

**ELMS PROPERTY
ADVISORY COMMITTEE MEETING
10:30 A.M. JULY, 15, 2009
Minutes**

Members present were Derick Berlage, Kim Howe on behalf of Brad Clements, Marianne Chapman, Sandi Patti on behalf of Pete Dunbar, Phil Rollins, Steve Riley, and David Heilmeier.

Members absent were Dr. Robert Paul and David Gailey.

Others present were Margarita Rochow, Elms Environmental Center; SMCPs; Kurt Reitz, SMCPs Elms; Lorie Brown, SMCPs Elms; Gayle Moreland, PPAD and Niles Primrose, PPAD.

Mr. Berlage called the meeting to order at 10:48 a.m. and asked for additions or amendments to the agenda.

I. Approval of Minutes – 04/22/09

Ms. Patti made a motion to approve the minutes of 04/22/09 as presented and Mr. Riley seconded. The motion passed without opposition.

II. New Business

a. DNR Posting of State Property

Ms. Stuckert stated during the review of past meeting minutes she noticed DNR was to post the State portion of the Elms property and asked if this has been completed. Ms. Patti stated the entire property tract has not been marked to date. Mr. Heilmeier stated the lease line area is clearly marked and the entire property would be posted sometime this fall.

III. Unfinished Business

a. Update on County Commissioner Actions

Mr. Berlage reviewed the recent events stating the compromise proposal for a portion of the leased property to become available for hunting was sent to DNR. Mr. Berlage stated we received a letter from Secretary Griffin saying DNR will not accept this compromise. Mr. Berlage stated the letter indicated no hunting would be allowed on the leased property. Mr. Berlage stated Mr. John Savich contacted Ms. Patti to explore every option to see if others would manage hunting on the property. Ms. Patti indicated the State would not entertain management by any party on the leased portion of the property for hunting.

Ms. Patti stated the answer received is “No”, DNR will not manage hunting on the leased portion. Mr. Riley stated an independent organization submitted a letter offering to manage hunting on the leased portion which was hand carried to the Commissioners. Mr. Riley stated it is his understanding that the Commissioners are open to this and willing to explore the opportunity.

Ms. Chapman stated this same initiative was turned down very early in the beginning of this process years ago. Ms. Chapman stated she is in full support of the Management Plan and Secretary Griffin’s decision. Mr. Berlage stated the County has been very clear that it supports a compromise that will allow hunting on the property. Mr. Riley stated Secretary Griffin indicated a reputable organization could manage hunting on the property. Mr. Riley stated the Mattapan Hunting and Black Powder Gun Club have offered to manage the property. Mr. Riley stated he would distribute a copy of the proposal to the Committee. Mr. Rollins stated a memo was sent to the Commissioners relaying this information. Mr. Rollins stated John Savich stated this morning that no further actions are to be taken regarding this matter. Ms. Chapman stated the Committee hasn’t seen any of this information. Ms. Chapman proposed everything should go to the Committee prior to going to the County.

Mr. Berlage stated DNR will not accept any private management of the property. Ms. Patti stated hunting is not an appropriate activity for this property. Mr. Rollins stated the County, as landlord, has to approve activities in the County lease area. Mr. Berlage read paragraph five (5) of the Secretary Griffin letter dated 6/9/09 as follows:

“The only circumstance under which hunting expansion on County property could be accommodated would be if the County and the School Board choose to close the property to other uses, including environmental education, during a designated hunting season. Under this approach, the County and School Board would have to assume sole responsibility to post that portion of the existing leased area designated open to hunting, and police seasonal closure to ensure compliance.”

Mr. Berlage re-read the first sentence stating it seems there is a window however it involves closing the Education Center and all the proper postings. Ms. Chapman asked why we would close the center when there are other places to go hunting in the County but there are not other environmental education centers. Ms. Howe stated the School Board would be concerned with closing the center due to the number of students utilizing the program. Ms. Chapman stated marking the property would be a hassle and a safety hazard for the children in this situation. Mr. Riley stated this does not have to be an all or none situation. Mr. Riley stated you don't have to shut down the center, only the area where hunting would take place. Mr. Heilmeier disagreed stating the entire property would need to be closed to satisfy DNR. Mr. Riley stated we should go to the State Capitol to speak with Secretary Griffin for clarification of the letter. Ms. Chapman stated if we have individuals out speaking in public they should not refer to themselves as members of the Committee. Mr. Riley stated in the past the County PIO had the papers approached him, he did not approach the papers.

Mr. Berlage stated it seems we tried a political solution and the attempt did not work. Mr. Riley stated he would like to speak with Secretary Griffin regarding his decision. Ms. Chapman asked that Mr. Riley is clear that his opinions do not represent the opinions of the Elms Advisory Committee.

By majority consensus of the Committee it was decided that no more could be done regarding hunting on the County leased portion of the Elms property and if individual members wanted to pursue this further they could do so as individuals, not as a representative of the Elms Advisory Committee.

b. Draft By-Law Review

The committee reviewed the draft by-laws. Mr. Patti stated the Secretary would need to be the one to appoint members not the Board of County Commissioners. After discussion it was decided to speak with the legal department regarding this. Ms. Howe asked if the by-laws are approved by the County Commissioners how would they be relayed to the Secretary as required in COMAR page 2 (e) (2) (ii). It was decided to obtain legal advice on this matter. Ms. Patti made a motion to approve the draft by-laws for legal review and Ms. Howe seconded. The motion passed without opposition.

c. Status of Elms Beach Park

Mr. Rollins stated the work has been completed at the park and everything is back to normal. Mr. Rollins stated the culprits are awaiting their court dates. Mr. Riley asked if the entry fees for the park were approved by the Commissioners. Mr. Rollins stated the Commissioners do not want to charge County residents at all and the request was denied.

IV. Announcements

- a.** Ms. Patti stated DNR/PPRP is moving forward with razing the dilapidated houses which should be completed by the end of the year. Ms. Patti stated we have the funding and a contractor so progress is being made.

Mr. Heilmeier stated we will be adjusting the hunting safety zone due to the removal of the structures. Mr. Heilmeier stated once this is completed hunters will be able to walk across the street to access the property for hunting.

- b.** Ms. Patti stated they will be replacing the septic system for the building. Ms. Patti stated the bid process has begun for the replacement and are due at the end of July. Ms. Patti stated the Maryland Environmental Service is working on getting this done.
- c.** Mr. Heilmeier stated the Governor has introduced the "Forest Brigade". Mr. Heilmeier stated DNR has been tasked with finding property to re-forest. Mr. Heilmeier proposed to re-forest 10 acres in the small fields in rear of the property and a small field that is consistently too wet by the park area. Mr. Heilmeier stated this is good for FIDS habitats. Mr. Heilmeier asked for approval from committee to move forward with this project. Mr. Berlage asked what species would be planted. Mr. Heilmeier stated a list of species is being worked on but it will be site appropriate.
- d.** Mr. Berlage stated LUGM has collected monies from fees-in-lieu for plantings in the County and asked that a list of possible sites be forwarded to him.
- e.** Ms. Patti stated DNR/PPRP is continuing to work with a confidential developer for a Power Plant site. Ms. Patti stated they are hoping to have a confirmation from the developer by the end of the year.

- f. Ms. Howe stated the School Board is moving forward with plans to have the old well house removed and with the buffer management plan. Ms. Howe stated hopefully the nursery will go up this coming spring.

V. Site Walk

- VI. Adjourn:** The meeting was adjourned at 11:49 a.m. The next meeting will be held on October 21, 2009 at the Elms Park Beach beginning at 10:30 a.m.