

**KENTUCKY RECREATIONAL TRAILS AUTHORITY
MINUTES**

January 28, 2010, 11:00 a.m.

**Salato Wildlife Education Center
One Sportsman Drive
Frankfort, Kentucky**

Members Present: Virginia L. Grulke, Chair; Debra K. Balliet; Judge Executive Carolyn C. Belcher; Ronald D. Caldwell; Dennis E. Crowley; E. Lee Davis; Charles Oran Little, Ph.D.; W. Preston McLain; Kim Nelson; Sandy Runyon; Jenny Sewell; Jeffrey D. Spainhour; Matt Sawyers, Deputy Secretary, Tourism, Arts and Heritage Cabinet (designee); Jon Gassett, Commissioner, Department of Fish and Wildlife Resources (designee); Keith Damron, Kentucky Transportation Cabinet (designee); Boyce Wells, Justice and Public Safety Cabinet (designee); and Kristen Branscum, Department of Agriculture (designee)

Members Absent: David L. Campbell; J. Patrick Collins; Alvin J. Cox; D. Brian Patton III; Malcolm C. Winsper; and Karen Wilson, Energy and Environmental Cabinet (designee)

Guest and Staff Present: Susan Reiber, First Lady's Office (via teleconference); Bill Burger, Lt. Governor's Office; Mark Cramer, Kentucky Department of Fish and Wildlife; Mike Whitt, Rec. Resource; Clarence Hatfield; Jon Grace, Bell County Fiscal Court; Jodie McDonald, Department for Local Government; Becky Raff, Kentucky Resources Council; Debby Spencer, WMTH Corp.; Martin Smith, Taylorsville Lake Marina; Sierra Club: Mesa Perry and Sherry Otto; *Tourism, Arts and Heritage Cabinet:* Elaine Wilson, Executive Director, Office of Adventure Tourism; Barbara Atwood, Executive Director, Office of Administration and Research; Melany Crawford, Attorney, Office of Legal Affairs; and Mary Jean Atchison, Executive Secretary

WELCOME AND CALL TO ORDER

Ms. Grulke welcomed everyone and recognizing a quorum present she called the meeting to order.

APPROVAL OF MINUTES

Ms. Grulke asked for a motion to approve the Minutes of the Kentucky Recreational Trails Authority (KRTA) December 8, 2009 meeting. Mr. Cardwell made a motion to approve the Minutes of the December 8, 2009 KRTA meeting. Ms. Sewell seconded the motion. Motion carried by a voice vote.

FINANCIAL REPORT

No report available.

CHAIR'S REPORT

Ms. Grulke stated 2010 will be the year for KRTA to "make it or break it". KRTA has some concrete objectives; funding is still an issue. Economic development respect to trails will be by building them with small businesses and local rural economy. This is the concept that is needed to "sell" to the legislators and policy makers.

Role of KRTA Member: Ms. Grulke stated the question of "what is our role as a KRTA member?" has been brought up a number of times. It is her understanding as a member you can have dialog with landowners, county / city officials, etc. however the next "official" step TAHC (Cabinet), Office of Adventure Tourism needs to be brought in. Deputy Secretary Sawyer stated the Cabinet is here to help KRTA facilitate the projects members bring to the table. It may have to be on a case-by-case basis due to what needs to be done and resources.

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Ms. Balliet asked how are KRTA members protected from accidentally misrepresenting a situation. Deputy Secretary Sawyer stated it would need to be explored. She asked if KRTA can establish a policy so members will know the limits.

Ms. Wilson stated the "tool kit" will be of help when it is completed. The members will be able to present the project by knowing who should be contacted, setting meetings up, etc. in order to facilitate and deliver the final project.

EXECUTIVE DIRECTOR'S REPORT

New Adventure Tourism Businesses: Ms. Wilson announced a zip line will be built in the Red River Gorge area, which will be connected to Natural Bridge State Resort Park. Biking, hiking, etc. will be incorporated as well. She has already been contacted by about another zip line in the coal area.

Status of Land Use Agreements: She presented a list of Land Use Agreements and contacts with the status of the agreement. (See attached.)

Grant Applications for Trails: A list of applicants having applied for Recreational Trails Project grants for recreational trail was provided to members. (See attached.) She asked the members to look at the ones that pertained to their particular user group and report on the status at the next meeting.

Lobby by KRTA Members: She was approached by a KRTA member regarding lobbying for bills pertaining to trails. She spoke to the Cabinet's Office of Legal Affairs and was told that members can lobby for bills they are interested in however they cannot speak on behalf of KRTA unless directed to do so by the members.

Work to Date:

- Assisted Chair in preparation of proposed draft of By-Laws
- Assisted Chair in draft of board position responsibilities
- Assisted Chair in compiling and Operations Manual for KRTA members
- Reviewed proposed legislation relating to trails for discussion with agencies and Chair
- Compiled at-a-glance list of motions and recommendations / suggestions from minutes from December 2008

She has asked the members to review all of the information presented (proposed By-Laws and draft of board position responsibilities) and have comments for the next meeting.

Department of Fish and Wildlife Resources Press Release: She presented the members with a copy of the press release issued by the Department of Fish and Wildlife Resources regarding the number of trails in Wildlife Management Areas (WMA) and total mileage available for non motorized activities.

Grant Applications for Trails: Ms. Wilson stated she distributed Recreational Trails Program (RTP) Grants applicants to User Group, County Judge, & ADD Rep to review. She suggested user group representatives get involved with those projects and report to the committee their progress and any assistance we might be able to provide, such as trail standards, idea for connectors to make larger trails possible. Ms. Grulke asked the committee to review the RTP grant request for user group projects. A new list of applications for this year will be available at the next meeting.

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Transportation Enhancement (TE): TE reimbursement grant list will be available at the next meeting.

USER GROUP REPORTS

- Ms. Grulke asked the members to report on what their particular group is involved in, i.e. projects, events, etc.
- Mr. Cardwell reported Western Kentucky has not had any All-Terrain Vehicle (ATV) trail activities to his knowledge.
 - Mr. McClain reported Eastern Kentucky ATV trails in Knott County are about to open.
 - Mr. Davis reported there will be an Equestrian Summit meeting in February of equestrian trail riders. Mammoth Cave Equestrian Trail, outside Mammoth Cave National Park, will make a loop to connect a couple of trailheads. There is one landowner that has not signed but may be willing to sell the property. The superintendent of the Mammoth Cave National Park stated they will start construction of a six and one-half miles bike trail.
 - Ms. Balliet reported they are continuing to work on the Cave Run Trails. The National Forest Service is requesting input and suggested the members submit their suggestions.
 - Ms. Sewell reported, in western Kentucky, through old bonding money the Department of Parks has allocated \$1.1 million to revamp 10 – 15 of the existing campgrounds, in Pennyriple State Resort Park, toward equestrian use and also build a bathhouse. A matching grant is being written to build a trailhead for equestrian use and equestrian camping area located in Pennyriple National Forest and parking areas for equestrian vehicles and equipment close to the Park.
 - Ms. Branscum reported the Department of Agriculture's Farm Safety Program has a partnership with the State Fire and Rescue organization which includes emergency responders. In October a training session was held on how a responder responds and treats a victim if an ATV / Off Highway Vehicle (OHV) rider goes down on a trail and how to locate the victim. The training was well attended and another training session is planned for the spring. FYI – responders had to rescue recently in the mountains.
 - Mr. Crowley reported they have discussed placing hiking trails on a farm with the farm manager in Harrods Creek. The Rails-to-Trails Association is near reaching their goal of opening the Dawkins line. The State is purchasing that property. The Pine Mountain Trail negotiations are ongoing to complete the trail along side the paved portion of the trail.

COMMITTEE REPORT'S

Statewide Stakeholders Committee: Mr. Crowley reported the Harrods Creek Trail Association (HCTA) held a hike recently. The land manager for an adjacent estate was invited and attended the hike. In the course of the hike he asked questions about routing the trail across the estate and associated liability issues. Mr. Crowley advised both Harold Helm, president of HCTA and the land manager that the state has passed legislation that allows a landowner to enter into an agreement which offers liability protection. Mr. Crowley requested contact be made with Mr. Helm and requested that information and help him with a potential agreement with the landowner for use of her property for the trail.

Ms. Grulke suggested one of the responsibilities of the Committee should be research issues / concerns for private landowners. It was decided this would be a subcommittee of the Statewide Stakeholders Committee, Landowners Subcommittee. Ms. Grulke asked for volunteers to contact her.

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Financial Management Committee: *Inactive committee.* Ms. Grulke stated Mr. Cramer had resigned as the chair due to his work schedule however will serve on the committee.

Ms. Grulke recommended a group start identifying all the funding sources; i.e. sports trail manufactures, ATVs, etc. The Financial Management Committee will address this issue and needs volunteers to serve on it. Ms. Runyon volunteered to identify all sources of funding that would be available for all trail users and present the sources at the next meeting.

Board Management Committee: By-Laws First Reading – Tabled.

Community Development Committee: Mr. Cardwell reported the Committee participated in a conference call which was a follow-up on the previous KRTA meeting and the approved motions. These will be covered in the meeting's Old Business.

Trail Management Committee: Dr. Little stated in discussing the committee with other members it became very obvious the same issues were being discussed, i.e. Community Development and Financial Management Committees. It is believed this committee should be discontinued and absorbed by those two committees.

Ms. Grulke stated once a trail is in place or existing, this committee would be supporting good management of the trail. The Financial Management Committee has to do with getting the tools and infrastructure to create new trails. She suggested this committee go inactive because the emphasis at this time is on new trails.

Discussion of the Trail Management Committee was tabled until after the By-Laws are passed and then look at the committee structure.

Ms. Grulke suggested the members check out the committees and email Mary Jean Atchison which committees and subcommittees on which they would like to participate.

OLD BUSINESS

Ms. Grulke stated she and Ms. Wilson reviewed the motions of the last two meetings and asked for a report.

Update on Activities Requested through Motions

- **Administrative Regulations Development:** *October 22, 2009, Mr. Cardwell made the following motion: It comes as a motion from the Community Development Committee that the Kentucky Recreational Trails Authority request of the Tourism, Arts and Heritage Cabinet that the Authority begin to develop Administrative Regulations pertaining to the operation of the Authority.*

Ms. Wilson spoke to the Cabinet's Office of Legal Affairs; they request suggestions of how KRTA wants to set up administrative control. What type of money / revenue would be identified in the account? What type of permit fee structure? This type of information has to be listed in the Administrative Regulations. She suggested a committee develop an outline to present to the Office of Legal Affairs, i.e. fee structure, grants, etc. Then the committee would bring it before the membership for approval and she would present it to our Finance and Legal Affairs Office.

Ms. Grulke stated a statewide trail plan needs to be developed prior to Administrative Regulations.

The Administrative Regulations Development discussion was tabled.

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- **Request for Information (RFI) and Trail Master Plan:** *October 22, 2009, The RFI drafted by the Tourism, Arts and Heritage Cabinet be reviewed by the appropriate KRTA committee prior to release.*

Ms. Wilson stated she met with Secretary Sparrow and Matt Osborne. They had thought KRTA would identify what they wanted in the master plan RFI. The Cabinet would then put out an RFI. Ms. Wilson stated KRTA needs to identify the components that need to go in a RFI. Do you want a Global Positioning System (GPS) data, expand existing trails, take an inventory of existing trails and expand those, etc.?

After some discussion it was decided the Community Development Committee would participate with the Cabinet to establish guiding principles at which point the Cabinet to draft a RFI to be presented at the next meeting for review and comment.

- **Procuring Staff and Other Appropriate Infrastructure:** *This is not a motion.*

Ms. Grulke stated one of the proposed legislative bills, created by the Kentucky Horse Council, happened to be an amendment of the KRTA statue which would have allowed KRTA to hire staff and have a separate account. The bill probably will not make it through the legislative committee approval process. She stated Secretary Sparrow is against the concept of the bill; she felt KRTA did not need to be an agency. The definition of agency is very definite. Now the question appears to be can KRTA have an account that will not be swept away? She asked if: creating an account to hold funds for hiring staff that could not be swept away would need to be an amendment to the KRS establishing KRTA. Ms. Crawford stated the KRS says the KRTA account is for your use, but as with all budgets in State government, they are subject to being swept. Ms. Balliet suggested a non profit organization be formed from KRTA.

This discussion was tabled for further review and to study the feasibility of corporate donations.

- **Revenue from ATV Sales Tax:** *It comes as a motion from the Community Development Committee that the Department of Transportation (Kentucky Transportation Cabinet) hold in escrow that revenue generated by House Bill 53 and now held by the Department of Transportation (Kentucky Transportation Cabinet) until an independent KRTA establishes – an accounting structure to accept said funding, through Administrative Regulations for implementation appropriate to the intent of the original legislative action.*

HB 53 09RS – (SFA (5 B. Smith) – Retain original provisions with the following changes: redistribute the \$15 initial application fee for a certificate of title for an all-terrain vehicle so that the county clerk receives \$6, the Transportation Cabinet receives \$5, the Kentucky Recreational Trails Authority receives \$3 for Adventure Tourism initiatives, and the Traumatic Brain Injury Trust Fund established in KRS 211.472 receives \$1.

Mr. Damron reported the fees from application fees for certificate of title for an ATV goes to the Kentucky Transportation Cabinet (KYTC). The fees go toward paying for administrative services though county offices and KYTC.

- **sKYward Trails Investigation:** Tabled

Tri-state Trail Meeting in Knott County: Tabled

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Meeting with Judge / Executives in Eastern Kentucky: Ms. Runyon reported she met with a group of eastern Kentucky Judge / Executives approximately three years ago to discuss a pilot project to build ATV trails in Kentucky and to discuss future marketing. They are still discussing the issue with some landowners. They recognize the economic impact it can make in their community and have identified the challenges and the biggest one being landowner liability. The same group was scheduled to come back together to revisit the project which will include 10 – 12 counties and three states. There are a lot of positive thoughts and potential for the group coming together again. The meeting did not take place; she will be scheduling another meeting with Secretary Sparrow to discuss what the Cabinet and the Judge / Executives can do together to make this happen.

How to Assist in Establishing the Kentucky Mountain Trail Authority: Tabled

Definition of a Pilot Project: Mr. Crowley reported he sent an email identifying a Pilot Project and requested comments and edits of the proposed definition of a pilot project. Tabled

Website Status: Ms. Wilson reported she has sent all of the counties and Convention & Visitor Bureaus (CVBs) a database of all user groups, including attractions or any other adventure tourism type of trails. Asking them to review, add to, and make corrections of the information. She will be sending it to the members for their input to make sure we have all trails listed. This database is the information someone will be utilizing from the website. At this point the website is not user friendly and our goal is to build a much better user friendly and attractive site.

Ms. Grulke stated she would like to see information regarding KRTA: mission statement, goal, minutes, meeting dates, etc. on a web site. Ms. Wilson stated once the operations manual and By-Laws are approved, all of the information will be placed on the website.

Resource Book: Mr. Cardwell reported the "Tool Kit" has not been fully developed. This is something the members can take with them when they talk to someone about a potential trail. Ms. Wilson stated she would work to develop the "kit" and have it ready for review by next meeting.

NEW BUSINESS

Operation Manual: Ms. Wilson reported an Operation Manual has been put together for the members benefit to have all of KRTA current and correct information in one place.

- Mission Statement (draft)
- Short definition of Adventure Travel (draft)
- Core Values (draft)
- Vision Statement (draft)
- Strategic Plan (draft)
- Copies of the Original Executive Order and all Subsequent Legislative Bills Establishing KRTA
- List of KRTA Members and Terms
- List of Committees and Responsibilities (draft)
- By-Laws (draft)
- KRTA Studies
- Minutes and Agendas
- Log of Motions and Recommendations / Studies
- Board Position Responsibilities

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This manual is not complete and most documents are drafts; she asked the members to read over and send, by email, comments and recommendations.

Proclamation: Mr. Crowley made the following motion: The Kentucky Recreational Trails Authority requests a proclamation from Governor Beshear recognizing March 2010 as Shelton Trace month. All interested citizens are encouraged to support efforts by Shelton Trace Association to blaze Kentucky's National Recreation Trail with appropriate signage during March by volunteering time or other resources to accomplish this important task under direction of Shelton Trace Association and USFS Daniel Boone National Forest staff. Mr. Cardwell seconded the motion. Motion carried by voice vote. Ms. Wilson will process the request.

Press Releases: Ms. Grulke asked how a press release would be handled. Ms. Wilson stated they are issued through the Cabinet's Executive Director of Communications.

World Equestrian Games: Ms. Balliet asked if information would be on the website for people attending the World Equestrian Games. Ms. Wilson stated she is working with the Department of Travel on this project and there will be a marketing campaign for the Games for trails as well as other adventure tourism type of activities.

National Trails Day: June 5 is National Trails Day. After a discussion it was decided to invite the Governor and First Lady to participate. Encourage each user group to define what type of event they would like to sponsor and promote through press releases to all counties.

Legislative Bills Introduced Related to Trails:

Ms. Grulke presented House Bill 114, House Bill 173, House Bill 310, and House Bill 312 as proposed legislative bills related to trails. (Document attached to Minutes.)

Ms. Grulke encouraged the members visit the Legislative Research Commission's web site www.lrc.ky.gov to read the bills and recommended members register for Bill Watch: <http://migration.kentucky.gov/services/billwatch/> which is connected to the web site.

Recreational Trails Program: Ms. Grulke asked Ms. McDonald, Department of Local Government, to report on the Recreational Trails Program (RTP) funds (\$1.4 million). Ms. McDonald stated at this time there is nothing to report. They receive on an average 100 applications and an average of one-third will qualify. City and county governments apply and they do allow non-profits to apply.

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NEXT MEETING

After a discussion it was decided to meet the fourth Wednesday every other month beginning February through 2010 or until the By-Laws are approved and another date is determined. The preferred time and place is 11:00 a.m. (ET) at the Salato Wildlife Education Center, One Sportsmen Drive, Frankfort. The following are the scheduled dates:

February 24
April 28
June 23
August 25
October 27
December TBD

Adjournment

With no other business to conduct Ms. Grulke adjourned the meeting.

Virginia L. Grulke, Chair

Mary Jean Atchison, Executive Secretary
Tourism, Arts and Heritage Cabinet