

Quarterly Whitewater Commission Meeting Minutes

March 15, 2011

Location: Blackwater Falls State Park

Chaired: DNR Lt. Colonel Jerry Jenkins, in absence of Director Frank Jezioro

In Attendance: Chris Ellis, Private Boater; Doug Cooper, Private Boater; Tim Barton, Alpine Ministries; Don Beyer, Private Boater; Matt Knott, River Riders; Brian Campbell, Adventures on the Gorge; Patrick McCarty, Laurel Highlands River Tours; Richie Cantrell, Cantrell Ultimate Rafting; Craig Cantrell, Cantrell Ultimate Rafting; Rob Dobson, West Virginia Adventures; J. Patrick McCann, Blackwater Outdoor Adventures; Mark Lewis, WVPRO; Kelly Crago, DNR recording secretary

Approval of December 14, 2010 Minutes

Matt Knott motioned to approve the minutes recorded from the December 14, 2010 quarterly Whitewater Commission meeting. Doug Cooper seconded the motion, and the Commission accepted.

Injury Report RFP

After listing seven vendors as possible bidders, only one bid was received from a Mr. Thomas Ludden. Matt Knott expressed concern that enough bids were not received, limiting the Commission's options as far as price. The original deadline was to have the researcher do a presentation at the June quarterly meeting and submit the final report at the September quarterly meeting. However, if the Commission was interested in seeking more bids, those deadlines can be moved. Some Commission members wondered if the bid is sent out again, will we receive any more bids. Mark Lewis said he could think of some other possible bidders to contact.

The Commission decided that it would be beneficial to have more price competition for the bid, even as many as two or three. Brian Campbell recommended that the Commission table the discussion until the next quarterly meeting. Matt Knott seconded the motion, and the Commission accepted. Mark Lewis will re-submit the bid in hopes of a better response.

Online Payments

At the last meeting, the Commission discussed setting up an online payment system for whitewater monthly user fees and annual licensing. The Commission had three main questions: (1) Does the amount that the DNR requests from the paying Outfitter have to be a flat rate? (2) How much are the credit card processing fees (is it just Internet Credit Card Processing Costs or do you add POS Credit Card Processing Costs)? and (3) Is it possible to set up an online payment processing system for annual licensing as well as monthly user fee payments?

Kelly Crago informed the Commission that she had spoken with Lella Miller who had given her the following answers: (1) Yes, the amount that the DNR requests from the paying Outfitter must be a flat rate; (2) The Commission only has to pay the Internet Credit Card Processing Costs; and (3) you can set up as many pages as you want for the online payment

processing system. Kelly Crago also informed the Commission that since it would be so difficult to come up with a flat rate per online transaction for the Outfitter to pay, that perhaps it would be better to only accept ACH debit transactions. The fee for ACH debit transactions is only \$0.05 per transaction.

Brian Campbell motioned to proceed with the set-up of the online payment processing. Tim Barton seconded, and the Commission agreed.

The Commission decided that it would be too difficult to figure a flat rate per online transaction, considering the large spectrum between small and large Outfitters. Brian Campbell motioned to only accept ACH debit transactions for the online payment system. Don Beyers seconded the motion, and the Commission accepted.

Accident Reporting

Brian Campbell asked where the MB-3 Boating Accident Report came from and why it is now required as part of the whitewater accident reporting protocol. Lt. Col. Jenkins said that the DNR must fill out a BARD report for every reportable boating accident in West Virginia. The BARD is required by the U.S. Coast Guard. The accident report form required by the Whitewater Commission does not contain all of the information needed for the BARD report. Therefore, the DNR has requested that Outfitters fill out an additional form, the MB-3, which contains all of the information needed to fill out the BARD form.

The Commission discussed the possibility of creating one report that would encompass all of the information needed to complete the BARD report, in order to save confusion and time. Lt. Col. Jenkins responded that the Commission could re-format their required report to encompass the information needed for BARD. The only concern is regarding the difference in the amount of days each report is required to be submitted. The MB-3 is required to be submitted within five days of an accident or two days of a fatality. The Whitewater Commission requires their form to be submitted within fifteen days of an accident. If one form was prepared, Outfitters would have to abide by the U.S. Coast Guard five-day and two-day rule.

Lt. Col. Jenkins said he would have Lt. Coleman review the MB-3 and the Commission-required document and consider how they can be combined into one report.

Bond Interpretation

Brian Campbell wanted to discuss the why a bond is needed for each license. After reading the Code, he said that the reasoning is clear.

However, he is still curious why a license is being required for each river. This refers to the interpretation that a license is a \$500.00 license. Although a certificate may have been issued for two rivers in the past and cost \$1,000.00, it is actually considered two \$500.00 licenses. Brian Campbell requested that DNR lawyer Will Valentino prepare a response to his licensing question.

Budget

Matt Knott presented the current budget to the Whitewater Commission. He highlighted that \$180,000.00 exists in the account. Year-to-Date revenue is \$61,000.00. Year-to-Date

expenses are \$38,416.00, all of which is DNR expense. A budget is attached to the e-mail in which these minutes were sent.

Website Work

Kelly Crago reported that Chip Short has accomplished the following:

- Fixed the date range to allow only one date to be entered at one time
- Added “camped at” locations
- Added flow rate
- Fixed several bugs in the TLR form itself
- Added single click approval functionality to the TLR primary account
- Designed, wrote, tested, and installed a stand-alone TLR management system to allow the DNR to manage TLR website additions, changes, and deletions.

Kelly Crago reported that Chip Short also notified her that he is working on the online injury report system. He said that Outfitters are able to submit injury reports online, but that somehow those reports don’t make it into the DNR system. He is creating a database that will allow the DNR to view the reports when they are submitted online.

Drug Testing for Guides

Jerry Cook had requested this discussion point, but he was not present to lead his intention of the discussion.

Private River Access

Doug Cooper asked about river access to the Meadow River, an access point which is currently assumed to be on private property. Lt. Col. Jenkins said he would bring it to Bret Preston’s attention.

Emergency Situation Communication

Mark Lewis informed the Commission and the DNR representatives that he is working with others to establish better lines of communication between agencies and other responders to emergency situations. He said that they are mainly trying to set up radio frequencies between VHF and UHF. The frequency range is not yet established, but Mark was curious about any State regulations that they would need to follow.

Lt. Col. Jenkins said that as long as a formal User Agreement was set up, it shouldn’t be a problem.

TLR Manager Meetings

Rob Dobson asked about the possibility of having officers attend the Outfitters’ TLR manager meetings. He said it would be nice if those who will actually be patrolling during the season would be available for questions and comments during their meetings.

Dobson also requested that the DNR fill out “John Doe” forms that are required for submission during the whitewater season. He believes it would be helpful to see how the DNR wants the forms filled out. The instruction would decrease confusion among Outfitters and increase the possibility of forms being completed correctly.

Next Quarterly Meeting

The next meeting will tentatively be held on Tuesday, June 14, 2011 at 1:00 pm near the Shenandoah River. Matt Knott of River Riders offered to host the meeting.

Adjournment

Brian Campbell motioned to adjourn the 2011 first quarterly Whitewater Commission meeting. Chris Ellis seconded the motion, and the Commission accepted.