

**BOARD OF UTAH STATE PARKS AND RECREATION MEETING
EDGE OF THE CEDARS STATE PARK MUSEUM
BLANDING, UTAH**

October 9, 2008

Present:

Karl Bentley, Vice Chair	Lois Bulloch	Marty Ott
Bill Bleak	Joe Hull	Glenn Greenhalgh
Mary Tullius	Mark Forbes	Bruce Hamilton
Wendy Griffith	Bob Hanover	Fred Hayes
Tim Smith		

Vice-Chair Karl Bentley welcomed board members and staff to the Utah State Parks and Recreation Board meeting.

Vice-Chair Bentley reviewed the agenda and noted there are two items that will not be discussed today. They include the Fee Increases and Gael Hill's presentation. He asked board members for approval of the board agenda as presented, with the noted changes.

MR. BILL BLEAK MADE A MOTION THAT THE BOARD APPROVE THE STATE PARKS AND RECREATION BOARD AGENDA, WITH THE NOTED CHANGES. MR. JOE HULL SECONDED THE MOTION AND IT CARRIED UNANIMOUSLY.

Approval of Minutes

Vice-Chair Bentley asked board members for review and approval of the June 13, 2008 board meeting minutes. Mr. Joe Hull noted that in the minutes, Page 5, under the "Board Reports" section, it should read Weber County rather than Morgan County.

MR. JOE HULL MADE A MOTION THAT THE BOARD APPROVE THE MINUTES OF THE JUNE 13, 2008 BOARD MEETING, WITH THE NOTED CHANGE. MR. BILL BLEAK SECONDED THE MOTION AND IT CARRIED UNANIMOUSLY.

Board Member Reports

Vice-Chair Bentley asked the board members to report what has happened in the parks in their respective areas since the last board meeting.

Board Member Lois Bulloch mentioned that Iron Mission State Park Museum is still holding meetings to discuss the name change. Once that has been decided, it will be brought to this board for approval.

Board Member Joe Hull said he has been to Antelope Island State Park a couple of times since the last meeting. He attended the Balloon Fest there and mentioned the Bison Roundup will be held in a few weeks. He mentioned the Antelope Island RMP should be ready to present to this board at the next meeting.

Board Member Glenn Greenhalgh said he has been involved in the Yuba RMP process and will also be involved in the Wasatch Mountain RMP process. He has driven through several of the parks in his area just to look at them.

Board Member Bill Bleak has nothing to report.

Board Member Marty Ott has nothing to report.

Vice-Chair Bentley said he has been to Scofield State Park fishing and the park looks very good. He has also driven through Millsite and it also looks good. He has been golfing at Green River many times and said they do a great job of taking care of the park.

Director's Report

Director Mary Tullius mentioned that board members have been receiving the weekly reports to inform them of what is going on in the parks. One of the most impacting events that has taken place since the last meeting is that all state offices have gone to four, ten-hour days. It is working okay for now. Our office is staffed from 7:00 a.m. until 6:00 p.m. The administration must still be available to the parks seven days a week. We have been asked to try to measure the complaints and phone calls we receive during 7:00 and 8:00 a.m. and also 5:00 and 6:00 p.m. Park Manager Bob Hanover mentioned the only issue he has heard so far is that the Reservations office is not available on Fridays. We are in the process of looking for a new system for reservations.

We had the Governor at Antelope Island during his annual rural road trip. He was able to discuss the history of the Great Salt Lake. The day after that, he visited Bear Lake. We were able to talk to him about the new Bear Lake Marina project. Director Tullius and DNR Director Mike Styler had a meeting with Senator Hillyard following that visit. They were asked to put together some numbers for the cost of this; the handout was given to the board members.

We submitted our number one capital improvement complete renovation project, which is Wasatch Mountain State Park. We don't know the ranking of this project yet; they will make that decision on October 16, 2008. A handout was given to the board members of the request for this project.

We have a partnership with the Bureau of Reclamation for \$1 million in matching funds each year. We have had some issues with that this year, but Director Tullius is trying to work through them.

We had the Natural Resources Sub-Committee at Utah Lake for a tour. Chair Parson asked to see some information on what our construction projects have been. Handouts were given to the board members for fiscal years 2006, 2007, 2008, and 2009.

We have just completed some public PSAs with the Governor regarding the Protect Your Privilege and Stay on the Trail Campaign.

Deputy Director Bruce Hamilton reported that we have had a typical summer, with a number of search and rescue incidents. Our staff were the first to respond to the plane crash right outside of Moab and also at Bear Lake. We have been short-staffed, especially ranger positions. Boating Coordinator Dave Harris and Boating Education Coordinator Chris Haller have been helping at several different parks during the summer. There are several RMPs in process right now. Mr. Hamilton encouraged the board members to participate in the RMP process when possible. We have asked staff to step up and hold special events in their parks. The staff have done a great job with this and we have seen increased visitation and revenue as a result. He discussed some of the events that have been held, including triathlons, youth camps, etc. Howard Thornton retired from the Northwest Region Crew after 30-plus years of service. We have six rangers in POST right now. He discussed upcoming events, such as the bison roundup at Antelope Island. We are streamlining our Boating/OHV section a little bit. Ann Evans has been asked to coordinate the boating and OHV education.

Deputy Director Mark Forbes reported that we had a very good June as far as revenue. Due to the wet spring, we didn't hit our target for revenue for the prior fiscal year. The marketing program will be taking a budget cut this year. We are trying to be very innovative with marketing. We are working hard on our website. We will rely heavily on the website for advertising and marketing. Mr. Forbes suggested the board members refer to their board packet to see some of the reservations trends. We are starting to do a lot of work with the individual parks Friends groups. They have been very successful. We are getting serious about business plans right now. We have several that will be completed before the end of the year.

Budget and Legislative Update

Director Mary Tullius handed out the FY 2010 Building Blocks that were submitted this year. Our number one budget request is increasing our appropriation so we can spend more of our restricted funds. We are not asking for any general fund dollars, we are just asking that we be able to increase our restricted funds. She reviewed the remaining requests: 2) dock maintenance for rental slips; 3) campground electrical upgrades; 4) park enhancement program; and, 5) park renovation campaign. Director Tullius gave the board members a handout regarding our restricted funds.

Director Tullius reported the only piece of legislation we will be running this year is the cap increase for the OHV tax.

Off-Highway Vehicle Rule Changes

OHV Coordinator Fred Hayes presented the proposed rule changes for the OHV section. He reviewed the background of these rules. He is asking that the rule be revised to read as follows:

R651. Natural Resources, Parks and Recreation.

R651-634. Nonresident OHV User Permits and Fees.

R651-634-1. User Permits and Fees.

Except as provided below, any nonresident owning an off-highway vehicle, who operates or gives another person permission to operate the off-highway vehicle on any public land, trail, street or highway in this state, shall pay an annual off-highway vehicle user fee

1. A decal will be issued which proves payment has been made. The decal will then be displayed on the off-highway vehicle as follows: On snowmobiles, the decal shall be mounted on the left side of the hood, pan or tunnel. On motorcycles, the decal shall be mounted on the left fork, or on the left side body plastic. On all-terrain vehicles, the decal shall be mounted on the rear of the vehicle. Vehicle types are defined in 41-22-2 UCA. In all instances, the decal shall be mounted in a visible location. The decal shall be non-transferable.

2. A receipt will be issued with the decal indicating the fee paid, the Vehicle Identification Number (VIN) of the off-highway vehicle, and the off-highway vehicle owner's name and address. This receipt shall remain with the off-highway vehicle at all times.

3. Fees charged will be in accordance with S.B. 14 (1999 Utah Laws 1, effective July 1, 1999), and H.B. 51 (2004 Utah Laws, Chapter 314, effective July 1, 2004) which state that the off-highway vehicle user annual fee will be \$30 per year.

4. Nonresident OHV user permits shall continue in effect for a period of 12 months beginning with the first day of the calendar month of purchase, and shall not expire until the last day of the same month in the following year.

Applicants for a nonresident OHV user permit shall provide evidence that the applicant is the owner of the off-highway vehicle, and is not a resident of Utah. Such evidence shall include:

a. A government issued identification card showing the state of residency of the off-highway vehicle owner, and one of the following:

(1) A title or certificate of registration from a state other than Utah.

(2) An original bill of sale; or

b. A sworn affidavit stating that the off-highway vehicle is owned by a nonresident of the State of Utah. The affidavit must state the name and address of the vehicle owner, and a description of the off-highway vehicle, including the Vehicle Identification Number (VIN).

Off-highway vehicles currently registered in a state offering reciprocal operating privileges to Utah residents shall be exempt from the nonresident user fee requirements of this rule. The Division shall maintain a list of states offering reciprocal operating privileges to Utah residents. This list shall be updated at least annually.

Provisions of this rule shall not apply to off-highway vehicles exempt under 41-22-35(1)(b)(i), or to off-highway vehicles participating in scheduled competitive events sponsored by a public or private entity, or in noncompetitive events sponsored in whole or in part by any governmental entity.; or to Street Legal All-terrain Vehicles as defined in 41-6a-102(61), and registered for highway use in a state that offers reciprocal highway operating privileges to Utah residents operating Street Legal All-Terrain vehicles.

KEY: parks

Date of Enactment or Last Substantive Amendment: [January 2, 2007]November 7, 2008

Notice of Continuation: July 1, 2005

Authorizing, and Implemented or Interpreted Law: 41-22-35; 63-11-17

MR. GLENN GREENHALGH MADE A MOTION THAT THE REQUESTED CHANGES TO RULE R651-634 NONRESIDENT OHV USER PERMITS AND FEES BE APPROVED AS PRESENTED. MR. JOE HULL SECONDED THE MOTION AND IT CARRIED UNANIMOUSLY.

OHV Coordinator Hayes presented the second rule change for the OHV section. He reviewed the background of this rule. He is asking that the rule be revised to read as follows:

R651. Natural Resources, Parks and Recreation.

R651-301. State Recreation Fiscal Assistance Programs.

R651-301-1. Authority and Effective Date.

(a) These rules are established as required by 63-11a-501, and 63-11-17.8, and apply to the following state funded recreation fiscal assistance programs:

(1) Trails and Pathways

(2) Off Highway Vehicles

(3) Off-highway Access and Education

(b) These rules govern procedures for fiscal assistance applications, priorities, and project selection criteria commencing on or after April 15, 2000.

R651-301-2. Definitions.

(a) "Advisory Council" means the Recreational Trails, and Off-Highway Vehicle Advisory Councils.

(b) "Board" means the Utah Board of Parks and Recreation.

(c) "Division" means the Utah Division of Parks and Recreation.

(d) "High density population" means areas in the state where people are grouped in communities, towns, or cities, and where the majority of residents live in the area, regardless of community size.

(e) "Public comment" means a survey of residents, bond election, written comments, or open public meeting designed to give input to the decision making process from the general public.

R651-301-3. Fiscal Assistance Application Process.

(a) Deadline for submission of applications is May 1 annually. Submissions post-marked on or before that date will be eligible for funding consideration.

(b) Applications are to be submitted on a form to be provided by the Division.

Eligible applicants will be notified by mail of the application deadline and procedures at least 45 days prior to the deadline.

(c) Applications must be submitted to:

Utah Division of Parks and Recreation

Attention: Grants Coordinator

1594 West North Temple, Suite 116

Salt Lake City, Utah 84114-6001

(d) Eligible applicants include:

(1) Trails and Pathways Program

(i) Federal government agencies

(ii) State agencies

(iii) Cities and towns

(iv) Counties

(v) Special Improvement Districts

(2) Off-Highway Vehicle Program

(i) Federal government agencies

(ii) State agencies

(iii) Cities and towns

(iv) Counties

(v) Organized User Group (as defined in U.C.A. 41-22-2(15))

(3) Centennial Non-Motorized Paths and Trail Crossings Program

(i) State agencies

(ii) Cities and towns

(iii) Counties

(4) Off-Highway Access and Education Program

(i) Charitable organizations meeting the requirements set forth in 41-22-19.5(6) UCA

R651-301-4. Fiscal Assistance Program Requirements.

(a) **Except as provided herein**, All programs require a 50/50 match.

(b) An applicant's match may be in the form of cash, force account labor, equipment, or materials; donated materials and labor or donation of land from a third party to be exclusively used for the proposed project. The value of donated labor will be based on a general laborer rate, unless the person is professionally skilled in the work being performed on the project. When this is the case, the wage rate normally paid for performing this service may be charged to the project. A general laborer's wages may be charged in the amount of that which the project sponsor pays its own employees having similar experience and performing similar duties. Donated materials and land will be valued at the fair market value based on an appraisal that is approved by the Division.

(c) Recreational trails that are on lands under the control of the Division must comply with Section 63-11a-203, and require public hearings in the area of proposed trail development.

(d) Program funds may be used for land acquisition, development, and planning.

Off-highway vehicle funds may also be used for **education**, operation and

maintenance. **Projects funded with Off-highway Access and Education**

Program funds must be designed to protect access to public lands by motor

vehicle and off-highway vehicle operators and to educate the public about appropriate off-highway vehicle use. No administrative or indirect costs are allowed.

(e) Not more than 50% of program funds may be advanced to the project sponsor, and only after official notice to the Division is made by the sponsor that project costs will be incurred within sixty (60) days.

(f) No more than 50% of the monies available to the Centennial Non-Motorized Paths and Trail Crossings Program in a fiscal year may be allocated to a single project, except upon unanimous recommendation of the Recreational Trails Advisory Council.

(h) (g) The balance of funding shall be provided to sponsors at the project completion, and only after a final accounting is made to the Division of total 35 project costs.

(h) Off-highway Access and Education Program funds are exempt from the matching requirements of this rule.

R651-301-5. Project Selection Procedures.

(a) Advisory Councils shall make recommendations to the Division concerning the project selection criteria and the priority of projects selected for funding.

(b) The Division shall review all eligible applications, evaluate projects based on priority criteria, and submit project description information, proposed funding recommendations and justification to the appropriate Advisory Council for review and comments.

(c) The Board shall select and approve projects based on recommendations from the Division and Advisory Councils, which may be in the form of joint or separate recommendations.

R651-301-6. Priorities and Project Selection Criteria.

(a) All applicants shall be evaluated on administrative considerations, such as prior project performance and proper use of funds.

(b) All applications shall be evaluated on meeting legislative intent, and meeting outdoor recreation needs.

(c) All applications shall be evaluated on cooperative efforts of the project among agencies and user groups. This includes, but is not limited to, cooperative funding.

(d) Location of the proposed project site shall be evaluated based on proximity to the majority of users, adequacy of access to the site, safety, linking similar existing facilities, and convenience to users.

(e) Projects that promote multiple season use for maximum year-round participation and multiple uses or users shall be encouraged.

(f) Planning, design, and projects for the Trails and Pathways Program shall be evaluated to encourage:

(1) Innovative or unique design features that enhance the environment and recreation opportunities.

(2) Linking access to natural, scenic, historic, or recreational areas of statewide significance.

(3) Minimizing adverse effects on wildlife, natural areas, and adjacent landowners.

(4) Harmony with existing and planned land uses.

(5) Master Planning.

KEY: recreation, fiscal, assistance

Date of Enactment or Last Substantive Amendment: March 10, 2008

Notice of Continuation: July 26, 2007

Authorizing, and Implemented or Interpreted Law: 63-11a-501

MS. LOIS BULLOCH MADE A MOTION THAT THE REQUESTED CHANGES TO RULE R651-301 TO NONRESIDENT OHV USER PERMITS AND FEES BE APPROVED AS PRESENTED. MR. BILL BLEAK SECONDED THE MOTION AND IT CARRIED UNANIMOUSLY.

Non-Motorized Trail Grant Approval

Deputy Director Bruce Hamilton presented the Non-Motorized Trail grant recommendations that are included in

the board packet.

MR. GLENN GREENHALGH MADE A MOTION THAT THE NON-MOTORIZED TRAIL GRANT RECOMMENDATION BE APPROVED AS PRESENTED. MR. JOE HULL SECONDED THE MOTION AND IT CARRIED UNANIMOUSLY.

Recreational Trails Program Grants

Deputy Director Bruce Hamilton presented the Recreational Trails Program grant recommendations that are included in the board packet. There is no action required by the board at this time.

OHV Grant Approval

OHV Coordinator Fred Hayes presented the OHV grant recommendations that are included in the board packet. He reviewed the requests and recommendations from the OHV Advisory Council.

MR. MARTY OTT MADE A MOTION THAT THE OHV GRANT RECOMMENDATION BE APPROVED AS PRESENTED. MR. BILL BLEAK SECONDED THE MOTION AND IT CARRIED UNANIMOUSLY.

Budget Cuts

Director Tullius mentioned that a special session was held with the legislature to address budget cuts statewide. Our portion of that is \$426,300 for FY 2009. The portion that we need to cut for FY 2010 and ongoing is \$366,300. Some of the items we have agreed to cut are out-of-state travel, in state travel, vehicle efficiencies, seasonal hours or seasonal salaries, marketing fund, program and park operating funds. We are trying to not cut full-time positions.

State Park Renovation Campaign

Director Tullius mentioned the Friends of Utah State Parks group has been holding meetings. This group has been working on the renovation projects. Chair Parson is trying to schedule a meeting with the Governor and Dan McConkie to discuss these needs. We have come up with a brochure for our State Park Renovation Campaign. The brochure was passed around for the board members to look at. We want to let people know that we have several million dollars of renovation needs and also new projects. Vice-Chair Bentley encouraged the board members to be proactive with their representatives to discuss this.

2009 Meeting Schedule

Director Tullius is proposing at least three meetings in 2009—one toward the end of February, one during June or July, and a fall meeting. Director Tullius and Wendy Griffith will get together and send an email out with some proposed dates. One of the dates proposed was February 26 in the Salt Lake area.

Other Information

Deputy Director Forbes gave the board members a handout explaining the Balanced Scorecard. This is submitted to the Governor's Office each month. He explained what the document represents.

Upcoming Board Meeting

MR. BILL BLEAK MADE A MOTION THAT THE STATE PARKS BOARD CONVENE INTO A CLOSED SESSION TO START THE NEXT BOARD MEETING FOR THE PURPOSE OF DISCUSSING REAL ESTATE AND CONTRACT STRATEGY AND LITIGATION ISSUES, PURSUANT TO THE CONTRACT EXEMPTION AT UTAH CODE ANNOTATED 52-4-5 (1A). MR. GLENN GREENHALGH SECONDED THE MOTION AND IT CARRIED UNANIMOUSLY.

MR. JOE HULL MADE A MOTION THAT THE STATE PARKS BOARD MEETING ADJOURN.