

**WHITEWATER COMMISSION
QUARTERLY MEETING
SEPTEMBER 19, 2007
MINUTES**

The quarterly meeting of the Whitewater Commission was held on Wednesday, September 19, 2007, at the Hampton Inn, Summersville, WV. The following individuals were in attendance:

WHITEWATER COMMISSION MEMBERS

Frank Jezioro, Director, Division of Natural Resources (Presiding)
Betty Carver, Division of Tourism
Bill Garten, Hinton
Paul Hart, Albright
Don Beyer, Charleston
Rick Johnson, Fayetteville
Jonathan Danz, Lansing

DIVISION OF NATURAL RESOURCES

Lt. Col. Jerry Jenkins, Law Enforcement, Charleston
Will Valentino, Assistant Attorney General, Charleston
Lysti Looney, Director's Secretary, Charleston (Recording Secretary)
Stephanie Albertini, Law Enforcement, Charleston
Larry Case, Law Enforcement, Beckley
Wayne Young, Law Enforcement, Mt. Nebo
Lt. M.A. Waugh, Law Enforcement, Charleston
C. J. Whittington, Law Enforcement, Oak Hill

PUBLIC

Mike Hunter, National Park Service
Jenny Noll, National Park Service
Sally Garten, Hinton
Eric Pories, WVPRO
Imre Szilagyi, Appalachian Wildwaters

CALL TO ORDER

The meeting was called to order by Director Jezioro at approximately 1:10 p.m. The director welcomed everyone attending and asked everyone to introduce themselves.

APPROVAL OF MINUTES

Commissioner Garten made a **MOTION** to approve the minutes of the June 21, 2007, and August 22, 2007 meetings as submitted. The motion was seconded by Commissioner Johnson. The motion passed as submitted.

PUBLIC COMMENT

Erick Pories, WVPRO, stated fall trout stocking will be October 16, 2007, will be stocking 2,000 pounds. A helicopter has been secured, asked if anyone has information on vendors for helicopters he would appreciate the information.

REGULATIONS SUB COMMITTEE

Commissioner Danz would like for the sub committee to look at penalties. He would like a different penalty structure for guides. Asked DNR to provide a bullet list of qualifications for guides, the regulations are too confusing. Commissioner Johnson stated that penalties are set by code, does not know how to change. Will Valentino will check to see what procedure needs to be make changes.

Commissioner Proctor would like to have training at the beginning of season with law enforcement officers and outfitters to review the guidelines and laws to have a clear understanding of how DNR will enforce laws.

Larry Case stated that if the companies would let him know the dates and locations of their meeting with the river guides he would have an officer attend the meeting.

LAC SUBCOMMITTEE REPORT

Commissioner Proctor spoke to Chip Short and hopes to have trip leader report for the next meeting. Committee worked with Andy Whisman in the past on inconsistency of reporting. Commissioner Proctor submitted a draft of wording he feels would clear up the language concerning medical services and medical facility on the Whitewater Accident Report. (Attachment A)

BUDGET SUBCOMMITTEE REPORT

Paul Hart reviewed the budget. Stated he needed to contact Keith Wilson as to when the budget is due. (Attachment B)

Director Jezioro questioned how the season is going? Commissioner Johnson stated flat or down, Commissioner Proctor reported as being flat.

TOURISM SUBCOMMITTEE REPORT

Erick Pories reported Tourism Commission meeting September 20, 2007, will have report later. Commissioner Carver recommended rescheduling for the November 5th meeting.

Commissioner Danz stated he is working with Sharon Cruickshank with the CVB in whitewater regions. Betty Carver stated she would be happy to work with Commissioner Danz and the CVB.

Next year is the 40th year anniversary of Whitewater. Commissioner Carver requested Commissioner Danz and Commissioner Johnson be appointed to work with Tourism on the Whitewater Rafting Anniversary season.

OTHER BUSINESS

Jeff Proctor mentioned the application from Elk Hill's, it was received on March 29, 2007, and the deadline was March 15th. Sub committee will act as soon as possible. Elk Hill's is requesting a new license. Director Jezioro asked them to review and let us know at the next meeting.

Director Jezioro asked for a report on the Whitewater Performance Audit Commissioner Danz reported that the meeting was held in Martinsburg, West Virginia. Auditors did not understand and there is lot of confusion. Safety was an issue. Auditors stated a Safety Committee needed to be formed.

Commissioner Danz stated it is up to the commission to form a Safety Committee. Commissioner Proctor made a **MOTION** to form a Safety Committee. Commissioner Beyer seconded. The motion passed. Commission Proctor stated that is one of the tasks Andy Whisman was working with Chip Short to generate a report. Commissioner Proctor stated there is confidentiality involved and asked if DNR could compile a report. Larry Case thought the outfitters wanted the online accident report. It was determined that Commissioner Proctor, Will Valentino and Chip Short will work on the changes and design a report. Director Jezioro stated it is not necessary to go into detail on the report with the possibility of public accessibility. Erick Pories suggested getting legal opinion on how detail the report should be. Performance Auditors are also requesting an accident report be generated. Commissioner Danz stated the auditors used AWA information which is nationwide survey. Commissioner Proctor asked do the auditors want a report for statistics, injuries classified by type, the number of rafters falling out of the raft, general accidents or

acknowledging all the above are accidents and need to be on the report. The auditors also stated the commission can not use a proxy. If a commissioner is not available to attend a meeting in person they may participate by conference call. The audit results also found that the minutes from past commission meetings were not on the website. Lt. Col. Jerry Jenkins stated that minutes from past meetings are now on the website except for a couple of the meetings.

Mike Hunter, National Park Service, stated they are planning a general management meeting

NEXT MEETING DATE AND LOCATION

The next meeting will be in Charleston, commissioners will be notified of date and location when arrangements are finalized.

ADJOURN

A **MOTION** was made by Commissioner Johnson to adjourn. The motion was seconded by Commissioner Danz. Motion passed and the meeting adjourned at approximately 3:00 p.m.