

KENTUCKY RECREATIONAL TRAILS AUTHORITY
MINUTES
December 11, 2008, 11:00 a.m.

Salato Education Center
One Sportsman Drive
Frankfort, Kentucky

Members Present: Virginia L. Grulke, Chair; David L. Campbell; Ronald D. Cardwell; J. Patrick Collins; Alvin J. Cox; Dennis E. Crowley; Jerry P. Hancock; Charles Oran Little; W. Preston McLain; Kim Nelson; Sandy Runyon; Marcheta Sparrow, Secretary, Tourism, Arts and Heritage Cabinet; Darin Moore, Department of Fish and Wildlife Resources (designee); Bill Burger; Environmental and Public Protection Cabinet (designee); and Kristen Branscum, Department of Agriculture (designee); and Keith Damron, Kentucky Transportation Cabinet (designee)

Members Absent: Judge Executive Carolyn C. Belcher; L. M. Caudill; E. Lee Davis; D. Brian Patton III; Jenny Sewell; and Malcolm C. Winsper; and J. Michael Brown, Justice and Public Safety Cabinet

Guest and Staff Present: Dr. Michael Harford, Morehead State University; Becky Raff, Kentucky Resources Council, Frankfort; Joel Little, Kentucky Appalachian Outdoor Adventures, Grayson; Jeff Harper, Kentucky Farm Bureau, Louisville; David Tipton, Kentucky Transportation Cabinet, Lexington; Kay Berggren, Kentucky Tourism Council, Frankfort; Mindy Taylor, Kentucky Rail Trail, Bluegrass Cycling Club, and Clark County Saddle Club, Winchester; Mardy Smith, Kentucky Quarter Horse Association and Spencer County Trails, Fisherville; Lynn Tatum, Development Board, Rockcastle County; Rick Clewett, Sierra Club; Sherry Otto, Sierra Club; Larry Davis, Marshall County Health Department and ATV Safety Institute, Benton; Wes Clark, Franklin County Health Department and ATAV Safety Institute, Frankfort; Gary Grant, Kentucky Mountain Crawlers and 4 x 4 Truck Club, Baxter; Grant Baker, Jr., Kentucky Mountain Crawlers, Harlan; Ronnie Daniels, Kentucky Community and Technical College System, South East College and Kentucky Mountain Crawlers, Harlan; Jody McDonald, Department of Local Government; Susan Rieber, First Lady's Office; Tourism, Arts and Heritage Cabinet: Matt Osborne, Director, Adventure Tourism; David Lovelace, Executive Director, Office of Governmental Relations and Tourism Development; Mona Juett, Program Coordinator, Office of Intergovernmental Affairs; Melany Taylor, Attorney and William Dexter, General Counsel, Legal Affairs; Barbara Atwood, Executive Director, Office of Administration and Research; Mary Jean Atchison, Executive Secretary, Secretary's Office

WELCOME AND CALL TO ORDER

Ms. Grulke welcomed everyone and 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 October 16, 2008 meeting. Mr. Burger made the motion to approve the October 16, 2008 Minutes and Mr. McLain seconded. Motion carried by voice vote.

DIRECTOR'S REPORT

Mr. Osborne reported he recently attended the following events:

- Recently attended the National Trails Symposium in Little Rock, Arkansas
- Harlan County Adventure Tourism meeting
- Department of Fish and Wildlife Resources Committee meeting
- Group from the Health and Family Services called PFK Built Environment which focuses on roadways and walking paths as safe routes to school. They want to expand recreational opportunities for the communities.

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- Leadership East Kentucky – to generate positive values regarding *Adventure Tourism*
- B.I.K.E meeting in Danville – their goal is to build additional pathways/bikeways in the Community
- Attended Kentucky Sports Authority meeting

He will be attending the upcoming events:

- *Adventure Tourism* 101 in Campbell County, December 19, 2008
- Clay County Industrial Park
- Adventure Tourism Expo in Chicago – the Tourism, Arts and Heritage Cabinet (TAHC) will market Kentucky as an adventure tourism destination
- Geo-Caching Conference, Lake Cumberland State Park
- Perry County ATV Trails Board Meeting

Update on the following:

- Currently working on the web site as a marketing initiative with Kentucky Interactive
- A travel booth has been created
- A brochure has been created
- Mapping initiative is being continued with the help of the Department of Local Government and working with Homeland Security to gather data

Current projects:

- Cross Kentucky Trails Program – to help facilitate the acquisition of land for the Kentucky Recreational Trails Authority (KRTA) to build additional trails. TAHC will undertake an advertising campaign that will begin hopefully in the summer of 2009.
- Grants – Recreational Trails Program – Applications are online (www.dlg.ky.gov) and open from December 1, 2008 to February 1, 2009
- Land and Water Conservation Fund – Applications are online (www.dlg.ky.gov) and open from December 15, 2008 to March 1, 2009

SPECIAL PRESENTATION

Senate Bill 196 provides:

Wildlife Management Areas (WMA) - Mr. Moore discussed the three types of WMAs:

- Wildlife Management Areas – these are supported by Wildlife Recreational Grants. The Department of Fish and Wildlife Resources (DFWR) receive Federal funds to manage or purchase land with restriction on them. There are about 540,000 acres in WMA available to public access.
- Landowner Cooperation Permit Program: (KRS 150.178) a landowner must own or lease at least 5,000 acres of land and enter an agreement with DFWR to allow the public access for hunting for at least five years.
- Hunting Access Agreement: This is the most traditional and landowner specific. DFWR works specifically works with the landowner for a specific purpose, i.e. quota hunts; certain species hunted; mobility of impaired hunt, etc.

He stated there are several comparisons/considerations to setting up a WMA as to a recreational trail that should be met:

| | |
|----------------------------------------------|-----------------------------------|
| 30 minute drive to/from several locations | habitat |
| staff/management | future and expansion needs |
| easements | types |
| environmental historic issue | landowner - explaining thoroughly |
| funds available | land value |
| focus on what area of state needing trail(s) | |

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OLD BUSINESS

KRTA Internal Work Groups

Ms. Grulke opened the KRTA Internal Work Groups up to discussion. It was decided there were too many groups and the members need to determine what should be the key groups can best guide the Authority. It was decided to meet as full joint Work Groups and focus only on a Strategic Plan and Bylaws, Thursday, January 22, 2009, 1:00, EST, at a location TBD.

Trespassing Recommendations

Mr. Osborne presented the Authority with the proposed recommendations to reduce ATV trespassing from Dr. Michael Hartford's study, *Trespass as a Barrier to Trail Development*, which will to be submitted as required to the Legislative Research Commission. The following seven recommendations were made:

1. Information development
2. Trespass law
3. Education
4. ATV rider and machine controls
5. Posting and signage
6. Law enforcement coordination
7. Trail and riding area development

Based on the study the workgroup assigned to this project suggest the KRTA recommend the following items be submitted to the Legislative Research Commission:

Additional Education

- Additional education on the law of trespass and how to prevent trespassing
- Users, through safety training courses, schools, agriculture extension agents, ATV rider groups, etc.
- Landowners, on the methods of trespass protection and to address trail development in their area through Public Service Announcements, printed materials and groups with interest

Postage and Signage

- Signage marking private land
- Example, paint on trees marking a property line
- Signage to direct riders to and along lawful riding locations

Amend Existing Trespass Law

- Clarification of "conspicuous posting" in KRS 511.090
- Amending the language of "railtrail" to recreational trail" for clarity in KRS 511.090

Enforcement

- Provide law enforcement officers with proper equipment and avenues for coordination
- Develop a uniform system of coding and a toll-free number of reporting trespassing offenses by ATVs allowing knowledge of the extent and location of the problem

Mr. Burger made a motion to send the recommendations to the Legislative Research Commission; seconded by Mr. Collins. Motion carried by voice vote.

NEW BUSINESS

Otter Creek Park, Louisville

Mr. Collins stated the Park, owned by Louisville Jefferson County Metro Government, is being closed due to a budget shortfall for the Metro Government. There are about 3,000 acres adjacent to Ft. Knox, 25 miles of bike trails and currently 13 miles of open equestrian trails. Plus several other facilities used by the public. This park is used by thousands of people from everywhere and personnel from Ft. Knox. Mr. Collins has asked the KRTA to make a statement asking the Mayor of Louisville to reconsider the closing of Otter Creek Park.

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Mr. Burger suggested a motion the KRTA, along with legal advice; design a Resolution to establish what the guidelines would be for proceeding forward in developing language for what we can do and cannot do.

Mr. Collins read the following Resolution:

Whereas Otter Creek Park is a significant resource for recreational trail use to the residents of the Commonwealth and visitors

and

Whereas Otter Creek Park has been identified for potential closure by Louisville Metro Government

Whereas the KRTA is vitally interested in supporting programs for recreational trail development

Be it therefore resolved that the KRTA wishes to research issues relating to the future of Otter Creek Park, including the potential partnership with other private and public entities to promote continuation of operations at the park, recognizing the Commonwealths present inability to provide financial assistance and management oversight.

Mr. McLain made a motion that the KRTA adopt the Resolution read by Mr. Collins and seconded by Mr. Burger. Motion carried by voice vote.

State Government Budget

Secretary Sparrow stated that Governor Beshear announced that state government agencies are being asked to cut their budgets another four percent (4%) due to budget shortfalls. He feels confident that we will get through the deficit in the state budget; however it will require all of state government working together to accomplish this task.

Authority Policies and Procedures

Ms. Grulke stated Authority policies and procedures would be discussed at the Internal Work Group session January 22, 2009.

Adjournment

With no further business to discuss Ms. Grulke asked for a motion to adjourn. Mr. Burger made the motion to adjourn; seconded by Mr. Caldwell. Motion carried by voice vote.

Virginia L. Grulke, Chair

Mary Jean Atchison, Executive Secretary