

**Kentucky Recreational Trails Authority Meeting Minutes**  
**Wednesday, December 6, 2006 – 11:00 a.m.**  
**Location: Frankfort Convention and Civic Center**

**Members Present:** Kristen Branscum (Chair), Sandy Runyon, Judy Piazza, Pat Collins, David McChesney (proxy for Mark Cramer), Malcolm Winsper, Jerry Hancock, Dan Barnett (proxy for Tim Hazlette), Preston McLain, Ron Cardwell, Lisa Rudzinski (proxy for Jeff Hancock) and Alvin Cox.

**Members Absent:** Mike Caudill

**Guests:** Henry Curtis (Commerce Cabinet Legal Staff), Donna McClure (Senator McConnell's Office) and David Pinson

**Staff Present:** Regina Wood; Danielle Landolt; and Kristin Meadors

**I. Call To Order**

The meeting was called to order at 11:05am by Kristen Branscum, Chair.

**II. Roll Call**

- a. Twelve members were present, which meets the seven needed for quorum.
- b. Dan Barnett was in attendance to represent Tim Hazlette from KYTC
- c. David McChesney was in attendance to represent Mark Cramer, KDFWR
- d. Lisa Rudzinski was in attendance to represent Major Hancock, KSP

**III. Approval of 9/28/06 Meeting Minutes**

There were no comments or edits on the September 28th meeting minutes. A motion for approval was made by and a second by. The minutes were passed with unanimous approval, no nays or abstentions.

**IV. Adoption of 12/6/06 Agenda**

There were no changes to the agenda; A motion to adopt the agenda as is was made by Alvin Cox and seconded by Malcolm Winsper. The agenda was passed with unanimous approval, no nays or abstentions.

**V. Welcome and Introductions**

All guests and staff in attendance introduced themselves.

**VI. Agenda Item: Daniel Boone NF Trail System Update**

Jerry Hancock reported on trail systems in the Daniel Boone Red River Gorge Area.

*Key Points:*

- The last meeting was Step 6 out of Step 8 to get input from various interest groups regarding the trail systems. This is part of a 5 year plan
- There was discussion about keeping some trails & existing roads open for ATV use since they are having erosion & illegal use problems from ATV use currently. There is nothing legally open for motorized vehicles on the DBNF now.
- Currently, there are 197 miles of trails open which is down from 1,000
- A group is trying to get an equine campground by the job center in Frenchburg on Highway 77. The US Forest Service does not have the money to build the campground but would be willing to let someone use the land.

*Action:*

Hancock will let the board know about the next meeting of this group

**VII. Agenda Item: ARC Adventure Tourism Plan study RFP Discussion**

Kristen Branscum gave an overview of the ARC Adventure Tourism Plan for Eastern KY study RFP that was on the state's eprocurement website so consultants can submit their

proposals. This study was mandated by Governor Fletcher in order to assist Eastern Kentucky develop their adventure tourism market which includes: multi-use shared trail systems, wildlife viewing, paddlesports, hiking/trekking, biking, etc.

*Key Points:*

- The RFP closes on December 7 at 2pm. All consultant proposals have to be submitted at this time for consideration. Branscum noted that she hopes to have these proposals scored and to begin the contracting of the selected consultant as soon as possible so that they can begin work.
- Governor Fletcher asked that this study be completed by June 1, 2007 so that these communities can utilize this plan & the GOLD Flex-E grants attached to the ARC grant before their fiscal years start on July 1.
- Branscum discussed in some detail about the specifics of the plan and the selection criteria for the counties involved. Since there are so many ARC designated counties and a limited amount of funding, Branscum said they had to find some way to clearly choose counties for the study. The initial group of counties will be those ARC designated counties in Tourism Regions 8 & 9 which are known as Kentucky's Appalachians and Daniel Boone Country.

*Action:*

Branscum will keep the board updated on the progress of this study and its findings as it moves forward.

**VIII. Agenda Item: Legislative Update**

a. KDFWR's bill for the 2007 session based on the former SB241 from the 2006 session

Branscum and David McChesney from KDFWR discussed this bill which will be filed for the 2007 session. It is the same language from SB241 which was filed in the 2006 session.

*Key Points:*

- This legislation allows government on all levels to enter into recreational use agreements with private landowners & still be able to use KRS 411.190.
- It also further defines the types of recreational uses, including ATVs & wildlife viewing
- This is a great piece of legislation that will open up many acres of private land which can be used for recreation.
- Fish and Wildlife are sponsoring the bill and are ecstatic about its promise.
- This legislation will be especially beneficial to agencies such as Fish & Wildlife and local municipalities that wish to have smaller trails.
- It is important to note that this bill is separate and has a separate purpose from the KRTA proposed legislation although it will help KRTA.

*Action:*

All members of the board felt as if this legislation would be beneficial to trail systems throughout Kentucky were in favor of its purpose.

b. KRTA proposed Legislation for the 2007 session

Branscum discussed some proposed legislation that KRTA could support that would strengthen its efforts especially when it comes to developing multi-county, multi-use shared trail systems.

*Key Points:*

- The liability issue can never be truly resolved because anyone can be named in a suit at any time.
- Through this legislation, the KRTA is looking to be given new authorities and powers that would allow it to help clear the way for any multi-county shared trail initiatives.
- The general overview of the legislation is that it would give the KRTA corporate powers that are similar to the KY Horse Park, which includes powers to enter into landowner use agreements.
- It would also allow for the powers of the KRTA to be transferred to multi-county trail systems so that they can operate on a local level but have oversight at the state level. It is imperative that the trail systems be operated and managed at the local level since this will be on private land. This system allows for future trail systems across the state to benefit.

- The KRTA would be a governmental agency which helps the multi-county trail systems regarding liability because a non-profit group made up of local communities is not covered by sovereign immunity like state agencies are.
- This legislation also allows for a reasonable fee to be charged to any KRTA recreational area for its use.
- The legislation includes the ability for trail rangers that would patrol KRTA recreational areas.
  - For review/discussion purposes, the statute language that pertains to the State Park rangers. Lisa Rudzinski representing the KY State Police asked if we could make the language pertaining to this section general so that down the road we could work on the details. She said she thought the KSP would have an interest in discussing this particular subject further. All agreed and it was noted that before this legislation is filed that the policing language be vague for the time being.
- There was discussion about how to proceed with this legislation. Judy Piazza mentioned that given this was a short session that we needed to have everything in order by the second week of January. The group agreed to move forward and get a bill sponsor as soon as possible.
- There was also group discussion that when this legislation is ready to be filed and there is a sponsor that everyone on the board and their respective interest groups be given a list of legislators to contact and give support to.

*Action:*

Kristen Branscum made a motion for the group that they find a bill sponsor for this legislation; the assigned LRC individual to the legislator could take this draft language and make it "fit"; the LRC rep and the bill sponsor, if possible would come to the next meeting to present the draft; and at the next meeting, the board would review the LRC draft of the KRTA legislation and give its official opinion and sign off at that time. The motion was seconded by Ron Cardwell.

Branscum also said that she would report any updates to the board regarding this draft legislation if it occurs before the next meeting date. Alvin Cox said that he and he thought other board members would be willing to come to any meetings regarding the legislation in the interim should they need to.

**IX. Agenda Item: New Business**

Ron Cardwell brought up the opportunity we have to bring an ASI Safety coordinator in to discuss their program & to have a demonstration of their safety course. The Board agreed to do this sometime in the spring when the legislative agenda is over.

Preston McLain showed the group the Guinness Book of World Records certificate that was awarded to Harlan for the longest ATV parade.

**X. Set speakers, agenda items & time for next meeting**

The next meeting is scheduled for Wednesday, January 17 at 11:00 in Frankfort at the Frankfort Convention Center meeting rooms.

The board wants to have the individual that sponsors the KRTA proposed legislation to be in attendance as well as a LRC person for final discussions and board sign off.

**XIII. Adjournment**

Kristen Branscum made a motion to adjourn the meeting. The motion was seconded by several members.

The meeting was adjourned at 2:05 p.m.