

# BOARD OF RECREATION AND PARKS

WAYNE DEFINBAUGH, CHAIRMAN

## Meeting Minutes

June 15, 2011

The regular monthly meeting of the Baltimore County Recreation and Parks Board was held on Wednesday, June 15, 2011, at 6:12 p.m., at the Department of Recreation and Parks administrative offices, Towson, Maryland. In attendance were Wayne Definbaugh, chairman; board members Mike Milani, Leslie Monfred, Althea Page, Dunbar Brooks, Mike Weber and Jacob Smith. Recreation and Parks department staff included Barry F. Williams, director; Bud Chrismer, deputy director and Marty Stoelting, chief, Recreation Services.

### **Announcements:**

Chairman Wayne Definbaugh welcomed new board member Leslie Monfred, 2<sup>nd</sup> Councilmanic District Representative.

### **Approval of Minutes:**

Mike Weber requested one minor change to the minutes. Althea Page motioned to approve the May board meeting minutes with the requested change, Dunbar Brooks seconded, and all were in favor.

### **Chairman's Report:**

Mr. Definbaugh addressed the board stating they have a task at hand that needs to be completed. The recreation council coverage/liability issue needs to be completed before moving forward on financial audits. Mr. Definbaugh thanked the board for all of their efforts, especially Mr. Weber.

### **Director's Comments:**

Director Barry F. Williams welcomed Ms. Monfred and brought her up to speed on the recreation council coverage/liability issue. Mr. Williams reported that he spoke with Baltimore County Administrative Officer Fred Homan and discussed questions/concerns posed by board members and staff. Mr. Williams reported that Mr. Homan stated all councils must be 501(c)(3) and he strongly suggests they become incorporated and obtain D&O Insurance with a CGL Rider. Mr. Williams informed Mr. Homan that the board would like to uphold the mandate that all councils obtain a 501(c)(3) status and submit to a financial review.

Mr. Williams informed those in attendance about Beach Break, a campaign presented by the Office of Tourism to promote beaches in Baltimore County. Mr. Williams stated that the department suggested free admission for children into the 3 beaches managed by the department, and this became part of the campaign.

**Mr. Williams spoke to board members regarding the need for their timely response.**

## **Old Business:**

In regards to coverage, board members discussed the Reisterstown suit and the county's plans to cover legal fees. Mr. Williams stated that, if the Law Office initially investigated this suit, they would have covered them from the beginning.

Board members reviewed the motion made at the meeting in April. Mr. Weber stated that the reason the board might be changing the motion is because the county has changed its requirements as far as covering recreation councils; new information has come to light, and we may not need to require certain things.

Jacob Smith inquired about whether the county's insurance coverage meets the requirement of the annotated code. Mr. Williams responded stating that he believes it does. Mike Milani inquired about whether or not the officers within the recreation council were volunteers for the council or the county. Deputy Director Bud Chrismer responded stating they are volunteers of the council. Mr. Smith inquired about whether the county's coverage is sufficient for the council and volunteers or does the council need insurance. Marty Stoelting responded stating that the memo from Mike Field addressed this and further stated that officers, chairpersons and directors are considered volunteers of the council and would be covered. Mr. Weber stated the code gives general protection from liability if you are a 501(c)(3) with insurance coverage. Mr. Williams stated that D&O Insurance provides additional coverage; if a recreation council doesn't think they need it, even though the county and the board strongly suggest this, then that is fine. Ms. Stoelting reported that there are currently 5 councils that are not 501(c)(3). Mr. Smith inquired about whether 501(c)(3) itself would have to purchase liability insurance or does the county coverage suffice. Mr. Williams responded stating he believes the county coverage is sufficient but would get clarification on this. Mr. Chrismer stated that he spoke to Lee Rock and was told there is no case law on this. Mr. Brooks stated the annotated code is what everyone should follow, even outside of Baltimore County. This is what would hold up in court. Mr. Milani inquired about why the county would cover if the councils were 501(c)(3). Mr. Weber responded stating Mr. Field said the county would approve coverage because it is a moral issue. Mr. Chrismer responded stating that the board certifies the 501(c)(3) councils. Further discussion ensued as to what changes would be made to the motion. Mr. Williams stated for a council to become incorporated consists of filling out one page and writing a check for \$120; obtaining a 501(c)(3) status is much harder, but the county will assist. Lengthy discussion ensued regarding coverage.

Ms. Stoelting stated that Reisterstown is 501(c)(4) and inquired as to whether the board would require them to change. Mr. Smith responded stating the board would require the council to obtain 501(c)(3) status; the annotated code does not cover a 501(c)(4).

Mr. Williams suggested the board schedule the regional meetings. Mr. Definbaugh stated that he would be away June 26 through July 5. Mr. Williams stated the need to have at least 3 board members at each regional meeting. The department would set the stage/tone, but the meetings should be board driven. These meetings should last no more than one hour. In addition, Mr. Williams stated talking points would be provided to board members, and the first regional meeting could realistically be scheduled for late next week. Prior to the regional meetings, a dry run will be scheduled with the four presidents involved in a past meeting.

**New Business:**

Ms. Page had some concerns with the proposed revisions to the Kingsville Recreation Council's Constitution and By-Laws. Mr. Weber reported that he forwarded the concerns to the council president and stated that he was sure they would incorporate the suggestions in their by-laws. Mr. Weber plans to attend the upcoming recreation council meeting.

**Action:**

Mr. Smith motioned to amend the motion previously made at the April 26 meeting [*Mr. Weber motioned to require, as part of the certification process, that every council have D&O Insurance, obtain 501(c)(3) status and become incorporated, and require an annual financial review. All councils must be in compliance by July 1, 2012. Dunbar Brooks seconded and all were in favor.*] to require, as part of the certification process, that every council obtain 501(c)(3) status and an annual financial review, and the board strongly recommends obtaining D&O Insurance and becoming incorporated. Mr. Weber seconded the motion, Ms. Monfred and Mr. Milani abstained from voting and all other board members in attendance were in favor.

**Adjournment:**

There being no further business, Mr. Brooks moved to adjourn the meeting, Mr. Smith seconded the motion, and all were in favor. The meeting adjourned at 7:49 p.m.

Respectfully Submitted,

Lisa Liupaeter