

Timestamp	First name	Last name	City	State	Zip Code	Are you representing yourself?	If no, what organization or whom do you represent?	Legislation	Position	Remarks	Attachments
Bill No. 73-24										SCROLL TO PAGE 2	

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2024-10-21 9:07:58	Stephen and Dorothy	Aubrey	Severna Park	MD	21146	Yes		Bill No. 73-24: AN ORDINANCE concerning: Carrollton Manor Special Community Benefit District	Oppose	Honorable members of the Anne Arundel County Council, I respectfully urge you to vote against Bill No. 73-24. While the Carrollton Manor Improvement Association (CMIA) has presented this amendment to the community and gathered the requisite number of signatures by scaring community members into believing that this is the only way for Carrollton Manor residents to continue enjoying Hillbottom Beach, the reality is more complex. First and foremost: this acquisition is not legally possible due to Bluff Point's rights over the property. Moreover, rejecting this bill today has no detrimental effect on CMIA's ability to continue operating, as the property in question is not within their territorial limits as defined by CMIA's SCBD charter and in their own Constitution. At a minimum, CMIA would need a second SCBD modification to include Hillbottom Beach in their charter. Even if all of the aforementioned shortcomings were cured, a community cannot, by law, amend its SCBD charter to avoid potential legal liability—an underlying issue here, given that CMIA has long advertised ownership of this beach and recently warned residents that their property values may be in jeopardy if they do not support the amendment. More importantly, there is an open complaint against CMIA with the Maryland Attorney General's office for irregularities in its election process, reporting, and results (Case MU-514943). Moving forward with this amendment while an investigation is ongoing would be premature and irresponsible. Lack of Transparency and Misrepresentation of Powers The most critical issue here is the lack of transparency in how this amendment has been presented to residents. CMIA has misled the community regarding its legal standing and authority. More importantly, CMIA has always had the power to purchase property under its constitution, provided it does not use taxpayer funds. There is no need for this amendment to make such a purchase. Its true purpose appears to be the expansion of CMIA's powers far beyond this single issue, as evidenced in meeting minutes over the past year. In fact, the presiding officer publicly declared that even if the Hillbottom Beach property became available for sale for just \$5, CMIA would not be able to purchase it. This is categorically untrue. CMIA has always had the power to make such a purchase under its current charter—just not with taxpayer funds. The community has not been fully informed of these broader implications, and CMIA has actively limited participation in discussions, using selective communication channels, including stopping the publication of the community newsletter during critical periods. This move silenced many voices and stifled genuine community involvement. Legal Impossibility and Financial Contradictions Beyond transparency, the legal reality is clear: CMIA cannot acquire Hillbottom Beach due to the property rights held by Bluff Point, which prevent subdivision. CMIA leadership has been aware that this property does not lie within CMIA's territorial limits since at least March of 2024 and misrepresented this fact, leaving residents under the false impression that the amendment is their only option for preserving access to the beach. I have been advised that Bluff Point has already notified the county of its opposition to any subdivision of the property, and this opposition is based on enforceable covenants running with the land. Further complicating the situation, CMIA initially informed residents that annual dues would increase if the amendment passed, only to later claim the acquisition could happen without any increase in assessments. It's difficult to believe CMIA could purchase property offered by the current owner in just the past six months to various parties at prices ranging from \$300K (each, for 2 of three proposed subdivided parcels) to \$1M (for the entire subject property) without financial impact on the community, given their low-end six-figure surplus in SCBD funds. This financial contradiction is just one of many inconsistencies that raise serious concerns about the integrity of CMIA's leadership. Power Block and Governance Concerns Another troubling issue is the creation of a "power block" within CMIA's board, resulting in an impermissible increase in the number of board members from 7 to 11 members which has the effect of allowing the board to establish a quorum to make decisions and conduct business without a single member of the community present. This consolidation of power enables the board to begin to move forward with significant decisions, such as property acquisitions, without sufficient input or oversight from the community. It reinforces the perception that CMIA is acting in its own interests, rather than the interests of its residents. CMIA's Constitution and Bylaws specify seven members of the Board of Directors. CMIA currently has 11 members. This "stacking" of the board allows the creation of a false quorum, effectively bypassing community apathy and consolidating power to push through this amendment. This is why there is an open complaint against CMIA by the Maryland Attorney General's office. This is not how good governance works, and it further underscores the lack of transparency that has plagued this entire process. Residents deserve a voice, not to be sidelined by a small group that controls the outcome. Targeted Harassment and Intimidation As a resident who has raised legitimate concerns about this petition, I have been the target of harassment from CMIA board members and their spouses. This behavior has occurred both online and in community meetings, reflecting a troubling culture of intimidation within CMIA leadership. At the first community meeting I attended, the spouse of a board member heckled me throughout the meeting after I raised questions on Facebook. Additionally, I received a formal response from a CMIA Board member, using their law firm's letterhead, in response to my inquiries. This felt like an attempt at intimidation and demonstrates the lengths to which CMIA's leadership is willing to go to silence dissent. Restriction of Questions Furthermore, I and others have only been allowed to ask questions that support the petition. Any questions that challenge the amendment have been dismissed or ignored, raising serious concerns about governance and transparency within CMIA. This restricted dialogue is indicative of a board that is more interested in pushing its agenda than engaging in genuine discussion with residents. Charter Amendment Issues The amendment modifies § 4-7-204 (2) but fails to update § 4-7-204 (1), which restricts CMIA's authority to specific lands. This oversight leaves ambiguity about the scope of the board's power and should invalidate the petition. A new process with accurate language is necessary to ensure transparency and clarity. Preventing Legal Costs and Protecting Residents If this amendment passes, all residents will face increased dues to cover property acquisitions that many may not benefit from. Addressing this matter now can prevent unnecessary legal costs. A simple land or title search would have clarified not only the property's ownership but also the legal encumbrances on the land. These encumbrances will be upheld in all courts, from Anne Arundel County courts to Maryland courts and U.S. courts. Addressing these issues now will spare the community from costly litigation. Conclusion For these reasons, I urge the council to reject Bill No. 73-24. This amendment, based on incomplete and misleading information, raises significant legal and financial concerns and expands the CMIA board's authority without proper community oversight. If the council cannot reject the bill, I respectfully ask that you launch an investigation into the signature collection process and CMIA's communication tactics. Failing that, CMIA should be required to gather new signatures with full disclosure of the facts, including Bluff Point's legal rights. I can fully document and validate all assertions made here, should the council deem further investigation necessary.	https://www.aacounty.org/system/files/webform/cc_legislative_testimony/40564/bill-no-73-24-written-testimony-submission-oct-21-2024-sa.pdf