

**Baltimore County
Board of Recreation and Parks
January 14, 2009 Meeting Minutes**

The regular monthly meeting of the Baltimore County Recreation and Parks Board was held on Wednesday, January 14, 2009, at 5:52pm at the Department of Recreation and Parks administrative offices, Towson, Maryland. In attendance were Chairman Steve Verch; Vice Chairman Wayne Definbaugh; board members Emmet Davitt, Steven Kroll, Dunbar Brooks and Jacob Smith. Staff included Bob Barrett, director; Bud Chrismer, deputy director; Marty Stoelting, chief of recreation services; Chet Jones, Northwest area program coordinator and Donnell Green, president of Turner Station Recreation Council.

Approval of Minutes:

Wayne Definbaugh motioned to approve the November board meeting minutes, Jacob Smith seconded and all were in favor.

Steven Kroll motioned to approve the December board meeting minutes, Jacob Smith seconded and all were in favor.

Old Business:

There were several people in attendance regarding Pikesville and they were as follows: Gary Blibaum, Stuart Abell, Marc Horwitz, Steve Engorn, Steve Barber, Bob Kordecki, Steve Jacorsky, Anne Marino, David Klienman, Harry "Chick" Veditz, Brian Friedlander, Max Rozga, Steve Lury, Aaron Max and Jayne Lee.

The board took a brief recess at 6:12 pm and rejoined at 6:18 pm. Steve Verch started off by stating that he was aware that both groups had spoken, prior to being addressed by the board this evening, and asked if they had reached an agreement. They responded that they had not. Mr. Verch asked that each group designate a representative and then excused the board from the meeting room to allow additional time for both groups to talk. Board members returned to the meeting room at 6:31 pm.

Regarding the Pikesville Recreation Council and its entity status, it was discussed at the last meeting that there was a vote to dissolve PRC. Mr. Blibaum was in attendance to represent PRC and stated that PRC had a meeting at which time it was decided they would begin going into a winding down mode, not dissolution. As each new season begins, the programs would run under GPRC. This action would allow for a new board to represent Pikesville and both groups. Unfortunately, the proposed board did not fairly represent any program other than baseball. Their ultimate goal is to satisfy the needs of the community. There has been much effort and countless hours put into trying to get this resolved, but there doesn't seem like there can be a board agreeable to all. The Board of Recreation and Parks needs to step in. PRC has all the equipment and can continue to run programs or donate to another organization. GPRC has a baseball program now competing with the PRC baseball program, but no equipment. There are still several programs that PRC represents including lacrosse, flag football and softball. These groups need to come to an agreement where all are on the same page. It is a new group, a new entity, but this should be seamless so the children are not affected. If the community is concerned about the programs, they will not enroll and instead, go somewhere else and probably not return.

PRC has additional issues. They elected a new board, submitted all documents requested by the Board of Recreation and Parks and feel there is no reason why they should not be certified. In looking into this issue, they are not sure how they were even de-certified. There was nothing done that was keeping children from play. There was, however, many personal conflicts and history, as to why this has happened. It would be a disservice to certify GPRC.

Steven Kroll inquired into how much in back taxes PRC owes. Chet Jones responded stating that he is not aware of the amount. Mr. Kroll stated that there were no 990's filed with the IRS. Mr. Blibaum stated that an accountant has been hired but taxes had not been filed for the last 8 years. Mr. Kroll inquired about whether PRC was a 501 (c)(3) and they responded stating they are. Mr. Kroll and Mr. Verch both stated that this was something that the board had requested and never received. PRC stated they have it and can get it to us but thought they had already submitted it. Mr. Kroll further stated that if a 990 were not filed in the last 4 years, let alone 8 years, the IRS would have probably revoked the 501 (c)(3). Mr. Engorn stated that the IRS is working with them to get this resolved. Mr. Blibaum stated that if there is no evidence of revoking the 501 (c)(3) then they still have this and if the new group does not have this, they can't be certified as a recreation council. The County has no liability for actions of a recreation council. Owing money or liability is not a reason to not certify.

Jacob Smith asked if Mr. Horwitz was the current president of PRC. Mr. Blibaum responded stating indeed he was. Mr. Horwitz was here last month as president but thought he had made peace with GPRC. Mr. Smith stated that the dissolution of PRC came from Mr. Blibaum and then inquired about what has now happened. Mr. Blibaum responded stating that the two groups could not come up with a board acceptable to everyone. Mr. Horwitz thought the new slate was acceptable to everyone. He wants a compromise and further stated that he had a hard time selling this board to his group, and now GPRC will not agree. PRC is behind on things, with nothing out for many programs. A decision has to be made; something needs to be done.

Mr. Kroll inquired into how much money is currently in the account. Mr. Engorn responded stating there is currently \$8,000 to \$10,000 and there is no money coming in except for Pre-K program. There was discussion about having money running from PRC to individual's homes as well as registration forms, showing that money is coming in. Mr. Kroll further stated that the State Attorney's Office is investigating former members.

Bob Barrett asked that no notices be sent out through schools. Mr. Kroll then stated that PRC had sent notices out and without having permits for fields. Mr. Kroll inquired about their meetings, asking why they were not listed on the website. He further stated that notice should be given of these meetings. PRC responded stating there is no meeting listed because there has not been a location determined, and further stated that the previous meetings have been to discuss the merge with the new council.

Mr. Barber spoke stating that he has seen many changes. He stated that there has been a war going on which is not to benefit the children. There have been many personal attacks, conflicts and vendettas. Mr. Barber spoke of two baseball programs, Wellwood and Pikesville, one of which got completely destroyed. He further stated that there are enough children in the area to service both programs. One of these programs caters to a certain group in the community. Mr. Barber wants to see harmony and he wants to see a compromise made. Mr. Barber stated the parents in this

community don't care about tax money or council presidents; they care about the programs that are offered to their children. Due to the economy, people are making choices and if they hear of the discern going on, they may feel obliged to go somewhere else, not to return.

Mr. Rozga chose to speak stating that on November 25th, under Article 11, there was a motion to close down PRC. A vote was taken and although Mr. Rozga was not in attendance, he stated that there was an overwhelming majority vote. In response to Mr. Barber's comment about the baseball program that "caters" to a certain group in the community, Mr. Rozga stated that many that participated in this program, due to religious reasons, could not practice on certain days and therefore the program worked around this issue so these children could still participate. Mr. Rozga, like many others in attendance, has voiced his opinion about wanting everyone to get along. He also made mention of outstanding bills that had not been paid, further stating that he does not know what happened to the money. Mr. Rozga stated that he believes in open books. He also stated that GPRC has met the conditions that the Board of Recreation and Parks have requested and wants PRC to join with them. Mr. Smith inquired as to whether this group received legal or tax advice stating that, if they were to combine the board like the other group wants, this could result in an issue. In response, GPRC was told that if they were a successor organization, they could be liable. Mr. Rozga stated that all of these folks are volunteers and are here for the kids. He thinks they should all get together, it seems like the easiest solution.

Ms. Lee stated that no one would give her an answer as to whether they would be liable but if there are tax issues and criminal charges, and they are seen as successor, they could be liable. Mr. Smith addressed GPRC asking how GPRC would be able to run programs in the spring with no equipment or funds. Mr. Rozga responded stating that he can speak for baseball and further stated that the parents have offered to help them with money for new equipment, to get them started. Mr. Rozga said that each program could probably do this and have people sponsor teams to raise the money needed. Dunbar Brooks inquired as to whether GPRC was registered as a non-profit and if they had their letter of approval. GPRC responded stating they are registered as a non-profit and have applied but the letter takes up to 15 months. Mr. Brooks stated that if you are approved, it is retroactive to when you applied; if not, you are responsible for the taxes. Mr. Lury stated that Wellwood baseball was a profitable program and he doesn't know why the bills had not been paid. He further stated that if there was a way to run with PRC, they would have, but there is no way they can do this given the possible liability. Mr. Kroll inquired about whether or not there were any minutes taken at the November 25th meeting. Mr. Veditz responded stating there were minutes taken but they are not given out until the next meeting. Mr. Blibaum stated that the vote was to wind down, not for dissolution, because of existing programs. Mr. Blibaum had a copy of the resolution that was read into the minutes. This was passed around for board members to see and a short break followed.

GPRC is upset that they are not able to continue with PRC. It was said that there was not equal representation on the new board. Mr. Lury said it is a good representation overall, the by-laws have been put together, and there will be only one checkbook. He will support the merge. Mr. Horwitz made remarks regarding a meeting they had when two baseball issues were discussed. One of the issues he was referring to was the East side/West side of Reisterstown Road, and GPRC was representative of the East side. Ms. Lee responded stating that the reason she is part of the PTA is "one voice for every child" and she is offended at the statement by Mr. Horwitz inferring that GPRC would not take care of all children no matter the race.

Mr. Kroll addressed all in attendance by stating that it is a sad day for Pikesville, that things could not come together at this late time. Mr. Kroll recognized Mr. Blibaum stating that he is a great advocate, but he is not a magician. Mr. Kroll then expressed his anger about how PRC could let years go by and not file taxes. He further stated that he is disgusted with both groups for not coming together for the children. He stated that GPRC has introduced their by-laws, made changes at the board's request and is now ready to be certified. He stated that PRC should remain de-certified. There was an effort made to resolve issues with PRC but this didn't work and furthermore, there has been a resolution to dissolve PRC. Mr. Kroll does not see a bright future in his community. He stated that there needs to be a change, permits need to go out, this issue needs to be resolved tonight. If GPRC is certified, everyone here needs to work together; all money will go into one account with one checkbook. GPRC provides more transparency than PRC. Mr. Kroll stated that he sees bitterness against PRC by GPRC and doesn't want this to happen.

Mr. Kroll motioned to certify GPRC. Wayne Definbaugh seconded. Mr. Kroll stated they need cooperation, transparency and optimism. There was discussion about the assets of PRC that GPRC needs to function. At this point in time, there has been no commitment by PRC to donate equipment. Mr. Definbaugh responded stating that it is like starting a new program, raising money from registration fees to purchase equipment. A 501 (c)(3) can donate their assets, but they do not have to donate to GPRC, although it would be nice if they did. Mr. Smith brought up the concern about needing to resolve one issue before certifying another recreation council. Modifying Mr. Kroll's motion may do this. Mr. Verch recalled that the motion to de-certify PRC was "pending further action from the board." Mr. Kroll stated that the old certification expired as of July 08. Certification letters have not gone out yet so, technically, there is no certification of any recreation council, all are conditionally certified until the letter the staff has, is completed. As for the portion of the motion regarding "pending further action of the board," Mr. Kroll stated that back in September, certain documents were forwarded to the board but not all that they had requested. Mr. Smith stated that he is disgusted at what has happened here. GPRC has gone more than half way and PRC has not, they have not stepped up to the plate. With this said, Mr. Smith made a motion to re-certify PRC because they have the infrastructure in place to serve the children. Mr. Smith made the motion to table Mr. Kroll's motion, and Mr. Brooks seconded.

Mr. Kroll stated that, at the last meeting, we discussed that GPRC could pick up programs at the beginning of each new season. PRC would have their programs run under GPRC at this time and transition things this way. GPRC has greater transparency. It is a new beginning and PRC has more to lose by not compromising. Mr. Kroll believes there are no conflicts with GPRC. Mr. Kroll stated that Mr. Smith had no objection with things before now. Mr. Smith responded stating that things were different last month; it appeared that both sides were on the same page. Emmet Davitt stated that he was not in attendance at the de-certification meeting but stated the wording was not conditional but pending submission of the documents requested. Mr. Kroll stated that the board did not receive everything they asked for. After receiving the documents, there was no motion to withdraw the de-certification. Mr. Brooks stated that if the motion was pending, and all documents were not submitted to the board, then it was insufficient. Mr. Kroll stated that there was no indication in the records list requested that PRC didn't have certain records and that is why they were not submitted. Mr. Definbaugh stated that the board has asked GPRC to start doing paperwork and file for their 501 (c)(3) and now there is discussion that the board may not certify them? He stated that image is an issue. PRC has criminal issues, which are under investigation. Mr. Definbaugh stated that with this said, he would send his child to another organization, knowing this is what is going on in this community.

Mr. Kroll motioned to table Mr. Smith's motion. Mr. Definbaugh seconded. Mr. Kroll stated that the re-certification of PRC was not an agenda item and therefore is not before the board. Mr. Smith withdrew his motion. Mr. Kroll motioned to certify GPRC. Mr. Davitt, Mr. Definbaugh and Mr. Brooks were for this motion and Mr. Verch and Mr. Smith were against. Majority in favor to certify GPRC.

New Business:

Board members discussed the idea of changing the meeting start time from 5 pm to 6 pm to better accommodate their schedules and assure they have a quorum. Those in attendance voiced their opinion and it was decided to get a vote from the remaining members and make a final decision after this has happened.

Donnell Green, president of the Turner Station Recreation Council, was in attendance to answer any questions regarding the proposed changes to the constitution and by-laws. Mr. Green stated that these changes were made due to the change in times. The proposed changes have already been voted on and approved by members of the recreation council and Mr. Brooks has already spoken to Mr. Green regarding these changes. Mr. Definbaugh had some uncertainty about allowing folks from another jurisdiction into Turner Station. Mr. Brooks responded stating that there are so many folks that grew up in Turner Station that had to leave but want to come back to the community they grew up in and help/participate. Mr. Brooks further stated that this is fairly common in recreation and churches.

The Department of Recreation and Parks asked that the POS Conversion Process-Crossroads was added to the agenda, thus to serve as the public meeting to allow the opportunity for public input. This is basically a swap of 1.815 acres for 5.518 acres. There was no one from the public in attendance regarding this agenda item.

Director's Comments:

The department is doing well and getting ready to move into the legislative session. POS money has diminished substantially due to real estate tax transfer but the department has \$17 million, which has been accounted for. If everything goes well, we will have spent it all. In addition, the department is focused on capital projects, which are fully funded. These projects included community centers and artificial turf fields, one of which is Randallstown, which will be turned over early April. The YMCA will manage the pool, but our programs will have access. As for the MARC letter, we are not adding or subtracting, we are holding our own. On another note, there will be no cutbacks or layoffs; the county is in good shape.

Mr. Verch stated the folks from Essex/Middle River inquired about the property near Waterview. The property was supposed to be developed into a park but this never materialized and the property is a bit of an eyesore. The community wants to know what the status is for this as well as the department's intention. Mr. Barrett responded stating Larry Rosenberg is the developer of the site and the county is in a dispute with them right now. The contract stated they were to grade this site and they never did. They tried to resolve this matter by sending the county a \$25,000 check, which was sent back to them. The department does not have the money to develop this site.

Mr. Smith shared some remarks with Mr. Barrett from the folks in Reisterstown regarding the new Bant Shell theater at Hannah More. Mr. Smith stated that the department should converse with those involved in theater before building something like this. Mr. Barrett responded stating this project was done by capital projects and is simply at our facility. Mr. Smith replied stating the theater group in Reisterstown, run by Bob Frank, stated this was not adequate for putting on theater productions. Mr. Barrett replied stating that, according to the recreation council, this was not intended for theater performances but for music in the park.

Action:

Dunbar Brooks motioned to accept the proposed changes to the Turner Station Constitution and By-Laws, as written, Emmet Davitt seconded and all were in favor.

Steven Kroll motioned to certify GPRC, Emmet Davitt, Wayne Definbaugh and Dunbar Brooks were for this motion. Mr. Verch and Mr. Smith were against. Majority in favor to certify GPRC.

Adjournment:

There being no further business, Mr. Smith moved to adjourn the meeting, Mr. Davitt seconded the motion, and all were in favor. The meeting adjourned at 9:12pm.

Respectfully Submitted,

Lisa Liupaeter