and people may not like it but they have legal authority to do it and voluntary dues if raised too much people just don't pay. Mr. Ladd noted that if the HOA doesn't pay the County puts a lean against the homeowner's association property, and that's what the current code says. Mr. Ladd also advised that they are trying to come up with something that deals with hardships, and we understand there are problems that need to be addressed. Does he think they have seen all the problems, no; does he think they are making a good effort to find out how to deal with them, yes. Does he think they will be successful, he doesn't know since time is short and they are working on it.

12. Storm Drains: In response to a comment from a resident in Hollywood on the Severn, stating that after the County collects all the money they have a storm drain that goes right into the Severn River and they asked the County about doing something to replace it since they are collecting all this money. Mr. Ladd advised that in the current state of play where they are in the design of projects, there are some projects that are very important and some that are not. He can't tell about a specific outfall because some are problems with erosion where people can fall into – others are not so important. They are doing the evaluation when they design the program for a particular watershed. They will start at the back of the watershed and work towards the rivers. DPW will execute a few of the biggest projects each year and mix in smaller projects as they go to get the biggest impact for the early funding. Mr. Ladd noted that John Norville has seen some of the budgets where they have tried to lay out for the first time the FY14 capital investments but he has not seen that. He thinks by 2015 will start to see a lot progress. There are a lot of projects on this peninsula designed We have the largest watershed of any District because we are surrounded by water, and will get a very large share of the money that comes through.

13. DPW Engineers: Mr. Ladd advised that DPW are the engineers that are doing the design work and County employees are doing the assessments and prioritization. Right now in this County we are about \$50 million behind in the maintenance. If you want to see the design concept, go by Cypress Creek on Route 2Heading south on the left hand side just before the old telephone switching station, look down the creek (They have widened the creek, cleaned it out and taken the trees out.) That is the start of making a series of steep pools that will collect the warder and hold the water so it will perk down. Over a series of years that will grow back.

14. Water-Privileged Communities and Exceptions: A resident of Olde Severna Park commented that they have 422 homes in the community and 260 that are actually paying dues memberships, and a lot of people always put water privileged community on their retail notes when they want to sell their homes, and at the same time they are not paying support on that. So this only reinforces people who are not paying to support the community anyway, and he thinks there is a fair way to do it and it only works out being \$2 or \$3 more per family then he would simply divide the cost among the homeowners association amongst the families vs. putting it on top of the membership. Mr. Ladd noted that we cannot solve all those problems. The challenge was that we wanted every single entity and person in the County to pay something

for management of the stormwater. The only entities that get exempted in this are the Volunteer Fire Department's and local Governments.

15. Churches: Regarding Churches, Mr. Ladd noted that there are very small churches such as Asbury Methodist over on Olde B & A Blvd. and a couple others, and are lucky if they are running a hundred thousand dollars a year in their collection. You go over to St. Johns Church and they are probably running a couple million dollars a year and they have a school beside them, and may have property they lease to people. The way it works day to day, a church and the religious facility will be charged as a residential dwelling at \$170, and we doubt there is any church in this community that this is an onerous task.

We are working on how to deal with revenue producing portions of churches property. For example, Woods Church, Woods Memorial Presbyterian in Severna Park, owns the property on which the community center sits and they own the property where Sunrise Senior Living sits. The Council is not sure how they are going to deal with it, but right now their fees would be the same as any other business. You have other very interesting things here: you have a school over at St. Johns which should not be treated any different than you treat the Severn School since today we do not otherwise differentiate between private and church schools.

16. Businesses: In response to a question, Mr. Ladd noted that the way the bill treats businesses is that you go in and measure how much impervious surface there is and divide it by 2800. For every unit of 2800 sq ft it costs \$85. For about 42,000 square feet (about an acre) of impervious surface, it will cost about \$1,250.

For all nonresidential properties you can apply for credit based upon anything you have done or would like to do to improve the earth's ability to absorb water that lands on your property, and they can grant you credit.

Mr. Ladd also noted that they are being asked to write up the rules about how they will grant credit which will be done by the Department of Public Works, will be published and possibly approved by the Council; Council still working on parts of this.

17. Credit and Grants: Mr. Myers asked in the case that was brought up where they were to fix a drain or outflow and potentially apply for credit and they are not a residential entity, and the resident responded that is going to cost them about \$10,000 to implement the plan, and they have to apply for all kinds of grants, Mr. Ladd stated that the words that are written in a way suggest that you are correct, but until they get the first case through he can't be certain. Remember, credit is awarded for completed projects to reduce the yearly fee up to 50%. Not grant requests for up front funding will be supported. There are some cases where there will be grants given to organizations like the Magothy River Association and Severn River Association who can come in and work with a Homeowners Association to get something done (possibly as part of a larger effort); they will help you get grants from other places and can bring money to the table to match what you have. However, details on credit vs grant criteria still have to be worked out. The challenge we have is if we give/grant money to someone we have to be sure we get something back of value to the County. The way he thinks it will work now is that for any project on the County list, the County will fund and contract it out. If a HOA, for example, wanted to do a listed project earlier than when it is scheduled or possibly not a County project, one could partner with a River Association as part of one of their projects utilizing some other their private funding sources. Clearly, we have to work the "process" details out. However, if it is not on the County list we cannot afford to do something you think is nice.

18. Consideration of Alternative Funding Options: In response to a question whether there was ever any consideration that instead of considering this as a separate fee that it be specified as an enterprise that came out of the general fund? Mr. Ladd noted that the answer to that is they considered that. The problem is the work that you are going to do has a 20 to 30 year life. Debt funding is the way to fund that. The problem is that only 10% of the money into the central general fund, by policy, can go for debt service. Once you put money in the general fund, you worry about having it raided. -- he can guarantee you half of any new tax money they put in there will just go away.

19. Treatment of Elks or Knights of Columbus and Other Nonprofit Organizations: In response to a question regarding how different organizations are treated, Mr. Ladd noted that they are civic organizations not a homeowners association. They have a new definition coming out that makes allowance for associations that are not homeowners associations -- community organizations that are doing good things, are considered as nonprofit and own property. Like other nonprofits, they are currently going to have to pay like any other property owner. There are a number of nonprofits up and down Route 2 that are renters. But as someone made the point the fee is at Park Plaza is going to be pushed down on to the tenants, profit or non-profit.

20. Bill Finalized and Due Dates: In response to a question when this is finalized when would the bills be expected, Mr. Ladd advised that they will come out with your Property Bill in late July or early August and due the end of September or the end of December. That is the current plan. But he can't tell that it is in concrete. There are some things they are

starting to listen to, and if you have something you want him to know about your homeowners association and what makes yours uniquely hard and what your problem is send him an email so he knows, can describe and evaluate the problem, try to find a solution. If you tell him you have a \$1 or \$3 problem he will say I'm sorry that is not a big problem. If you tell him that it is a \$2,000-\$3,000 problem, and he will say OK we will see what we can do as long as there are several others down the line, and right now that's the ugly truth.

21. Timelines: In response to a question of how long it will take to complete, Mr. Ladd advised that the plan will take 12 years. The State mandate completion date is 2025. Even if they didn't build another thing that last project in 2025 will be on a twenty year bond. The paperwork that we have showing how we are going to borrow, After 4-years the debt service requirements start to go up. Five years from now that \$85 fee is going to go up to \$95, and four years after it is going to be on the order of \$200.

He also noted that this whole program, in his opinion, is premised on the fact that everyone in this Bay area is going to clean up their shores. There are seven, eight or ten tier one Counties: City of Baltimore, Baltimore County, Harford County, Calvert County, St. Mary's County, and this County are on the list. The ugly truth is the State of Virginia went to Federal Court and challenged EPA authorities to make them treat stormwater and won. That's a fact. He also noted that he doesn't know how that affects us. But his personal guess is that no one in the State of Maryland is going to sue the EPA over this issue.

22. Clean Up the Bay: In response to a question Mr. Ladd noted that the Bay clean up has three pillars: the first is to upgrade all the County existing wastewater treatment plants. That has been going on for probably 7/8 years and paid for in large part with money from the State flush fee. We are probably 3/4 years from completing all the nitrogen removing upgrades. Most of the water that will clear those processing plants into the Bay is almost drinking water quality. The second piece is the one we are talking about is stormwater management that is a \$1.2 billion program. The other piece will deal with the 42,000 septic tanks that we have in the County. Half of them (about 20,000) are planned for sewers. We have more of those septic tanks to be dealt with on the Broadneck peninsula than in any other place in the County. He noted that getting the program financed and started will be an absolute nightmare. The cost of this program is \$1.3 billion. He also noted that Chartwell is 95% on septic, and they are starting to bring some of the sewers lines in. He can't tell yet what is going to happen. There are plans being developed today for those communities on the Bay that have septic. The goal is to have the program all done by 2025; but that it won't happen that fast.

Closing Remarks: Councilman Ladd advised attendees not to feel bad about asking questions. This is a very complex issue to deal with because it affects every single fiscal entity in the County and they are trying to get it right and be fair. They are listening to input from all sources and when they think they have got something right they go back down to DPW technical staff and start working through the drafting of amendments and that's what they will continue to do.

Public Testimony: President Carr York asked when the public will be able to testify and Amy Tate, County Legislative Council, advised it will be the first meeting in April.

Deferral for Community Associations: President Carr York also asked Councilman Ladd if he could try to get a one-year deferral for community associations so they can get the fee into their budget and get ready, and Mr. Ladd noted that he can try. However, the minute you say 1-year deferral you have to do it for everybody and that they cannot do. Ms. Carr-York also noted that the one thing she would like to point out with regards to Whispering Woods is you have townhomes for the most part. But a couple of neighborhoods over, you have bigger townhomes which really have more impenetrable surfaces. They have individual driveways and garages, and they are not getting the double whammy. Whispering Woods is going to get the double whammy because they park in parking lots. So that's the kind of things that concerns her when he talks about some of the neighborhoods. Mr. Ladd noted that he will come talk with any association or organization, and they are not trying to ignore unique problems, but they have just got to figure out what is involved.

Stormwater Master Plan Current Information: President Carr York thanked Councilman Ladd for attending the meeting and noted that she thinks he can understand the concerns, and he responded that he understands and is dedicated to dealing with these concerns. There is going to be pain for everyone since this is painful to do. The question is we want to be sure the pain is equitably spread around, and when we get to the point where it says look at this it is not right not fair, we will try to fix it.

The other thing he wanted to point out is at the last meeting they filed a ***Water and Sewer Master Plan***. Every 3 to 5 years they redo the Water and Sewer Master Plan for the County to reflect where and roughly when the County is going to start extend services. And it is not easy to understand but there is a critical distinction when looking at sewers. There is something new that they called OSDS, which is an Offsite Disposal System. On this peninsula there are going to be places

where, rather than running a sewer pipe in, they will plumb up a community with a small sewage processing facility called a cluster system. This technology is used widely in Europe, and is done with good success. He looked up maps tonight, and there are some pipes that are proposed to be extended up into the southwest corner of Chartwell and, will also be doing something up on Route 2. He also noted that he doesn't know how you could come in and testify yes or no about them. The thing about doing it this way, he believes, is these will be paid for out of the capital charges to bring in the big pipe in to your community. If your community wants to get connected to it you will pay for the connection.

Councilman Ladd confirmed that the hearing on this *Stormwater Master Plan* will be held on Monday, March 18th, and absent some amendments will be passed at that particular point.

President Carr York again thanked Councilman Ladd for his participation and noted that she thinks everyone should let the whole Council, Mr. Ladd and his colleagues know of any specific concerns or issues, and maybe we will get an amendment that will address some of the issues or give folks a little bit more time to get ready.

Mr. John Norville noted that the *Water and Sewer Master Plan* has hundreds of pages but does have details and maps, and the big thing is changes from the previous one to what is future and proposed trying to bring in the sewer extending public water. It is in a draft stage and just went to the Planning and Advisory Board and reports it is on its way to the Council and County Executive. That plan will go to the Council in a month or so, and, as for all bills, there will be public hearings on that plan and bill. Mr. Norville also noted that attendees will have the opportunity to look at the details on how it will affect you and your neighbors

Mr. Ladd & Mr. Norville briefly discussed the A.A. County new *Water & Sewer Master Plan 2013 DRAFT*, Bill 11-13, which can be read at link:

www.aacounty.org/PlanZone/LongRange/WaterSewer.cfm or <http://tinyurl.com/asrh2vk>
The website states: "...the first County Council public hearing will be held on March 18th."

Education Committee – Brad Myers, Director: Mr. Myers advised that there are two things going on now as follows:

1. **Advisory Committee- School Start Times:** He is also a member of the Advisory Committee which has now been looking at the issue of potentially starting the school times later in the County. The school system has posted a study that they did in reference to the concept of maybe changing around the school times. There is a push underway by some groups in the County to try to get them to not start school before 8:00 am. Currently all the high schools in Anne Arundel County start at 7: 17 am which is the earliest time in the State. There are a lot of reasons behind. We have been trying to get feedback from communities both not just from schools and parents but anyone involved in the community. You can go to the school website to see the study that is posted at:

<http://www.change.org/petitions/start-schools-no-earlier-than-8-00am-in-anne-arundel-county-md>.

Also, if you want to talk about this issue you should talk to him to provide feedback on thoughts about how the school system is handling this.

2. **School Funding:** Another big issue as the budget process moves forward there is still a need to lobby for some capital projects in our area including Severna Park High School and Benfield Elementary School, and they both have money allocated in the current budget that was put forward by the Board of Education. We now have a new County Executive so at this point the budget process is in the County Executive's office, and he would encourage attendees if you get a chance to meet the new County Executive or going to communicate with the new County Executive to advocate for these projects because they are both very important and the High School needs the funding.

Environmental Committee Report– Ann Jackson, Director: Ms. Jackson advised that she wanted to talk about upcoming events including:

- **Earth Day is Saturday, April 20 10 am to 1 pm**

Earth Day is Saturday, April 20 at the Severna Park Middle School. Rain barrels, composters and trees for sale, Shred it truck, over 50 exhibitors and lots more!

- **SRA meeting**

SRA Monthly Meeting 7 PM Tuesday March 19, 2013 featuring a presentation entitled "USNA Stormwater Management Successes and Initiatives on the Severn River". The talk will highlight how the USNA has directed its stormwater

GREATER SEVERNA PARK COUNCIL

Membership UPDATE

March 12, 2013

Greater Severna Park Council communities and their membership status.

54 Communities “in Good Standing”

Red (29) have paid 2013 dues

Black (25) in Good Standing until deadline for 2013 dues

Arnold Preservation Council, **Bellevue Estates**, Ben Oaks, **Bendale**, **Berrywood**, **Berrywood South**, **Bluff Point**, **Brittingham**, Cape Arthur, **Carrollton Manor**, **Cattail Passage**, **Chartridge**, Chartwell, Chartwood, **Colchester**, County Crusaders, **Crain West**, Cypress Improvement, **Cypress Landing**, **Fair Oaks**, Fairwinds, **Glen Oban**, **Harlequin**, **Hollywood**, Kensington, **Kilmarnock**, Lakeland II, Lake Waterford, **Linstead**, **Lower Magothy**, Magothy Forest, Manhattan Beach, **North Cape Arthur**, North Severna Park, **Oakleigh Forest**, Olde Severna Park, Point Field Landing, Pointfield West, Round Bay, **Severna Enclave**, **Severna Forest**, **Severndale**, Shipley's Choice Community, **Shipley's Choice Homeowners**, Shipley's Retreat Homeowners, **Swann Point**, Tam Glade, Twin Harbors, West Severna Park, **Westridge**, **Whitehurst**, Whitney's Landing, Woodberry Farms, **Woodbridge Forest**.

Communities *not eligible to vote* in 2013

Did Not Pay 2012 dues (4)

Evergreen, Jennings Road, Sheffield Park, Williams Woods.

Former member Communities

Arundel Plaza, Berrywood Ridge, East Earleigh Heights, Jones CA, McKinsey Park, McKinsey Woods. Severn Heights.