IDAHO DEPARTMENT OF PARKS AND RECREATION

"To improve the quality of life in Idaho through outdoor recreation and resource stewardship"

BOARD MEETING MINUTES
May 20, 2020 Teleconference
IDPR Headquarters
Boise, ID

Minutes – Wednesday, May 20, 2020

Call to Order – Chairman Black
The Chairman called the meeting to order at 9:00 A.M.

Chairman Black requested a roll call.

Board Member Cally Roach – Present
Board Member Lou Fatkin – Present
Board Member Pete Black – Present
Board Member Doug Eastwood - Present
Board Member Randy Doman - Present
Board Member Brian Beckley – Present

Also present or on the call, during all or portions of the meeting were the following individuals:

David Langhorst – Director
Betty Mills – Management Assistant to the Director
Keith Hobbs – Operations Administrator
Anna Canning – Management Services Administrator
David White – North Region Manager
Garth Taylor – South/East Region Manager
Steve Martin – Fiscal Officer
Kathy Muir – Grants Management Supervisor
Adam Zaragoza – Development Bureau Chief
Craig Quintana – Public Information Officer
Debbie Hoopes – Human Resource Manager
Tammy Kolsky – Reservation/Registration Program Manager
Dave Claycomb – Recreation Bureau Chief
Eileen Downing – Administrative Assistant
Steve Strack – Deputy Attorney General
Nate Fisher – Governor's Office
Amber Christofferson – Department of Financial Management
Rob Sepich – Legislative Services Office
LeAnn Stephens – Department of Human Resources
Julie Woodford – RV Grant Committee Member
Kent Bateman – RV Grant Committee Member

Welcome and Introductions
Chairman Black welcomed everyone to the meeting.

Consent Agenda – Action Item

- Approval of Minutes
  - February 26-27, 2020

Mr. Fatkin moved to approve the February 26-27, 2020 minutes. Ms. Roach seconded the motion. The Chairman asked for further discussion, hearing none, the Chairman called for a vote on the motion. Motion carried unanimously.

- March 16, 2020

Ms. Roach moved to approve the March 16, 2020 minutes. Mr. Fatkin seconded the motion. The Chairman asked for further discussion, hearing none, the Chairman called for a vote on the motion. Motion carried unanimously.

- April 16, 2020

Mr. Fatkin moved to approve the April 16, 2020 minutes. Ms. Roach seconded the motion. The Chairman asked for further discussion, hearing none, the Chairman called for a vote on the motion. Motion carried unanimously.

Director's Report

The Director reported on the following topics:

- **Non-Motorized Sticker Sale –** The sale of these stickers will launch on June 6, 2020. The funds will be used to help with the Non-Motorized Trails Program.
- **IT Business Unit at IDPR has been dissolved. –** All IDPR IT staff have found new jobs, one in the Private Sector, one retired and the other four were hired at ITS.
- **WIF Meeting with Kootenai and Bonner Counties –** Anna Canning and Kathy Muir held a conference call with Kootenai County Commissioner, Leslie Duncan, Bonner County Recreation Manager, Nathan Demmons, Director of Kootenai County Parks and Waterways, Nick Snyder, Kootenai County Sheriff Office Recreation Safety Supervisor, Sgt. Will Klinkefus, and IDPR Board Member, Doug Eastwood, to listen to their concerns pertaining to the 30% Cap on the WIF Grant. Board Member Eastwood commented that he felt the call was very well received and showed a good gesture by IDPR to listen to the counties concerns.
- **Development Bureau Update –**Some IDPR projects have benefitted from the slowing economy brought about by COVID-19. Because of cancelled private-sector projects, contactors are less busy and our projects have been moved up on their lists. The Director called on Adam Zaragoza to give a few examples:
  - Massacre Rocks paving project which started yesterday
  - Castle Rocks paving project also started yesterday
  - Received bids on Ponderosa project
  - Ritter Island Bridge project received 8 bids
- **Implementation of the Modernization System for Registration and Reservation –** This was a huge project that has been in the works for some time. We are working through a few issues, but the Director thanked Ms. Kolsky for all the time and effort she is putting in to implementing this new system.
- **Campgrounds –** We will open our campgrounds on May 30th and are working with other State and Federal agencies to coincide with their openings.
- **High Park Visitation –** Staff are dealing with high crowd volume in our parks. Staff are not being asked to enforce Social Distancing Guidelines, but to lead by example, practice social distancing and wear face masks when needed.
- **Future Needs of IDPR –** When advocating for the Department and recreation in general, the Director's main talking points for the past year or so months have been adding "boots on the ground", addressing deferred maintenance, and adding recreation infrastructure to keep up with Idaho's rapid growth. All of these needs will require additional money. The Governor's office is supportive of IDPR proposing an increase in the Passport program. If passed through the Legislature, this will help. So will the Board's recent approval of increased camping fees. It's likely that any of the large ticket ideas (like Opt-Out Passport) will have to wait, given the economic downturn from the coronavirus.
- **The Director stood for questions.** The Board inquired if parks have enough Personal Protection Equipment (PPE) to meet the demands of serving the public and cleaning facilities within the parks. IDPR has received hundreds of cloth masks for both our park employees and Headquarters staff, that were donated by IDPR volunteers, working with Kathryn Hampton. IDPR staff are working with the Department of Administration to obtain additional PPE supplies. IDPR has also obtained large quantities of hand sanitizer. We will have enough needed PPE for everyone by May 30th. Staff are also abiding by the CDC guidance that was drafted in the Best Practices Memo the Director sent out to staff yesterday with employee and park safety measures.

Heyburn Leaseholder Appeal Update – Steve Strack

Mr. Strack provided the Board with an update on the Heyburn Leaseholder Appeal. The court issued a decision February 26, 2020, which was discussed at a prior Board meeting. The court held that the Board should have issued a written decision but held that it didn't matter since the Board's decision didn't impact any substantial rights of the leaseholders because they have not reasonable expectation of having a future lease so it's really at the discretion of the Board as to whether or not to continue the leases. We agree with the argument we made to the court. Two weeks following the Courts decision, the leaseholder's association filed a petition for rehearing. The hearing is scheduled before the District Court next Thursday. Mr. Strack expects the court will deny the petition for rehearing, and at that point the leaseholders would have 6 weeks to appeal to the Idaho Supreme Court. Based on Mr. Strack's past history with Mr. Magnuson, he will probably push them to appeal that. If this is appealed, Mr. Strack expects that there would not be a lateral decision until early next year. The 5% increase is in place and the leaseholders are all paying this. If the courts were to strike this down, we would take staff recommendation, have the Chairman sign it and everything would be good. Mr. Strack does not see much risk here for the Board moving forward and feels we are in pretty good shape. The Board asked if Mr. Strack has heard anything from the leaseholders or their attorney on a reprieve on the increased rent? Mr. Strack has not heard anything from the leaseholder's attorney regarding this. There would need to be a petition submitted to the Board. If he hears anything, he will be sure to advise the Board.

FY2021 Grant Approval – Kathy Muir

Ms. Muir provided a brief overview on this year's grant approval process. Due to COVID-19, the process was a bit different this year. A GlobalMeet conference call was conducted this year instead of meeting face to face for the Advisory Committee members and it worked very well. We received 154 applications for seven grant programs and allocated $13,384,686 in funds this year. We did not accept applications for Land and Water Conservation projects or Motor Bike's this year. The numbers are consistent with the program for the last couple of years, fewer projects but asking for more money.

FY2021 Recreational Vehicle (RV) Grants

Ms. Muir stated that there is one position open on the RV Committee. There are no applicants currently in North Idaho, please contact Ms. Muir if you have someone to recommend for this position. There is approximately $9 million available to award for this grant. The RV Committee reviewed 29 grant applications and the requests totaled $11,249,209.

Mr. Eastwood moved to approve staff recommendation. Motion was seconded by Mr. Beckley. The Chairman asked for further discussion. Board and Staff discussion followed regarding the amount of funds awarded to IDPR. The Grant Committee discussed the amount of funds awarded to IDPR and the committee concurred that IDPR projects are good and they wanted to support them. The Chairman called for a vote on the motion. Motion carried unanimously.

FY2021 Waterways Improvement Fund (WIF) Grants

Ms. Muir stated there is one position in District two that has expired, and we have one applicant. Please contact Ms. Muir if you have someone to recommend for this position. There is approximately $1.3 million available to award for this grant. The WIF Committee reviewed 23 grant applications and the requests totaled $1,928, 095.

Mr. Eastwood moved to approve staff recommendation of the priority ranking. Motion was seconded by Ms. Roach. The Chairman asked for further discussion, hearing none, the chairman called for a vote on the motion. Motion carried unanimously.

FY2021 Cutthroat Plate Fund Grants

Ms. Muir reported that funding for this grant comes from the trout license plate funds. IDPR holds these funds for a couple of years until there is a sufficient amount to be awarded. Ms. Muir stated there is approximately $25,000 available for this grant. The WIF Committee reviewed three grant applications and they totaled $25,134. Staff recommended fully funding all three projects.

Ms. Roach moved to approve staff recommendation. Motion was seconded by Mr. Fatkin. The Chairman asked for further discussion, hearing none, the Chairman called for a vote on the motion. Motion carried unanimously.

FY2021 Off-Road Motor Vehicle (ORMV) Grants
Ms. Muir reported there is one committee member who has served one term and is eligible to be reappointed on this committee. Ms. Muir stated there is approximately $500,000 available for this grant. The ORMV Committee reviewed 38 grant applications and the requests totaled $906,619.

Mr. Beckley moved to approve staff recommendation. Motion was seconded by Ms. Roach. The Chairman asked for further discussion. Board and staff discussion followed questioning why the majority of these funded projects are federal projects. Staff stated, this is where the User Groups recreate and where the biggest needs are and where they want their money to go. Ms. Muir encouraged Board members to sit in on these committee meetings to better understand how the committee rates the grants. Ms. Muir will send the Board, the history behind this grant. The Chairman called for a vote on the motion. The motion carried with a vote of five to one in favor, with Mr. Eastwood voting no.

FY2021 Recreational Trails Program (RTP) Grants
Ms. Muir reported there is one committee members whose term has expired, he is interested in applying again and is eligible for reappointment. Ms. Muir stated the FY2020 allocation from the Federal Highway Administration (FHWA) is estimated to be approximately $1,600,000. IDPR staff estimates there will be approximately $850,000 additionally in carry over funds. The RTP Committee reviewed 50 grant applications and the requests totaled $2,315,039. Ms. Muir reported that these grant funds come from the Federal Fuels Tax.

Mr. Eastwood moved to approve staff recommendation. Motion was seconded by Ms. Roach. The Chairman asked for further discussion, hearing none, the Chairman called for a vote on the motion. Motion carried unanimously.

FY2021 Mountain Bike Plate Fund
Ms. Muir stated these funds come from a specialty plate fund. Ms. Muir stated there is approximately $50,000 available to be awarded for this grant. The RTP Committee reviewed five grant applications and the requests totaled $53,180.

Mr. Fatkin moved to approve staff recommendation. Motion was seconded by Ms. Roach. The Chairman asked for further discussion, hearing none, the Chairman called for a vote on the motion. Motion carried unanimously.

FY2021 Road & Bridge (RB) Grants
Ms. Muir stated there is approximately $285,000 available to be awarded for this grant. The Advisory Committee reviewed six grant applications and the requests totaled $600,278.

Mr. Doman moved to approve staff recommendation. Motion was seconded by Mr. Fatkin. The Chairman asked for further discussion, hearing none, the Chairman called for a vote on the motion. Motion carried unanimously.

FY2021 Land and Water Conservation (LWCF) Evaluation Committee
Ms. Muir reported the Evaluation Committee includes representatives with experience in community development or public outdoor recreation. The Committee shall rank projects based on its review of the application and a presentation by the sponsor. It shall rate all projects based on the selected criteria found in the Open Project Selection Process (OPSP). The Evaluation Committee includes nine members. Ms. Muir stated that the Board will need to approve everyone on the LWCF committee during the August 2020 Board meeting, and we will also need a Board member to sit on this committee. Mr. Black represented the Board this past year. Ms. Roach stated she would love to represent the Board this upcoming year.

Mr. Fatkin commended Ms. Muir and the committee members for their hard work and dedication to this Grant Program.

BREAK 10:30 A.M.

RECONVENED AT 10:45 A.M.

Red Tape Reduction Legislation – Anna Canning
Ms. Canning stated the Governor has requested staff to simplify regulations found in Idaho Code. Ms. Canning requested for Deputy Attorney General Steve Strack to review provisions within Idaho Code Title 67 (state Government and State Affairs), Chapter 42 (state Parks), Chapter 70 (Idaho Safe Boating Act), and Chapter 71 (Recreational Activities). Mr. Strack found nine sections in Chapter 42 that were outdated and could be eliminated. He did not identify any code to eliminate in Chapters 70 and 71. Ms. Canning provided the Board with a recommendation and stood for questions.

Ms. Roach moved that the Director initiate the process to repeal the following Sections of Idaho Code:

1. **67-4205**
2. **67-4209**
3. **67-4210**
4. **67-4211**
5. **67-4214**
6. **67-4215**
7. **67-4216**
8. **67-4217**
9. **57-4229A**

Motion was seconded by Mr. Eastwood. The Chairman asked for further discussion, hearing none, the Chairman called for a vote on the motion. Motion carried unanimously.

LUNCH BREAK

FY2022 Budget Proposal – Steve Martin
Mr. Martin provided background information on the FY2021 budget and stated this does not include the 5% general fund holdback required from the Governor's Office. Mr. Martin also reviewed:

- FY2021 Budget Appropriation by Fund
- FY2021 Budget Appropriation by Expenditure Classification
- FY2022 Budget Proposal - Requests
  - Capital Equipment Replacement - $1,292,100 includes recreation program specialty equipment and park vehicle fleet and equipment items. Park vehicles and equipment were scaled back due to projected dedicated funding shortfalls.
  - Capital Repairs – Maintenance Projects $2,747,800 includes our ongoing efforts to address the department's capital maintenance needs but was reduced this year in response to projected dedicated funding shortfalls.
  - Program Enhancements - $4,400,000 is a substantial increase versus FY2021, primarily due to funding for the Billingsley Creek Campground that the Board approved in November 2019, as well as additional Billingsley Creek Visitor Center funding made available by the National Park Service.
- Fund Balance Trends

Mr. Martin commented that overall, the FY2022 budget request is a 4.5% increase from the FY2021 appropriation. Current cash balance projections support this increase while preserving appropriate balances in our dedicated funds. Staff has reviewed and ranked the enhancement and replacement item and if approved by the Board, the information will be incorporated into the final budget document submitted to DFM on September 1, 2020. Mr. Martin stood for questions. Board and staff discussion followed with additional questions regarding Seasonal' s and Ranger's pay and salary increases they have received.

Ms. Roach moved to approve the FY2022 budget proposal based upon the ranked replacement and enhancement items, for a total request of $47,008,600, as summarized on page five (5) of this agenda item. Additionally, I move for the Board to approve to adjust Health Benefit costs and Change in Employee Compensation, if any, to the actual amounts included in Department of Financial Management's budget instructions. Motion was seconded by Mr. Beckley. The Chairman asked for further discussion, hearing none, the Chairman called for a vote on the motion. Motion carried unanimously.

Adjustment of Fees – Tammy Kolsky
Ms. Kolsky presented staff Fee Change Recommendations. Ms. Kolsky stated these have been broken up into three sections and require three separate votes from the Board. The new fee structure will allow for setting fees by new site types (number of site types reduced from 6-4) and will accommodate a new approach to variable pricing by assigning each campground park to one of three tiers for campsite pricing based upon the park's performance in the reservation system, and "Peak" season occupancy,

- Item 1 – Set Campsite Fees by New Site Type and Pricing Tier
    - Tier A ("Peak" season occupancy 70% or higher)
    - Tier B ("Peak" season occupancy below 70% and above 40%)
    - Tier C ("Peak" season occupancy below 40%)

Mr. Beckley moved to approve the proposed fees within the new fee caps, new campsite types and pricing tiers A, B and C as presented. Motion was seconded by Ms. Roach. The Chairman asked for further discussion. Board and staff discussion followed, inquiring when the fees would be implemented. Fees will be in effect this Fall. The Chairman called for a vote on the motion. Motion carried unanimously.

- Item 2 – Adjust Fees Cabins and Yurts
    - Camper Cabin by unit Proposed Fee Adjustments
    - Yurt by unit Proposed Fee Adjustments

Mr. Fatkin moved to approve the proposed fees within the new fee caps for IDPR camper cabins and yurts. Motion was seconded by Ms. Roach. The Chairman asked for further discussion. Board and staff discussion followed regarding why we are implementing these fees in July rather than in the Fall. Ms. Kolsky stated that the increase is fairly modest and thinks these are reasonable increases, but the decision is completely up to the Board. The Chairman called for a vote on the motion. Motion carried with a vote of five to one in favor with Mr. Doman voting no.

- Item 3 – Adjust Campground Management Fees
    - During the May 2019 Board meeting, the Park Board directed staff to initiate proposed rulemaking changes to IDAPA 26.01.20 in order to provide fee adjustments for campground management fees. Having followed the rulemaking process to adjust Administrative fees, this item is to request the Park Board set campground management fees.

Mr. Eastwood moved to approve staff recommendation as presented. Motion was seconded by Ms. Roach. The Chairman asked for further discussion, hearing none, the Chairman called for a vote on the motion. Motion carried unanimously.

Consideration of Passport Fee Increase – Director Langhorst
Director Langhorst reported that during the May 2019 Board Meeting, the Board approved seeking a legislative change to raise the Park Passport fee from $10 per vehicle registration per year, to $15 per vehicle registration per year, allowing the vendors to maintain a portion of the fee. The Director is requesting the Board to consider an increase of the Passport Fee to $20 per vehicle registration per year. The Director provided statistics from neighboring states on what they are charging for annual park passes and stated the $20 proposal is lower than theirs by about 1/3. Senator Harris and Representative Gibbs have requested this increase numerous times out of concern over the capacity issues at Bear Lake. The Director recommends that IDPR seek legislative approval for a $20 Passport Fee which would include a transaction fee to vendors that sell the Passport. The Idaho Code that establishes the fee for the State Parks Passport is in Title 49, Idaho Code with other transportation department related laws.

Mr. Eastwood moved to increase the Passport fee to $20.00. Motion was seconded by Ms. Roach. The Chairman asked for further discussion, hearing none, the Chairman called for a vote on the motion. The motion carried with a vote of five to one in favor with Mr. Doman voting no.
The Director commented that staff has been in further discussion regarding a motion to increase the cost of the MVEF for out of state visitors and have concurred that a more specific motion is needed in order to initiate this change in IDAPA. Ms. Canning read the proposed motion to the Board for consideration, "The

Board directs staff to propose an IDAPA change to raise the cap for the annual MVEF from $40 to $60". Regarding timing, this could come about as early as January 2021. A Public Meeting would need to be held to discuss the rules, followed by a revised draft with proposed rules that will be presented during the August 2020 Board meeting. If the Board directs staff to propose this MVEF increase, it could be included during this same timeframe.

Ms. Roach moved for the Board to accept the language as recommended by staff during this presentation. Motion was seconded by Mr. Eastwood. The Chairman asked for further discussion, Board and staff discussion followed regarding the possibility of raising the proposed cap to $80 rather than $60.

Ms. Roach amended her previous motion and moved for the Motor Vehicle Entrance Fee cap to be increased to $80. Motion was seconded by Mr. Eastwood. The Chairman asked for further discussion, hearing none, the Chairman called for a vote on the motion. Motion carried unanimously.

Program Reports

Mr. White reported that it has been an interesting Spring with all that is going on with the virus, his Managers and Rangers are doing a great job working through the closures and changes. The parks are gearing up for the Summer.

Mr. Taylor also reported that his staff have stepped up during COVID-19. Camping will be opening on May 30th. We have acquired a good amount of Personal Protective Equipment (PPE) to keep our staff safe in the parks.

Mr. Fatkin expressed how impressed he is with the Region Managers continuing to offer educational opportunities in the work force and focusing on enhancing the skill set within the parks. Mr. Fatkin wished to express his appreciation to them for this.

Ms. Kolsky stated in their Board packets, they received the traditional quarterly report for Registration and Reservations, but she did not provide a Program Managers Report this quarter. This was due to her feeling the information would be outdated considering what is occurring now. During the month of April, on top of canceling reservations due to COVID-19, her staff went through user acceptance training, training DMV's and migrating registrations. The new system was brought up on April 29, 2020, even though we could have benefited from 6-12 months of additional testing. System is up, exceptionally high call volume due to the timeframe of bringing the new system up. Call numbers since going live are over 16,000 and people are having to wait on hold for extended periods of time. Since April 29, 2020, reservation staff have processed over 5,000 reservations and over 6,000 reservations were cancelled due to COVID-19. The Call Center has sold over 3,000 registrations.

Chairman Black asked Mr. Taylor for an update on the graffiti that was done at City of Rocks. Mr. Taylor reported that the Friends of Idaho State Parks set up a Go Fund Me page and raised over $5,000 and the Friends group matched that amount, to help with the restoration project. Since the damage was done within Federal Land, the Feds called in an investigator. They have received many leads but since the investigation was turned over to the Feds, the park is not included in this. The restoration work will not begin until they have concluded their investigation, but they are very confident they know who did the damage.

Executive Session

Ms. Roach moved to go into Executive Session under authority of Idaho Code 74-206 (b), to consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought against a public officer, employee, staff member or individual agent, or public-school student. Motion was seconded by Mr. Fatkin. A roll call vote to go into Executive Session was taken by Ms. Mills.

Board Member Black – Approve
Board Member Fatkin – Approve
Board Member Beckley – Approve
Board Member Roach – Approve
Board Member Doman – Approve
Board Member Eastwood – Approve

The Board came out of Executive Session at 5:05 P.M. The Board discussed holding another Executive Session on June 9, 2020 at 9:30 A.M. MT to review their submitted evaluations of the Director. Ms. Mills will send out the meeting invite and include the conference call number.

Mr. Fatkin moved to adjourn the meeting. Motion was seconded by Mr. Eastwood. Meeting was adjourned at 5:11 P.M.

Pete Black, Chairman
Idaho Park and Recreation Board

David R. Langhorst, Director
Ex-Officio Member of the Board