Central Pennsylvania Golf Course Superintendents Association

**Educational Meeting Issue** 

Founded ~ April 11, 1939

March 2016

### Winter Educational Meeting Tuesday, March 8, 2016

8:00 AM - 3:15 PM

Registration begins at 7:15 AM

#### **Bent Creek Country Club**

Lunch/Program - \$80.00

## Thanks to our Winter Educational Meeting Sponsors!

### <u>Platinum</u> Aer-Core, Inc.

Silver
Lawn and Golf Supply Company

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#### **Lunch**

Fisher and Son Company
Turf Equipment and Supply Company

#### **Membership News**

The following individual has applied for membership into our association. If there are no written objections within the next seven days, he will be accepted into CPGCSA at the next meeting.

If you know of anyone who is interested in membership into the association, please have them contact Wanda Fry - cpgcsa@hotmail.com or 717-279-0368.

### Directions to Bent Creek Country Club

620 Bent Creek Drive Lititz, PA 17543

#### From Harrisburg and Harrisburg Airport:

Rt. 283 East to Rt. 722 Exit (Landisville/East Petersburg Exit). Turn left onto Rt. 722 East (towards East Petersburg). Continue on Rt. 722 for approximately 3.5 miles, going through 3 traffic Lights. At the 4th light, turn left onto Fruitville Pike. Bent Creek is approximately 1 mile on the left.

#### From Philadelphia Area:

PA Turnpike West to Exit 286. Take Rt. 222 South to Rt. 30 West. Upon merging onto Rt. 30 West, follow signs to Fruitville Pike. Turn right onto Fruitville Pike North. Bent Creek is approximately 3.5 miles on the left.

#### From Reading:

Rt. 222 South to Oregon Pike Exit. At stop, turn left onto 272 South (Oregon Pike). Continue approximately 2 miles to first light, at Landis Valley Road. Turn right onto Landis Valley Road. Continue approximately 1.5 miles, to the first light, at Lititz Pike (Rt. 501). Go through light, following 722 West. Continue approximately 1.5 miles to light at Fruitville Pike. Turn right onto Fruitville Pike. Bent Creek is approximately 1 mile on the left.

#### From York:

Rt. 30 East to Fruitville Pike Exit. Turn left at light, onto Fruitville Pike North. Bent Creek is approximately 3.5 miles on the left.

# **CPGCSA Annual Meeting**& Election of Officers March 8, 2016

The March 8th meeting at Bent Creek Country Club will be the Annual Meeting with election of officers and directors for the 2016 meeting year.

If you are interested in running for the Board of Directors, please contact Alan FitzGerald at alan@ledgerockgolf.com Page 2 The Green Sheet

### CPGCSA Winter Educational Meeting Agenda

Tuesday, March 8, 2016 Bent Creek Country Club

7:15 – 8:00	Registration/Continental Breakfast
8:00 – 8:05	Introductions/Welcome Chad Oxenreider, CPGCSA Vice President
8:05 – 8:15	CPGCSA Update Alan FitzGerald, CPGCSA President
8:15 - 9:00	"ABW Programs and Control Measures" Tara Beauregard, Dow Agrosciences
9:00 – 9:45	"U.S. Women's Open Highlights", Mike Yelonosky, Lancaster Country Club
9:45 – 10:00	Break
10:00 – 10:45	"The Top 10 Mistakes to Avoid During Renovation", Jim Nagle, Ron Forse Design
10:45 – 11:15	"PDA Update/Question and Answer Discussion" Chad Witmer, PA Dept. of Agriculture
11:15 – 12:00	"Secrets to Motivation"  Dr. Bob Milligan, Professor Emeritus - Cornell University
12:00 – 1:00	Lunch
1:00 – 1:30	CPGCSA Annual Election and Bylaw approvals
1:30 – 2:15	"Managing to Success" Dr. Bob Milligan, Professor Emeritus - Cornell University
2:15 – 3:00	"Current and Future Issues Regarding Water Management and BMPs" Chase Rogan, GCSAA Field Staff
3:00 – 3:15	Adjournments & 2016 Board Introductions

### Winter Educational Meeting – Reservation Form

Name:	Course/Company:	Reminder
E-Mail:		This is a
Guest:	Course/Company:	Coat and
	Program/Lunch \$80.00	Tie Meeting
	Deadline: March 3, 2016	Meeting

Checks Payable To: CPGCSA or Payment through PayPal at www.cpgcsa.org

Mail To: Wanda S. Fry, 1314 Porter Avenue, Scranton, PA 18504

### Pennsylvania Considering "Amusement and Recreation" Sales Tax

Pennsylvania has a budget deficit, and the golf industry could suffer the consequences. The state's General Assembly is considering expanding sales tax to include "amusements and recreational activities." This would include – you guessed it – greens fees. Other businesses subject to the tax include, but are not limited to: amusement parks, bowling alleys, marinas, car trade-ins, personal care services (what!?), RV and camping sites and movie downloads. In most areas of the state, this tax would total six percent, with exceptions of seven percent in Allegheny County and eight percent in Philadelphia.

So, what does this mean? It means higher costs for our customers. Consequently, the Pennsylvania Golf Owners group is drafting a letter to oppose this taxation, and our PGCSA logo will be included on the letter to support this opposition. Our main argument is that the golf industry continues to struggle for participants and their discretionary income. The addition of the sales tax would make golf more expensive to the consumer and that consumer will play less often, if at all. This is something the golf industry in Pennsylvania cannot afford. Additionally, some courses are already subject to a local amusement tax and the inclusion of a state sales tax would be double taxation.

When opposing such issues, it is important for us to share our industry's positive attributes with our state legislators. For example, Pennsylvania's 663 golf courses employ approximately 30,000 individuals. Likewise, the golf industry is responsible for nearly two billion dollars in direct economic impact in Pennsylvania.

While there is not an official date set to vote on this issue, you can take action by calling or emailing your state legislators to voice your opposition. To find out who your representative is, please visit the state government website.

Please explain why we oppose this tax, what impact it could have on our industry, and the positive aspects of our economic impact in Pennsylvania. Furthermore, it is always beneficial to drive your point home by bringing it local – share how many individuals your course employs and other pertinent information that could highlight the impact of this change to that representative's district. As the old saying goes, "all politics are local."

**Chase Rogan** | Field Staff – Mid-Atlantic Regional Representative - Golf Course Superintendents Association of America 814.241.3037 Cell



#### **Bill Mast**

Cell: 610-608-8319 bmast@aer-core.com

Office: 610-327-3390 • Fax: 610-327-0581

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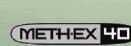
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### 2016 CPGCSA Annual Meeting

Below are the proposed By-law changes that will be discussed and voted on at the Annual Meeting.

#### **CURRENT**

Section 1.01. **Registered Office**. The registered office of the association in Pennsylvania shall be at <u>P.O. Box 1420 Lebanon</u>. Pennsylvania 17042 until otherwise established by an amendment of the articles or by the board of directors and a record of such change is filed with the Department of State in the manner provided by law.

#### **PROPOSED**

Section 1.01. **Registered Office**. The registered office of the association in Pennsylvania shall be at the address of the Executive Director until otherwise established by an amendment of the articles or by the board of directors and a record of such change is filed with the Department of State in the manner provided by law.

#### **CURRENT**

#### Section 2.01. Manner of Giving Notice.

General Rule. Whenever written notice is required to be given to any person under the provisions of the Nonprofit Corporation Law or by the articles or these bylaws, it may be given to the person either personally or by sending a copy thereof by first class or express mail, postage prepaid, of by telegram, telex or TWX (with answerback received) or courier service, charges prepaid, or by telecopier, to the address of the person appearing on the books of the association or, in the case of directors, supplied by the director to the association for the purpose of the notice. If the notice is sent by mail, telegraph or courier service, it shall be deemed to have been given to the person entitled thereto when deposited in the United States mail or with a telegraph office or courier service for delivery to that person or, in the case of telex or TWX, when dispatched or, in the case of telecopier, when received. A notice of meeting shall specify the place, day and hour of the meeting and any other information required by any other provision of the Business Association Law, the articles, or these bylaws.

#### **PROPOSED**

#### Section 2.01. Manner of Giving Notice.

General Rule. Whenever written notice is required to be given to any person under the provisions of the Nonprofit Corporation Law or by the articles or these bylaws, it may be given to the person either personally or by sending a copy thereof by first class or express mail, postage prepaid, by email, or courier service, charges prepaid to the address of the person appearing on the books of the association or, in the case of directors, supplied by the director to the association for the purpose of the notice. If the notice is sent by mail, or courier service, it shall be deemed to have been given to the person entitled thereto when deposited in the United States mail or with courier service or email for delivery to that person when received. A notice of meeting shall specify the place, day and hour of the meeting and any other information required by any other provision of the Business Association Law, the articles, or these bylaws.

#### **CURRENT**

Section 2.02. Notice of Meeting of Board of Directors. Notice of a regular meeting of the board of directors need not be given. Notice of every special meeting of the board of directors shall be given to each director by telephone or in writing at least twenty-four (24) hours (in case of notice by telephone, telex, TWX, telecopier) or forty-eight (48) hours (in the case of notice by telegraph, courier service or express mail) or five (5) days (in the case of notice by first class mail) before the time at which the meeting is to be held. Every such notice shall state the time and place of the meeting. Neither the business to be transacted at, nor the purpose or, any regular or special meeting of the board need be specified in a notice of the meeting.

#### **PROPOSED**

Section 2.02. <u>Notice of Meeting of Board of Directors</u>. Notice of a regular meeting of the board of directors need not be given. Notice of every special meeting of the board of directors shall be given to each director by telephone or in writing at least twenty-four (24) hours (in case of notice by telephone) or forty-eight (48) hours (in the case of notice by email, courier service or express

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#### **CURRENT**

Section 3.06. **Organization**. At every meeting of the members, the chairman of the board, if there be one, or, in the case of vacancy in office or absence of the chairman of the board, one of the following officers present in the order stated: the vice chairman of the board, if there be one, the president, the vice presidents in their order of rank and seniority, or a person chosen by vote of the members present, shall act as chairman of the meeting. The secretary or, in the absence of the secretary, an assistant secretary, or, in the absence of both the secretary and assistant secretaries, a person appointed by the chairman of the meeting, shall act as secretary.

#### **PROPOSED**

Section 3.06. **Organization**. At every meeting of the members, the chairman of the board, if there be one, or, in the case of vacancy in office or absence of the chairman of the board, one of the following officers present in the order stated: the vice chairman of the board, if there be one, the president, the vice presidents in their order of rank and seniority, or a person chosen by vote of the members present, shall act as chairman of the meeting. The secretary or, in the absence of the secretary, an assistant secretary, or, in the absence of both the secretary and assistant secretaries, a person appointed by the chairman of the meeting, shall act as secretary. "In the absence of a member of the executive committee and/or if there is not enough board members for a quorum then past presidents of CPGCSA may attend in the capacity of a board member to provide sufficient numbers for a quorum. Selection of the past presidents to be at the discretion of the current president"

#### **CURRENT**

Section 5.02. <u>Election and Term of Office</u>. The officers of the association shall be elected at the annual meeting.

- a. The president and vice president may not be elected to serve more that two (2) consecutive one (1) year terms. The secretary-treasurer may be re-elected to an unlimited number of terms. All officers will serve until their successors have been elected and duly installed. The term of office for all officers elected shall begin immediately following their election.
- b. At least sixty (60) days prior to the annual meeting, the president, with approval of the board, shall appoint a Nominating Committee of three (3) Voting Members of the association, not more than one (1) who shall be a member of the board.
- c. The Nominating Committee shall nominate members with the classification of AA, A or SM in good standing. They shall prepare a list for president and a list of two (2) or more nominees for each other position to be filled at said succeeding annual meeting.
- d. The retiring president automatically becomes a member of the board until the incumbent president's term of office is vacated.
- e. Retiring directors may not serve again as directors until the expiration of one (1) year from their last term of office
- f. Nominations may be made from the floor by a Voting Member in good standing at the annual meeting.
- g. Two (2) directors shall be elected for a term of three (3) years.
- h. The election of the officers shall be held at the annual meeting of the association and shall be by ballot. The voting shall be conducted by a Judge of Elections and the ballots counted by two (2) tellers, appointed by the president, of whom none shall be a member of the board.

#### **PROPOSED**

Section 5.02. <u>Election and Term of Office</u>. The officers of the association shall be elected at the annual meeting.

a. The president and vice president may not be elected to serve more that two (2) consecutive one (1) year terms.

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- c. The Nominating Committee shall nominate members with the classification of AA, A or SM in good standing. They shall prepare a list for president and a list of two (2) or more nominees for each other position to be filled at said succeeding annual meeting.
- d. The retiring president automatically becomes a member of the board until the incumbent president's term of office is vacated.
- e. Nominations may be made from the floor by a Voting Member in good standing at the annual meeting.
- f. Two (2) directors shall be elected for a term of three (3) years.
- g. The election of the officers shall be held at the annual meeting of the association and shall be by ballot. The voting shall be conducted by a Judge of Elections and the ballots counted by two (2) tellers, appointed by the president, of whom none shall be a member of the board.

#### **CURRENT**

Section 6.01. **Membership**. There shall be thirteen (13) classes of membership: Class AA, Class A, Class SM, Class C, Class I, Class AS, Class R, Class AF, Class G, Class M, Class S, Class FM, and Honorary. Except as provided by Sections 6.06 and 6.07, membership in the Golf Course Superintendents Association of America is not mandatory, but is encouraged. Membership in the Central Pennsylvania Golf Course Superintendents Association may be cancelled or reclassified at any time by a two-thirds (2/3) vote of the board.

Section 6.02. <u>Voting Members</u>. Class AA, Class A, Class SM, Class C, <u>and Class R</u> members in good standing will be considered Voting Members of the association,

#### **PROPOSED**

Section 6.01. <u>Membership</u>. There shall be fourteen (14) classes of membership: Class AA, Class A, Class SM, Class C, Class I, Class AS, Class R, Class AF, Class G, Class M, Class S, Class FM, Class EM and Honorary. Except as provided by Sections 6.06 and 6.07, membership in the Golf Course Superintendents Association of America is not mandatory, but is encouraged. Membership in the Central Pennsylvania Golf Course Superintendents Association may be cancelled or reclassified at any time by a two-thirds (2/3) vote of the board.

Section 6.02. <u>Voting Members</u>. Class AA, Class SM, Class SM, Class C, and Class R (Retired A, Retired SM, Retired C) members in good standing will be considered Voting Members of the association,

#### **PROPOSED - New Class**

Section 6.16. Equipment Manager (EM)

To qualify for Equipment Manager membership; an applicant shall, at the time of application, be employed as a golf course equipment manager, assistant golf course equipment manager or golf course mechanic/technician and shall have such rights of the association as the board of directors may specify by standing rules, except those of voting and holding office"

Please contact Wanda if you would like the entire CPGCSA set of Bylaws.

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# **Interested in Attending 2016 National Golf Day?**

Have you heard of National Golf Day? It's a pretty cool initiative. It's a day where golf's leading associations come together as a coalition (known as WE ARE GOLF), to celebrate our industry's storied lifetime. It's golf's chance to shine on Capitol Hill, where our elected representatives are undoubtedly courted by countless industries all looking out for number 1. What makes this day pretty cool for our industry is that we have great information to share with our legislators.

Information like our \$70 billion economy, our \$4 billion annual charitable impact, and numerous environmental and fitness benefits. Industry leaders will meet with members of Congress, the Executive Branch and federal agencies on Capitol Hill to discuss golf's 15,000-plus diverse businesses, 2 million employees, tax revenue creation and tourism value. And this year, National Golf Day is set for **May 18**<sup>th</sup>.

Having experienced this day first hand, I must say it is an energizing, educational opportunity to not only share what we love about our game, but also valuable time getting further acquainted with our colleagues and the nuances of how our federal government operates. And as the primaries rapidly approach, I understand that many of us may be frustrated with some of the happenings leading up to the election of our new President.

But as Steve Mona, CEO of World Golf Foundation states, it may be more important now than ever to make sure our voices are heard. "With 2016 being an election year, it's even more important for political leaders to understand the impact our industry has on local communities and millions of Americans," said Mona. Further stating, "since our first event in 2008, National Golf Day has educated our nation's lawmakers about the countless benefits of the game and we look forward to continuing this agenda in May."

National Golf Day has been growing ever since its inception, and this year GCSAA would like to extend an invitation for its Class A, SM, or C members to attend the event and be part of meeting with Congressmen and Senators to share information about your particular businesses, and what those businesses mean to your employees, customers, and community.

As we are still working out the logistics of signing up to attend the event, please be on the lookout for further details that will be communicated through various GCSAA channels. And if you can't attend in person, you can still get in on the action by participating in the tweet rally by using #NGD16 and @wearegolf to show your support for the golf industry. So let's gear up for another successful year, and make this the best National Golf Day thus far.

Chase Rogan | Field Staff – Mid-Atlantic Regional Representative Golf Course Superintendents Association of America 814.241.3037 Cell

### Sixth Circuit Finds It Has Jurisdiction to Hear WOTUS Rule Challenges

2016-02-25 | Bob Helland, GCSAA - February 2016

A three judge panel of the United States Court of Appeals for the 6th Circuit decided February 22, 2016 that it is the proper court to review the merits of the Clean Water Rule (commonly known as "WOTUS"). Like every other legal decision impacting WOTUS so far, this decision is not final and is subject to rehearing and/or appeal. However, it indicates a possible path forward on determining whether the Environmental Protection Agency and the Army Corps of Engineers overreached in its definition of "waters of the United States" under the Clean Water Act. And importantly, this decision allows the nationwide stay of the WOTUS rule to continue, providing relief to golf and numerous other industries otherwise impacted.

What this means: An endgame in sight. As we have noted, 31 states, along with a number of industry groups, have either filed or joined legal actions at both the federal district court and circuit court level seeking to stop the Clean Water Rule. This unique situation is due in part to Section 509 of the Clean Water Act which provides the Circuit Court with exclusive jurisdiction over certain actions by the Environmental Protection Agency, including those impacting permits under the National Pollutant Discharge Elimination System (NPDES). The 6th Circuit Court of Appeals did not answer the question of whether Section 509 covers the WOTUS rule. As our colleagues at the Waters Advisory coalition.

#### Note

-- Two of the judges disagreed that § 509(b)(1) requires direct circuit court review of the WOTUS Rule challenges, but one concurring judge felt bound by a previous Sixth Circuit decision (National Cotton Council) to find that the Sixth Circuit has jurisdiction here.

-- This fractured decision means that the path forward for the WOTUS Rule litigation is not entirely clear. Importantly, for now, the nationwide stay of the Rule remains in effect. Due to the split nature of the court's decision, and the disagreement over National Cotton Council, it seems very likely that at least some petitioners will seek rehearing en banc (rehearing by all of the active judges on the Sixth Circuit). Under Sixth Circuit Rules, the parties have 45 days to file such a petition. Rehearing en banc is rarely granted, but if the court grants en banc review on the jurisdictional order, it could take months to resolve.

Even with possible appeals though, there is an end in sight. And as we note, golf is being spared the impact of the expansive WOTUS rule for now.

We will continue to monitor the legal twists and turns and make sure golf's voice is heard. Page 10 The Green Sheet

### 2016 CPGCSA Meeting Locations

May 11
Reading Country Club

June 13
Royal Manchester Golf Club

**September 17**Penn State Football Game

October 3
West Shore Country Club



#### The Green Sheet

1314 Porter Avenue Scranton, PA 18504 cpgcsa@hotmail.com

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2016 Winter Educational Meeting Information