

**KENTUCKY RECREATIONAL TRAILS AUTHORITY  
MINUTES**

**October 22, 2009, 1:00 p.m.**

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

**Members Present:** Virginia L. Grulke, Chair; Judge Executive Carolyn C. Belcher; Ronald D. Caldwell; J. Patrick Collins; Alvin J. Cox; Dennis E. Crowley; E. Lee Davis; W. Preston McLain; Kim Nelson; Sandy Runyon; Jenny Sewell; Marcheta Sparrow, Secretary, Tourism, Arts and Heritage Cabinet; Mark S. Cramer, Department of Fish and Wildlife Resources (designee); Keith Damron, Kentucky Transportation Cabinet (designee); and Kristen Branscum, Department of Agriculture (designee)

**Members Absent:** David L. Campbell; L. M. Caudill; Jerry P. Hancock; Charles Oran Little; D. Brian Patton III; Malcolm C. Winsper; Dr. Len Peters, Secretary, Energy and Environmental Cabinet or designee; and J. Michael Brown, Justice and Public Safety Cabinet or designee

**Guest and Staff Present:** Steve and Karen Barbour, The Sheltolee Trace Association; Rick Clewett and Tim Guilfoile, Sierra Club; Roy M. Cornett, Back Country Horse Association & Horse Council; Becky Raff, Kentucky Resources Council; Karen Armstrong-Cummins, Legislative Research Commission; Jodie McDonald, Department for Local Government; Tourism, Arts and Heritage Cabinet: Matt Sawyers, Deputy Secretary; Barbara Atwood, Executive Director, Office of Administration and Research; William Dexter, Executive Director and Attorney and Melany Crawford, Attorney, Office of Legal Affairs; Mary Jean Atchison, Executive Secretary

**Staff Absent:** Matt Osborne, Executive Director, Intergovernmental Relations (former Kentucky Recreational Trails Authority coordinator)

**WELCOME AND CALL TO ORDER**

Ms. Grulke welcomed everyone, after calling roll she declared a quorum present and 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) April 30, 2009 meeting. Mr. Cox made a motion to approve the Minutes of the April 30, 2009 KRTA meeting. Ms. Sewell seconded the motion. Motion carried by a voice vote.

**DIRECTOR'S REPORT**

Mr. Osborne provided a video report of the following:

*Marketing Update:* The spring marketing campaign has been successful on television and internet advertisements. The television advertisement and the promotional video used at travel shows have been nominated for a state-wide industry award. Budget requests have been made for funds to continue and to expand advertising efforts.

*Land Use Agreements:* The agreements for Knott County are still in negotiations. Conversations for Jeep trails in Henry County and a connector trail to Mammoth Cave National Park in Edmondson County have taken place.

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*Meeting Updates:*

Meetings took place with the following local and regional entities about building trails, in their area and grant applications for funding:

<u>Entities</u>	<u>Agenda</u>
Pike County	develop a county-wide integrated trail system and being included in the route of the Great Eastern Trail and kayaking on the Russell Fork
Perry, Breathitt, Owsley and Leslie Counties	a regional ATV trail
Harlan and Bell counties	multi-county ATV trail
Wayne County	biking and hiking trails
Henry County	Jeep trails
Spencer County	equestrian trails
Letcher County	county-wide multi-use trail
Franklin County	hiking trails and bike routes
Garrard County	equestrian and hiking trails
Kentucky River Area Development District, Executive Board Purchase Area	regional ATV trail system
Development District, Transportation Committee	non-motorized trail connecting the Land Between the Lakes with Paducah Greenway System

Attended the following functions:

Kentucky League of Cities event	presentation
Governor's Local Issues Conference	presentation with First Lady Jane Beshear in attendance

*Dawkins Line – Rails to Trails:* During the 2009 Special Session of the General Assembly House Bill 4 (HB) reauthorized and items from the 2006-2008 budget for the acquisition of the Dawkins's Line Rail Road in Breathitt, Magoffin and Johnson Counties. A Memorandum of Agreement with the Department for Local Government and the Finance and Administration Cabinet is in process. Once it is signed the rail line can be purchased and work will begin with local and state entities for construction.

*Trail Enhancement Book:* A report will be made by the committee.

*Kentucky State Fair:* Our booth was very successful with over 1,500 brochures passed out in the 14 days of the fair.

*Travel Shows:* The Office of Adventure Tourism is scheduled to attend two (2) adventure travel shows, Chicago and Toronto. Both shows were attended last year and we anticipate handing out over 5,000 brochures and 2,500 travel guides.

*Legislative Session:* The General Assembly will meet in January 2010. This year's session will focus mostly on the budget. The Consensus Forecasting Group has estimated Kentucky will be faced with a \$1 billion shortfall for 2011-2012 fiscal year. The Tourism, Arts and Heritage Cabinet (Cabinet) has submitted budget

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requests for marketing and trail development. We will be working with the First Lady's and the Governor's offices throughout the process.

### **GUEST SPEAKER, STEVE BARBOUR, SHELTOREE TRACE ASSOCIATION**

Mr. Barbour stated the Shaltowee Trace Association (Association) is a newly formed grassroots effort with over 500 members. Their purpose is to promote and educate of people in Kentucky about the Shaltowee Trace National Recreational Trail (Trail); also to serve and protect it.

The Association met in September 2009 with the U.S. Forest Service - Daniel Boone National Forest (Forest Service). They have formed a cooperative agreement with the Forest Service for to assist with the maintenance of the Trail.

The Trail, known as a Long Trail, is 282-mile back country trail through Daniel Boone National Forest, Big South Fork NRR, and Natural Bridge, Cumberland Falls, & Pickett State Parks in Kentucky and Tennessee. It encompasses ten counties from the Tennessee State Line through Rowan County and moves on and along many miles of highway connecting many little towns. Kentucky is one of the few states to have a Long Trail (any trail 100 or more miles).

The coming year's goal is to re-blaze, with the assistance of the Forest Service, the entire trail so users will not get lost. Within the next five years their goal, along with U.S. Forest Service, is to move all of the highway miles (about 100 miles) of the trail off of the highways and into the woods. They are also concerned about the Pine Mountain and Great Eastern Trails.

Ms. Grulke stated the national trails may be the backbone to tie all of the trails together and they are important to Kentucky as the state trails.

### **COMMITTEE REPORTS**

Because the Authority does not have a Vice Chair and due to a motion she had to present from her committee Ms. Grulke asked Secretary Sparrow to direct the meeting.

*Community Development Committee:* (Ron Caldwell, ATV; Alvin Cox, Motorcycle; Preston McClain, ATV; Lee Davis, equestrian; and Dennis Crowley, hiking/backpacking) Mr. Caldwell reported the committee had met via conference calls. The committee would like to add more documents to the "tool kit". A state trail plan (a master plan for the state) which is a work in progress.

They looked at a benchmark and other models such as the Hatfield-McCoy Trail System and Virginia's Southwest West Regional Recreation Authority (having legislative authority). They looked at other authorities in the state and how they are set up to see if ideas could be taken from them such as the Kentucky Economic Development Finance Authority and the State Fair Board. There is frustration among the Authority member because there has not been much progress regarding KRTA, however the committee expressed their belief that the Authority had a great deal of talent and could move forward. The committee presented several motions to present.

Mr. Caldwell 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. Mr. Collins seconded the motion. After a discussion Mr. Cramer made a motion to table this motion in order for more

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discussion with the Authority and attorneys. No second was made; Mr. Cramer's motion died. Mr. Caldwell's motion carried by voice vote.

Mr. Cox stated it has been a constant reminder of the inability to take advantage of opportunities for the lack of funds. Legislation has been passed by House Bill 53 (HB 53) for a tax on All Terrain Vehicle (ATV) sales. The funds are held by the Kentucky Transportation Cabinet (KTYC) in escrow. Mr. Cox made the following motion: 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. Motion seconded by Mr. Collins.

Ms. Sewell asked for Mr. Cox's motion to be amended to read: The Kentucky Recreation Trails Authority investigates the revenue generated by House Bill 53, now held by the Department of Transportation, until an independent KRTA establishes an accounting structure to accept said funding through Administrative Regulations, if possible, for implementation appropriate to the intent of the original legislative action. Motion seconded by Mr. Collins. Motion carried by a voice vote.

Mr. Damron will research the revenue at KYTC and how it is being handled.

Mr. Collins made the following motion: It comes as a motion from the Community Development Committee that the KRTA seek appropriate independent funding so as to facilitate our mission and directive. The KRTA budget should be modeled after similar trail authorities such as the Hatfield McCoy Regional Recreation Trail Authority and Virginia's Southwest Regional Recreation Authority. This motion shall in no way conflict, but rather be supplemental to KRS 148.795 (9) (legislation creating KRTA, section nine (9) speaks to sale of permits). Motion seconded by Mr. Caldwell. Motion carried by voice vote.

Mr. Caldwell made the following motion: It comes as a motion from the Community Development Committee that we restructure KRTA in order to increase effectiveness and efficiency by procuring a staff and other appropriate infrastructure to better implement our strategic vision and legislative purpose. Motion seconded by Mr. Cox. Motion carried by voice vote.

*Statewide Stakeholders Network:* (Dennis Crowley, hiking/backpacking; Kim Nelson, coal; and Brian Patton; coal) Mr. Crowley reported the committee had not met however Authority members will receive a list of categories of "stakeholders / partners" and ask each to return their own list of specific groups, organizations, agencies, etc. that should be listed in each category. The list will be compiled for the next Authority meeting. Stakeholders are partnership between state, federal, community, etc.

Authority members will also receive a list of issues which we have identified (to date). These are primarily issues for non-motorized user groups. Authority members are asked to respond with additional issues. The list will be compiled for the next Authority meeting.

The committee will look at the compiled data and make appropriate motions at the next authority meeting.

*Financial Management Committee:* (Mark Cramer, Fish and Wildlife Resources; and Ginny Grulke, equestrian) Mr. Cramer stated after hearing the reports of the Community Development Committee the structure of the

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committees be reviewed because some of the same issues previously addressed by the Community Development Committee possibly should have come through this committee.

In the discussion of the makeup of a committee legal council was consulted. Mr. Dexter recommended the KRTA establish bylaws because this could be addressed within the bylaws. Ms. Grulke stated she would work on a set of bylaws for KRTA.

The committee discussed what needs to be done to move forward. They talked about looking into having an infrastructure set up where there could be permits and permittees. Before this can happen research needs to be done on what is working with other trail authorities throughout the country and what can happen in the future in terms of trail implementation, landowner, etc.

*Trail Management Committee:* No report.

*Board Management Committee:* (Ginny Grulke, equestrian) Ms. Grulke stated all of her report could actually be addressed by bylaws. She presented the following board polices to be adopted:

1. KRTA meetings shall be conducted according to Roberts Rules of Order.
  - Legal council has been asked to research other types of Order that possibly would not be so stringent.
2. A motion shall be considered to pass if a simple majority of those present votes in favor of the motion.
3. A KRTA member may send a proxy to a meeting when they are not able to attend, provided the proxy is from the same organization or the same user group as the member. A proxy can only be sent a maximum of twice per year.
  - Legal council has been asked to research this issue because of the legislation and description of KRTA membership.
4. Committees shall be used primarily for providing ~~direction~~ research for the ongoing work of the Authority (KRTA). Committees shall bring motions to the Authority for action, and KRTA staff will implement those directives which are passed by the Authority.
  - Legal council has been asked to research this issue.
5. Communications shall be a key part of the KRTA's operations, and shall include an up-to-date web site, press releases, and brochures.
  - The Governor has directed the website to be move to the top of the queue. KY.gov is working on it and should see the new web site in the next three (3) months.
  - Budget issues maybe an issue regarding brochures.

Ms. Sewell made the following motion: KRTA to research other Authorities and address the overall objectives and create bylaws that would be appropriate to the umbrella guidelines of the legislative creation of KRTA. Through the general objectives outline and define the committees. Ms. Grulke should be the head of this effort and work with legal council. Mr. Cramer seconded the motion. Motion carried by voice vote.

### OLD BUSINESS

*Master Plan:* Secretary Sparrow stated the Cabinet is preparing to do a Request for Information (RFI) to do the Master Plan. Deputy Secretary Sawyers stated we need to decide what the target is and how much money we need to find. Then we can look for grant opportunities.

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Mr. Collins made the following motion: The RFI drafted by the Tourism, Arts and Heritage Cabinet be reviewed by the appropriate KRTA committee prior to release. Motion seconded by Mr. Cox. Motion carried by a voice vote.

*KRTA Member Appointments:* Ms. Grulke announced members whose terms have expired are still considered active members until they have been notified by the Governor's Office of Boards and Commissions.

**NEW BUSINESS**

*Mammoth Cave Horse Trails:* Mr. Davis expressed the need to move forward with the acquisition of the easements from the property owners in order to move forward with construction. Secretary Sparrow stated the Cabinet's legal council will meet with him to move forward with the trail.

*Henry County Jeep Trails:* Report given with Director's Report

*New Private Lands:* One of the reasons KRTA was put into place was to identify new private lands. Ms. Grulke stated KRTA needs to start identifying these properties and work with the owners and Cabinet.

Ms. Runyon made the following motion: KRTA request a detailed report from Matt Osborne of the property owners he has contacted to-date. As we proceed the Tourism, Arts and Heritage Cabinet will provide KRTA with an on-going list of property owners contacted. Ms. Sewell seconded the motion. Motion carried by a voice vote.

**ANNOUNCEMENTS**

Secretary Sparrow announced Matt Osborne will no longer be Director for Adventure Tourism. His position has changed to Executive Director of Intergovernmental Relations. The Cabinet has hired a new Director of Adventure Tourism who possibly will start November 16, 2009.

**NEXT MEETING DATE**

<u>Date</u>	<u>Agenda</u>
November 19, 2009, 1:00 a.m., EST (tentative) Conference call	Legislation
January 28, 2010, 11:00 a.m., EST Salato Wildlife Education Center, Frankfort Regular meeting	

**ADJOURNMENT**

With no other business to conduct Ms. Grulke asked for a motion to adjourn the meeting. Mr. Cardwell made a motion to adjourn the meeting; seconded by Mr. Crowley. Motion carried by a voice vote.

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Virginia L. Grulke, Chair

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