

**MINUTES OF THE ELMS ADVISORY COMMITTEE MEETING  
ST. MARY'S COUNTY PUBLIC SCHOOLS  
DEPARTMENT OF SUPPORTING SERVICES BUILDING\* LOVEVILLE,  
MARYLAND  
Thursday, March 15, 2007**

Members present were Denis Canavan, Chair; Bradley Clements; Margarita Rochow; Phil Rollins; Jim Bennett on behalf of Bryan King; Gayle Moreland on behalf of Pete Dunbar; Marianne Chapman; Steve Riley; and Robert Paul.

Members absent were David Gailey.

Others present were Amber Guy, LUGM Office Manager; Amanda Sicak, Recording Secretary; Kim Howe and Tracy Lumpkins, St. Mary's County Public Schools; Kurt Reitz, Elms Environmental Education Center.

Mr. Canavan called the meeting to order at 10:00 a.m.

**APPROVAL OF THE MINUTES**

The minutes of February 15, 2007 were approved with amendments including an addendum page with Mr. Riley's recommended changes.

Mr. Canavan stated at the last meeting he asked the agency to put together facts on boundary lines, safety zone, and what the children are utilizing so I can relay the information to the County Commissioners. Mr. Canavan presented an exhibit stating as a result of this request he had an exhibit put together. Mr. Canavan stated he is not sure if the exhibit accurately reflects the facts that run with the property. Mr. Canavan stated he wants the facts that depict where the signs and paths are on the property. He wants to know where the limits of the student area is and where the beach access is located. Mr. Canavan stated by having these facts, the Commissioners should be able to see this exhibit and understand where everything is located. Mr. Canavan stated the exhibit is a draft and is meant to be written on for corrections.

Mr. Canavan stated he would like to take Ms. Thomas's presentation out of order.

**Preparation of BOCC presentation on Cindi Thomas' concerns**

Ms. Thomas gave an overview of her letter to the Commissioners. Ms. Thomas stated the property should be able to be accessed by the general public, meaning hikers, bikers, and horseback riders stating we need to come up with an access agreement. Thomas stated this is not just a hunting issue it is an all around access issue.

Ms. Thomas stated she had looked into the terms and amount of time in service and pointed out that the Elms Plan does not have Citizen Member regulations set up. Thomas stated she has requested copies of all the ELMS meeting minutes stating that she would like to know what has been going on for the past six years. Thomas also stated she would like to know who the citizen members were from 2001 to 2004. Thomas asked if a voting record was kept during these years. Mr. Canavan stated there were very few votes taken in the past and if votes were taken they would be recorded in the minutes.

Ms. Thomas stated the Citizens feel that when you exclude legal access to the property, you are encouraging illegal access. Thomas stated she is hearing more gunshots now than ever before. Thomas stated other times she has called the police about vandalism and gun shots. Thomas stated these people are accessing the property through the north side of the property. Thomas stated they cut through the safety zone and access the back field because there is nothing marking the area. Thomas stated there are very few signs on the property to identify the safety zone. The committee discussed and examined a map in order to locate the safety zone line.

Mr. Riley stated incrementally since 2000 words have been put into the leases and park management plans to prioritize the Education Center as the lead dog in the sled race, when in fact the Environmental Education was named in the original lease however, the entity was not named. Ms. Thomas stated she has documentation from Parks and Rec Committee where Chairman Harper stated he thought that this was a bait and switch, because the school is growing. Ms. Thomas stated she is not against the school but against the school claiming property with the exclusion of all citizens when the school isn't even using the property they are claiming. Mr. Clements stated the main problem he sees is that hunting on either side is not clearly defined. Mr. Riley stated there are lots of citizens that would like to have access to the property; it is not just the hunters. Ms. Thomas stated when the lease was initially signed there were 40 acres set aside for the school exclusively. Thomas continued; let's say the school has grown 3 times in size. Ms. Thomas stated let the school take 150 acres because reasonably she does not feel that the school can safely manage 450 acres of land especially with the exclusion of the rest of the community. Ms. Thomas stated if the school is dead set on not allowing any public access on any portion of the property then as a community we will oppose this, however if there is going to be public access the lines need to be clearly shown.

Mr. Clements stated he first became a member of the committee in 2003 which is the same time the management plan was completed. Mr. Clements stated it took a year to get the lease because at one point the lease was between County Government, Board of Education, and DNR. Mr. Clements stated after 18 months it converted back over to County Government, DNR, and the school would have a sub-lease with the County Government. Mr. Clements stated the sub-lease was proposed and put before the Commissioners in October of 2004.

Mr. Clements stated the sub-lease was pulled at the time due to hunting. Mr. Clements stated because the sub-lease has not moved forward it has stopped the expansion from happening because part of the sub-lease gave us permission to seek grants and other funding. Mr. Clements stated Ms. Rochow could give an overview of how the school is utilizing the site now and how they would like to expand and utilize the site in the future.

Mr. Riley stated we want a win, win situation. Mr. Riley stated he understands that there are some things that just cannot coexist with a school function. Mr. Riley stated guns aren't a good choice in the immediate vicinity of a school however archery would be more suited. Mr. Riley stated the idea is to come up with a win, win situation and find things that we can do on the property.

Ms. Rochow stated the most notable expansion is to situate some additional field sites. Rochow stated the field sites would not necessarily have structures but would have seating such as picnic tables, restrooms, and possibly some covered areas. Rochow stated the field sites would enable us to consider adding more types of students such as home school, charter schools, and private schools.

Mr. Riley asked if the centers building located on the property now were to be demolished by a storm, would they be able to rebuild it and satisfy perk. Mr. Canavan stated regardless of the elevation the building could be rebuilt because it is currently has a satisfying perc. After looking at he proposed area for the Center, Mr. Canavan asked if the Center's intent is to limit the properties use to student's and education programs or allow the public in areas. Ms. Rochow stated she believes the Management Plan was trying to address this. Ms. Howe asked Mr. Rochow if she wanted people to walk up to a session while teaching a group of children. Ms. Rochow stated she did not want this to occur because it is an outdoor classroom. Mr. Canavan stated this is understandable; it is just like someone walking up into a brick and mortar classroom, there is no difference. Mr. Canavan asked about Saturdays and Sundays stating this would be the public's classroom time. Ms. Chapman stated there have been adult groups that have utilized the center on the weekends. Mr. Canavan asked about the casual motorist. Ms. Chapman stated it is the same shoreline at the public beach which is open for citizen use and enjoyment.

Mr. Canavan asked if the areas the Center wishes to expand into and the areas they are currently using have had vandalism problems. Ms. Rochow stated ATVs were going through the areas as well as on private homeowner property. Mr. Canavan asked if he could assume there wasn't adequate signage in the area. Ms. Rochow stated there isn't and she doesn't believe signs would help. Mr. Reitz stated there are areas they are trying to protect so they put up signs and barriers, unfortunately within a week the signs are torn down and scattered through the woods.

Ms. Rochow continued discussing the expansion of the center stating there has been considerable interest in overnight uses. Rochow stated the overnight program has tripled in size this year. Rochow stated primarily overnights are used by fourth graders however interest has been shown by many different groups. Mr. Canavan asked if the overnights would be held two months in the beginning of the school year and the two months at the end of the school year. Ms. Rochow stated it may be closer to one and a half months. Mr. Canavan asked if the stations could be used for public camping during the off months on the weekends. Mr. Rollins stated the County Recreation and Parks do not offer camping because the state parks provide the service. Ms. Rochow stated the stations would not be specific camp sites. Dr. Paul asked if the stations could be accessed by road. Mr. Rochow stated they would be accessible by trail. Ms. Howe stated the structures and site would be a 'green' area and would be incorporated into the learning process.

Ms. Rochow stated there are freshwater streams that we do not have access to and are currently prohibited from conducting lessons in that area. The question was asked why the center does not have access to these streams. Ms. Rochow stated the new lease lines do not include these streams in the center's lease. Mr. Canavan asked if the area is so sensitive that we should restrict anyone from accessing it. Dr. Paul stated there are certain areas where access should be limited however the area is generally inaccessible anyway.

Ms. Rochow stated future plans for the property include making a nursery for wetland plants to be redistributed in the community. Mr. Riley asked if these plans are on the books anywhere. Ms. Howe stated they are in the works and waiting for approval of funding and figuring out what is going on with the County Lease Area. Mr. Riley asked if the programs right now are by appointment only. Ms. Rochow stated currently yes they are, the master schedule is made in the summer, but interest from home school groups and pre-kindergarten schools come in regularly. Ms. Rochow stated they are working towards having times where you can come down and learn without an appointment. Mr. Riley asked how much it costs for the programs per student. Ms. Rochow stated the land based programs are eight dollars and the water based programs are ten dollars which covers the cost of transportation.

Mr. Canavan asked if there was anything in the lease that prohibits charging a fee to enter the property. Ms. Chapman stated there is a fee for weddings and renting the picnic pavilions at the public parks and recreation center. Mr. Rollins stated they have not gotten to the point of figuring out how the joint ownership was going to work between the Board of Education and Public Parks. Mr. Rollins stated there is an issue of informing or keeping the public from walking up to a school group if the trails are used jointly. Ms. Chapman suggested a trail that would follow the lease line that would go through the entire property and take visitors through all the different habitats that are featured in the

Environmental Center and further stated the same trail could be used for emergency vehicles.

Mr. Canavan explained there are still issues with signage, trespassers, lack of clear information of the demarcation lines of the property. Ms. Thomas asked how long it could take to get the trails and facilities in after their education plans get approved. Ms. Rochow stated they would be able to mark out trails and place picnic tables as soon as they are told what is and is not for their use. Rochow stated they would later be able to get in all the facilities but just the trails and picnic tables would be good tools for now.

Ms. Thomas stated the two sign issues are taking down the signs that already exist and reposting them where they are supposed to be. Mr. Bennett stated DNR treats this as two pieces of property. Bennett stated he thinks that a yellow paint line would be more useful than signs. Mr. Riley stated this would be a good way to define the county lease line. Mr. Bennett stated it would also define the area managed by Wildlife Management Services.

Mr. Riely stated gun hunting would need to have space, however archery should not be a problem hunting anywhere on the property. Mr. Bennett stated archery operates under the same laws as gun hunting and any hunting activity has to be 150 yards from an occupied dwelling, structure, camp, etc.

Ms. Thomas asked if the County parks allow hunting. Mr. Rollins stated there is no hunting on County property. Mr. Bennett stated very few Counties in Maryland allow hunting. Mr. Canavan asked are there places in the state where county owned land has managed hunts. Mr. Bennett stated that Howard County, Capitol Park and Planning in Prince Georges, and Montgomery County have managed hunts. Ms. Howe stated they would not be developing anything 150 feet off of the state line into the County property. Ms. Thomas stated that there could be a compromise to have archery on the County property. Mr. Riley stated the county line is a good line to separate gun and bow hunting. Ms. Howe stated archery season runs from September 15 to January 31 which runs into the most populous times for the Education Center.

Ms. Howe stated as of 2006 DNR classified the Elms Property as unclassified. Mr. Bennett stated the unclassified designation is something used when a property is first acquired. Ms. Howe stated it's listed as unclassified because there is another agency involved. It was asked if the DNR side of the lease allow anything to go on, hunting, hiking, and biking. Mr. Bennett stated they call it a cooperative wildlife area. Ms. Howe stated for signage there could be a sign that posts a map that shows the DNR side as public access that permits hunting and then at the entrance of the county lease area a map that clearly delineates the acceptable uses of the area. Mr. Riley stated the lease states along with the environmental education and beach access there can be other uses as agreed by the agencies involved in the property. Ms. Howe stated the

lease is a county lease; the management plan is what defines what happens on the DNR side.

Mr. Riley stated the Commissioners have not had a clear view of the committee since 2002 because they got their information from committee members. Mr. Canavan stated the County now has control of the property. Mr. Riley stated he had sent a letter requesting the Commissioners not sign the lease until they hear from all parties on the issues. Mr. Riley stated he received a response letter stating now that the issues have been brought to the Commissioners attention they would be more than happy to entertain hunting and other aspects of use on the property. Riley stated shortly after he was invited to a Commissioner meeting to discuss the boundary lines. Riley stated he was not invited to the meeting to discuss where the boundary lines would be placed he was invited to be told where the boundary lines were. Riley stated the hunters went ballistic over this.

The Committee took lunch at 12:00 p.m. The meeting was called back to order at 12:30 p.m.

Mr. Canavan stated he wants to focus on the County side of the lease area to figure out what uses can take place on the County side of the property. Canavan stated he wants to know if there should be any hunting on the property, discuss any possible joint use of the property, close topic on upgrading the map of the site and pursue the idea of getting the County lease demarcation line. Canavan stated he wants to attack the issue of trespassing by addressing better signage, policing and enforcement. Canavan recommended discussing signage first so that no one can plead ignorance to the property lines.

Mr. Canavan asked who pays for signage. Ms. Chapman stated in the past the Board of Education paid for the Board of Education side of the county property and Parks and Recreation paid for the Parks and Recreation side. Mr. Bennett stated DNR only takes care of safety zone signs. Mr. Canavan asked Mr. Rollins if there are monies in their budget to produce the signs. Mr. Rollins stated they do not have money budgeted. Mr. Clements stated they are working on getting the signs previously discussed but no other monies have been budgeted. Mr. Canavan asked if it were possible to get volunteers to make and post additional signs on the property. Mr. Bennett stated he would be reluctant to have volunteers post signs. Mr. Canavan asked Mr. Bennett if DNR would be willing to post signs. Mr. Bennett stated they would be willing to do that. Mr. Canavan asked for cooperative efforts with volunteers to get some signs posted with possibly boy scouts, tech center, 5<sup>th</sup> graders. Ms. Rochow stated the 5<sup>th</sup> graders have service learning built into the program. Mr. Canavan stated they could use them and have them check to make sure the signs are still up on their next visit. Mr. Canavan asked if any one in the tech center that would be able to make signs. Mr. Clements stated no for metal signs. Mr. Rollins stated they have a router for wooden signs. Mr. Canavan stated he would prefer more signs than

fewer signs in regards to the no trespassing and safety zone signs. Mr. Canavan asked Ms. Thomas and Mr. Riley if they could get people involved. Ms. Thomas stated many of her neighbors are older but a few may be able to help. Mr. Riely stated he could team up with DNR to help. Mr. Bennett stated he would be working on finding the actual lease line.

The question was raised as to where signs could be posted. Mr. Bennett stated you can't post "No Trespassing" signs on DNR property. Mr. Canavan stated they could post them on the residential property owners land. Mr. Rollins stated they could post signs that read, "You Are Entering Board of Education and County Park Property" so people will be less inclined to enter. Ms. Mooreland stated they could put up signs for no ATV or four-wheelers. Mr. Canavan stated the verbiage of the signs would be an important aspect to consider. It was recommended that monies be budgeted to maintain and upgrade the signs after they are posted.

Mr. Canavan asked if the group would like to wait to discuss joint use of the property until after we have further delineation on where the line is. Mr. Rollins stated unless the Board of Education is willing to entertain hunting there is no point in discussing joint use. It was asked what the Board of Educations recommendation was at this point. Mr. Rollins stated the proposal is to not allow hunting.

Mr. Rollins recommended taking the issue to the Commissioners and finding out once and for all what is more important, environmental education or hunting. Mr. Clements stated he has brought up the hunting issue to the Board of Education before but there was no action taken only discussion. Mr. Canavan stated we have previously discussed the hunters using the property during months when the education center is not in use. Mr. Canavan asked if this possibility was discussed with the Board of Education. Mr. Clements stated he has discussed this possibility with the Board of Education and they indicated that starting and stopping hunting on the property would not be easy. Mr. Clements stated the Board of Education would rather have one set time limit as to when the hunters can use the property however the Board of Education did not make a final decision or recommendation. Mr. Clements stated in today's society when a gun goes off on a school campus the school goes into lockdown. Mr. Clements stated if there is an incident a letter is sent home with every child that evening explaining the cause and the solution. Mr. Clements stated to have hunting near an educational area could pose potential problems.

Ms. Thomas stated if lines were clearly established and marked you could allow archery on the property. Ms. Chapman stated she would be able to understand the issue if there was no acreage to hunt on but there is. Mr. Riley stated the discussion should not be all or nothing; there should be areas where we can hunt when the property is not in use. The committee reviewed and

discussed the map. After discussion, Mr. Canavan asked Mr. Bennett to clarify the existing line for the DNR property.

Mr. Canavan asked if the housing is coming down. It was stated an email was sent to DNR and no response was received. Ms. Rochow stated someone from DNR Historic Planning went to the apartments to assess the historic value.

Before Mr. Rollins left the meeting Mr. Canavan asked that Rollins give Mr. Clements further direction on taking an exhibit back to the Superintendent and the Board of Education to see if they would consider using some land in the Northern regions for hunting. It was recommended to find out if DNR would even allow a separate bow hunting area on DNR property. Ms. Thomas stated at the October meeting Mr. King stated if there was a set line they could manage an archery only area. It was stated that DNR does not treat gun hunting any differently than archery hunting.

Mr. Riley asked about access for the Amish and Mennonites. Mr. Canavan stated access could be discussed at the next meeting.

### **NEXT MEETING**

The next meeting is tentatively scheduled for April at 10:00 a.m. at the Board of Education site in Loveville, Maryland.

### **ADJOURNMENT**

The meeting adjourned at 1:39 p.m.