

IDAHO DEPARTMENT OF PARKS AND RECREATION

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

BOARD MEETING MINUTES

May 20-22, 2019

IDPR Headquarters

5657 Warm Springs Ave.

Boise, ID 83716

Minutes – Monday, May 20, 2019

Call to Order – Chairman Black

The Chairman called the meeting to order at 4:06 P.M.

Chairman Black requested a roll call.

Board Member Lou Fatkin – Present
Board Member Gordy Hansen – Present
Board Member Pete Black – Present
Board Member Brian Beckley - Present
Board Member Doug Eastwood – Present
Board Member Randy Doman – Absent

Also present 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
Garth Taylor – South Region Manager
David White – North Region Manager
Steve Martin – Fiscal Officer
Jennifer Okerlund – Public Information Officer
Dave Claycomb – Recreation Bureau Chief
Kathy Muir – Grants Management Supervisor
Tammy Kolsky – Reservation/Registration Program Manager
Scott Williams – IT Resource Manager
Adam Zaragoza – Development Bureau Chief
Dave Dahms – Recreation Program Manager
Melanie Schuster - Architect/Engineering Project Manager
Theresa Perry – Manager Lake Cascade Park
Matt Linde – Manager Ponderosa State Park
Steve Strack – Deputy Attorney General
Nate Fisher – Governor's Office
Amber Christofferson – Department of Financial Management
Rob Sepich – Legislative Services Office
Heidi Kolsky – Office Specialist Ponderosa State Park
Traci Stewart – Public
Ken Knoch – City of Ammon
Christina Nemec – Nemec Engineering
Brad Foltman – RV Committee
Kurt Wolf – City of McCall
Michael Fereday – Heyburn Leaseholders
Steve Fiscus – Chatcolet Leaseholder

Fee Team Workshop

Ms. Kolsky introduced herself and the other members of the Fee Team who were present. Ms. Kolsky stated that tonight she will be going over the six agenda items and staff recommendations the Board will be asked to consider for approval during tomorrow's meeting and will answer questions from the Board. Ms. Kolsky stated that she is bringing the big-ticket items before the Board now and the others will be brought to the Board during the August Board meeting. The Director gave a brief overview of what has occurred and what brought IDPR to this point of requesting fee increases.

#1 Tax Inclusive Fees – Currently, IDPR manages our use fees by treating them as tax add rather than tax inclusive. While this works great through the call center and online, it does not work well for field staff, especially when dealing with self-pay fee envelopes. Ms. Kolsky discussed the results of adding sales tax to the fees and what the benefit of moving to a tax inclusive model would look like. There was Board and staff discussion on whether sales tax can be included in these fees and the process park staff use when the amount left in the fee envelop is less than the required fee.

#2 Ponderosa, Deluxe Cabin Fees – Ms. Kolsky reported that currently, Ponderosa State Park provides camping opportunities in five Deluxe Cabins. While on the lakefront, four of the five cabins are smaller in size and only accommodate a sleeping capacity of four people while one of the cabins, the Elk Cabin is much larger in size and allows for a sleeping capacity of 8. As part of the FY 2014 CIN and budget process, four additional Deluxe Cabins have been built and are nearing completion for occupancy. For reservation processing to begin, fees for the new cabins will need to be set. Per IDAPA 26.01.20.250.01, currently, the highest amount allowed to be charged per night for these cabins is \$200.00. This amount is the maximum amount the Park Board can direct staff to charge. There was Board and staff discussion on the possibility of adding a cleaning fee and increasing the deposit amount when a reservation is placed.

#3 Restructure Agency Campsite Types – Ms. Kolsky reviewed IDPR's current camping site structure and their definitions and stated the type is dependent on the services offered (water, electric, sewer or none). Ms. Kolsky stated that making the proposed site type changes would benefit IDPR by:

- a. Simplifying fee signage
- b. Greatly reduce the complexity in managing reservation system programming
- c. Lay ground work to simplify efforts to manage to market rate fees based on park occupancy.
- d. It would clean up what IDPR currently classifies as a companion site, as a number of campsites currently classified as companion do not truly accommodate two camping units. There was Board and staff discussion on how IDPR's current fee structure is very complicated within some of our larger parks and what the cost of new signage might be with in the parks, reflecting the new fee changes.

#4 Variable Pricing – Implement Fee Tier – Ms. Kolsky reported that during the July 2008 Board meeting, staff was directed to present a sliding fee schedule proposal that would apply to all IDPR campsites and facilities allowing the agency to establish flexibility in the authorized fees charged. During the July 2009 IDPR Board meeting, the Board was presented with and approved, a number of fee change requests aimed at applying Variable Pricing those items included High Demand Destination Park Pricing and Premium Site Pricing for High Demand Campsites and Cabins, as well as granting approval to utilize Promo codes and other methods of lowering pricing as part of efforts to increase usage and revenue. Ms. Kolsky explained that this agenda item is to request the Board's approval with moving forward with a different pricing model that would eliminate the High Demand destination Parks premium pricing model and, in its place, implement agency wide Variable or Market rate pricing by assigning each of our campground parks into one of three tiers of campsite pricing based upon the parks performance in the reservation system and "Peak" season occupancy. Board and staff discussion followed around this review of fees and the potential to eliminate the High Demand premium pricing in our parks with an agency wide Variable or Market rate pricing.

#5 IDAPA 26.01.20 Fee Changes – Ms. Kolsky reviewed the staff proposed fee changes with the Board and stated that IDPR's fees have not had a comprehensive review since 2014. Director Langhorst and Ms. Canning provided a brief overview of the process IDPR is required to go through prior to making any agency changes to our current Idaho Administrative Procedure Act (IDAPA) Rules. Board and staff

discussion followed around the proposed fee schedule changes for campsites and the motor vehicle entrance fees.

#6 State Parks Passport – Ms. Kolsky reported that unlike the IDPR Fees, the State Parks Passport Program is defined in Idaho Statute as a voluntary opt-in program, so many changes would have to be made in law. Director Langhorst provided the definition and differences between opt-in over opt-out for the Passport Program. Board and staff discussion followed regarding the advantages and disadvantages of possibly moving to an opt-out program and or increasing the cost of the Passports. The Director will arrange a meeting with DFM and the Governor's office, prior to the August Board meeting, to discuss the Board's recommendations and the best steps for moving forward with the Passport Program.

Meeting was recessed at 6:47 P.M.

RECESS TO NEXT DAY AT 8:00 A.M.

Minutes – Tuesday, May 21, 2019

Chairman Black reconvened the meeting at 8:01 A.M.

Consent Agenda – Action Item

- Approval of Minutes
 - € February 12-13, 2019
 - € February 18, 2019

Mr. Eastwood moved to approve the minutes as submitted. 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.

- Special Use Permit and Easement Request
 - € Land of the Yankee Fork State Park Special Use Permitting
 - € Ponderosa Agate Street Easement

Mr. Taylor reported that Land of the Yankee Fork will be hosting the Ride the Bayhorse ATV event in August. Last year the park included the sale of beer during their Saturday dinner and raffle. The Park is hosting a dinner again this year and request the Board's approval for the sale of beer during their Saturday dinner.

Mr. Eastwood moved to approve the Land of the Yankee Fork State Park Special Use Permit. Mr. Hansen seconded the motion. The Chairman asked for further discussion. Hearing none, the Chairman called for a vote on the motion. Motion carried unanimously.

Mr. Hobbs reported that IDPR received a request for a utility easement with Ponderosa State Park. Christina Nemecek with Nemecek Engineering provided a brief description of the easement, the current conditions and what they wish to complete.

Mr. Eastwood moved to grant approval for the requested street utility easement. 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.

Director Langhorst stated that he will not be providing a Director's Report today due to the length of the agenda and mentioned that he covered many current IDPR highlights in his April Director's Digest.

Ms. Kolsky announced that IDPR lost one of our Headquarters employees in a tragic personal UTV accident. The Director requested a moment of silence in Memory of Steven Groves.

Smelterville Encroachment – David White

Mr. White provided background information on this property, stating that IDPR acquired the Union Pacific Right-of-Way (ROW) for use as a recreational trail, the Trail of the Coeur d'Alene's (TOC) on September 1, 2008. Currently there are approximately 100 properties that are encroaching on the TOC. A field survey of the property was completed by TerraGraphics and jersey barriers were installed. Prior to the barriers being installed, letters were sent to the land owners in October 2015, informing them of the decision to place barriers and to let them know that they or their renter needed to remove their personal property from the ROW and that barriers would be placed 20' from the south ROW edge due to the encroaching yard fences, amenities and buildings. The landowners were also notified that if the owner or renter had personal property located within the ROW, they needed to enter into a lease with IDPR, if their personal property was not removed. IDPR staff worked with Deputy Attorney General, Steve Strack to compose the letters. In addition, monuments were installed at the ROW boundary by Tate Engineering in 2017, when they conducted a record survey. In the Spring of 2018, park staff reviewed the 20' offset and discovered homeowners or their renters had not removed items within the ROW. Due to landowners not complying with the Department's demands to cease encroachments upon the ROW, the Department's next step is to file legal actions against the landowners, requiring them to remove their encroachments from the ROW. Mr. Strack stated that technically the IDPR Board is the group who are responsible for all IDPR property and wanted to make sure the Board is onboard with taking legal action against this group of individuals who are encroaching on the property.

Mr. Hansen moved to follow staff recommendation. Motion was seconded by Mr. Fatkin. The Chairman asked for further discussion. Board and staff discussion followed pertaining to the need to move forward with legal action due to non-compliance from the homeowners. The Chairman called for a vote on the motion. Motion carried unanimously.

Medimont Property Donation – David White

Mr. White stated that he was contacted by Mr. Robert Hanson regarding property he and his wife owned adjacent to the Trail of the Coeur d'Alene's (TOC) in Medimont, Idaho. Mr. White explained that the Hanson property is adjacent to the TOC Medimont Trailhead and that this is one of the TOC's busiest trailheads. Mr. White stated that he thinks this property would be a benefit to the agency for more trail access and parking.

Mr. Eastwood 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.

FY2020 Grant Approval Request – Kathy Muir

Ms. Muir provided a brief overview on this year's grant approval process and stated that they awarded approximately \$11 million in grants which is more than she has seen awarded since she has been in her position. Ms. Muir introduced Brad Foltman and Ken Knoch, both of whom are serving on the Grant Advisory Committee.

FY2020 Recreational Vehicle (RV) Grants

Ms. Muir stated that there are two positions open on the RV Committee. Mr. Foltman has served two terms on the RV Committee and cannot be reappointed. Ms. Muir reported there is approximately \$6.6 million available to award for this grant. The RV Committee reviewed 28 grant applications and the requests totaled \$9,782,417. Ms. Muir stated the RV Committee recommends not funding projects below a score of 65.

Mr. Eastwood 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 passed unanimously.

FY2020 Waterways Improvement Fund (WIF) Grants

Ms. Muir stated there is approximately \$1.3 million available for this grant. \$50,000 was held back to fund emergency cost overruns associated with these grant projects. The WIF Committee reviewed 22 grant applications and the requests totaled \$2,418,983. Ms. Muir reported that funds for this account come from Fuel Tax and IDPR receives about \$1.5 million each year.

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

FY2020 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 \$42,000 available for this grant. The WIF Committee reviewed three grant applications and the requests totaled \$41,214.

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

FY2020 Road & Bridge (RB) Grants

Ms. Muir stated there is approximately \$240,000 available for this grant. The Advisory Committee reviewed 5 grant applications and the requests totaled \$350,000.

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

FY2020 Off-Road Motor Vehicle (ORMV) Grants

Ms. Muir stated there is approximately \$590,000 available to be award for this grant. The ORMV Advisory Committee reviewed 34 grant applications and the requests totaled \$1,011,562.

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

FY2020 Recreational Trails Program (RTP)

Ms. Muir stated the FY2019 allocation from the Federal Highway Administration (FHWA) is estimated to be approximately \$1,600,000. IDPR staff estimates that there will be approximately \$180,000 additionally in carry over funds. The RTP Committee reviewed 51 grant applications and the requests totaled \$4,052,625. Ms. Muir reported that these grant funds come from the Federal Fuels Tax.

Mr. Fatkin moved to approve staff recommendation of the priority ranking. Motion was seconded by Mr. Beckley. The Chairman asked for further discussion. Board and staff discussion followed regarding how the committee members were chosen. The Chairman called for a vote on the motion. Motion passed unanimously.

FY2020 Mountain Bike Plate Fund

Ms. Muir reported that these funds come from a specialty plate fund. Ms. Muir stated there is approximately \$20,000 available to be awarded for this grant. The RTP Committee reviewed three grant applications and the requests totaled \$48,176.

Mr. Eastwood 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 passed unanimously.

FY2020 Land and Water Conservation Fund (LWCF) Grants

Ms. Muir reported that all of the LWCF Committee members positions expire this year. Since this committee only meets every other year, staff has decided to wait until next year to appoint the new members for this committee. Ms. Muir stated that the FY2020 allocation from the National Park Service is estimated to be approximately \$1,000,000 and that Idaho has an unobligated balance that will cover the recommended projects. The LWCF Committee reviewed 12 applications according to the "Open Project Selection Process" identified in the State Comprehensive Outdoor Recreation Plan (SCORP) and the

requests totaled \$1,802,866. Mr. Ken Knoch addressed the Board and commented on the great effect these grants have in helping their smaller communities improve their communities.

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

2019 Strategic Plan – Anna Canning

Ms. Canning provided a brief overview of the requirements for updating the Strategic Plan. Suggested comments from the Board and all IDPR employees have been folded into the document the Board has before them today. Ms. Canning stood for questions. Board and staff discussion followed around how the plan is used within the department. Director Langhorst stated that this was one of his biggest initiatives when he came onboard with IDPR. The Director stated that it is part of the back bone of the organization, every business unit has a work plan that is directed by the Strategic Plan and everyone knows what their responsibilities are. Board Member Fatkin expressed his thoughts on the need for a new park in Eastern Idaho. Board Member Fatkin feels Eastern Idaho has an abundance of public lands currently and this section could be rephrased to state “as needed”. The Director explained that this request came from the Legislature wanting a state park in that area. The Board agreed this section should be removed from the Strategic Plan. The Board approved the 2019 Strategic Plan with all the suggested changes.

Kokanee Cove Discussion – Jennifer Okerlund

Ms. Okerlund provided a brief update on where IDPR is on fundraising for Kokanee Cove. To date, Ms. Okerlund has been in contact with:

- € Valley County Community who have expressed interest in and made suggestions for a donation and auction dinner at a local venue, hosted by the community.
- € Patricia Kempthorne who is willing to chair a fundraising committee to seek funding for a lodge at Kokanee Cove.
- € Jim Faucher, owner of Faucher Fundraising Consulting. Board Member Eastwood suggested utilizing Mr. Faucher’s services and stated specific successes working with him on projects for Coeur d’Alene Parks and Recreation. Mr. Faucher recommends considering a Fundraising Feasibility Study which would include the involvement of 25-40 individuals and businesses who participate in a strategic process to gauge the interest in the project and feasibility for raising the necessary funds to bring the project to fruition. The estimated cost of a Fundraising Feasibility Study is \$18,000-\$20,000.

BREAK AT 10:00 A.M.

RECONVENED AT 10:23 A.M.

Cooperative Management Agreement with the National Park Service (NPS) – Director Langhorst

The Director announced that after many hours of collaborative conversations between IDPR and the NPS, we have an agreement that is ready to sign. The Director commented that there are only two other such agreements and one of them is with City of Rocks. The agreement includes:

- € \$50,000 annual fee will be paid from NPS to IDPR for 25 years and they will help co-manage the Visitor Center. IDPR will recoup half of the cost to build the Visitor Center during the 25 years.
- € NPS will pay IDPR \$225,000 up front.
- € IDPR will obtain all ownership of the Visitor Center.
- € Saves tax payors money on both the state and federal levels.
- € This partnership will help enhance our interpretive program at Billingsley Creek.

The Director stood for questions and requested a motion from the Board to show they are in support of moving forward with this partnership. Board and staff discussion followed, expressing what a great opportunity this is for both agencies.

Mr. Hansen moved to approve and support the agreement for this partnership with NPS. Motion was seconded by Mr. Eastwood. The Chairman asked for further discussion, hearing none, the Chairman called for a vote on the motion. Motion passed unanimously.

Heyburn Recreational Residence Lease – David White

Mr. White stated that he and Deputy Attorney General, Steve Strack are tag teaming this agenda item. Mr. White provided a brief overview and background of the Heyburn Recreational Residence Leases. Mr. White commented that the leases for the 142 cabin sites within Heyburn State Park expire on December 31, 2019 and a new 10-year lease term will begin January 1, 2020. Leases for the 24 float home sites at Hidden Lake will not expire this year, those leases were renewed in 2015 for 30 years. It is the departments practice to review and update leases as each new lease term begins. Updates must be approved by the Board. For the lease term beginning January 2020, the Department proposed to make the following primary changes to the cabin site leases:

- € Return the base rent to 5% of fair market value, as provided in this Board's order of August 8, 2001.
- € Adopt a simpler system for challenging appraised values used to make the mid-lease rent adjustment, by allowing the lessee to obtain an independent appraisal if they question the value established by the Department's appraiser and using a third appraiser to reconcile the values if the difference is greater than 10%.
- € Update fees for sewer, water, trash/streetlight, and late payments.
- € In accordance with the Office of Risk Management guidelines for the lease of state property, require lessees to obtain general liability or homeowner's insurance, with the State of Idaho to be named as an additional insured party.

Mr. White stated that this list of changes will update the lease and are consistent with changes made to the float home leases in 2015. The Board's decision regarding base rent will also affect lease rates for the 24 float home sites at Hidden Lake. The lease for the float home sites provides that after January 1, 2020, the base rent shall be 5% of the fee simple value of each moorage site, unless the Board directs the Department to charge a lesser percentage for all recreational residences in the Park. Mr. White provided Board members with a spreadsheet comparing 2014 and 2019 site values and stated that the Department obtained an appraisal of the fair market value of all recreational residence sites within Heyburn Park. The appraisal showed that with minor exceptions, site values remained unchanged from the last appraisal conducted in 2014. A copy of the 2020-2029 Lease was sent to all cabin lessees. Lessees were also provided notice of the completed appraisal and were provide a link to the full appraisal on the Department's website. Mr. White stated that the Department has received several comments on the revised lease. Copies of these were provided in the Board packets. In addition to the lessee concerns regarding the rental increase, they expressed concerns about being able to obtain the liability insurance required by the new lease. Mr. White stated that the insurance requirements in the lease follow the recommendations of the State Office of Risk Management. IDPR staff recommends following the recommendations of the State Office of Risk Management, and clarification was provided to the lessees that the insurance requirements are for liability purposes only and are not related to the value of their improvements. Mr. Strack commented that back in 2000, the Board was faced with coming up with a reasonable lease rent rate. The Board came up with 4% at that time. Lessees took the Board to court and the market studies were reviewed. The Board settled on a rate of 5%. In 2010 the Board decided to drop the rate down to 3.75% due to the recession. IDPR staff are now requesting the Board to go back to the previously approved rate of 5%. This is valued from the fee simple value of the property. Mr. Strack confirmed that the appraisals that were done were on the land value, not any improvements owned by lessees. Mr. Michael Fereday addressed the Board. Mr. Fereday is the President of the Heyburn State Park Leaseholders Association. He thanked the Board for allowing him this opportunity to address them today and stated that the association appreciates the unique privilege they have of leasing the cottage sites at Heyburn. Mr. Fereday shared the concerns, the Cabin holders have expressed to him regarding the manner in which the appraisals were performed. He also expressed the lessees concerns about their ability to acquire General Liability Insurance in the amount requested by the new lease. He stated that the lessees have no plans to challenge the utility increase, but they have sought legal assistance to review the property lease increase. Mr. Fereday continued that due to cap rates being different 10 years ago, he proposes that the Board not adopt the staff recommendation of 5% and continue with the previous Boards decision of 2009. Mr. Steve Fiscus, Chatcolet Leaseholder, addressed the Board. He commented that conversations with IDPR have been much more open this time and he thanked David White for providing them with so much information. Mr. Fiscus suggested that prior to the end of this new lease, a group of the lessees and IDPR staff come together and discuss the proposed new lease, to help alleviate these issues coming to a head like they have currently. Mr. Fiscus stated that he agrees with Mr. Fereday that 3.75% is a sufficient rate. Board and staff discussion followed regarding the new lease requirements and when the final decision from the Board needs to occur. A letter was sent to the lessees

stating the Board would not be voting on staff recommendations until the August Board meeting, David White concurred.

Mr. Beckley moved for the Board to defer this agenda item until the August Board meeting and vote on staff recommendations at that time. Motion was seconded by Mr. Fatkin. The Chairman asked for further discussion. Mr. White stated that if the Board requires any additional information from him to please provide those requests to him as soon as possible. Mr. Fiscus asked if the lessees would be allowed to have additional time to submit written testimony to the Board. The Board agreed to allow additional comments, but they need to be submitted to David White no later than June 15, 2019. Mr. White will send a letter to the lessees stating the Board has tabled this agenda item until the August Board meeting and lessees will be allowed additional time to submit their comments to him. **The Chairman called for a vote on the motion. Motion carried unanimously.**

Electric-Assisted Bicycles in Idaho State Parks – Keith Hobbs

Mr. Hobbs provided an overview of HB76 and the three classifications of E-Bikes.

- € Class 1 Electric Bicycles, which provide motor assistance only while the rider is pedaling, with assistance ceasing once the bicycle reaches 20 mph.
- € Class 2 Electric Bicycles, which provide motor assistance whether or not the rider is pedaling, with assistance ceasing once the bicycle reaches 20 mph.
- € Class 3 Electric Bicycles, which provide motor assistance only when the rider is pedaling, with assistance ceasing once the bicycle reaches 28 mph.

The Idaho State Parks has three trails which would be defined as multi-use paths, the Trail of the Coeur d'Alenes (TOC), the Coeur d'Alene Parkway (CDA PWY) and the Ashton-Tetonia Trail (ATT). This authority for use would permit the use of all classifications of E-Bikes on each of these trails, including the use of Class 3 E-Bikes. Mr. Hobbs requested an exception on allowing any E-Bikes on the TOC. He stated that the TOC is managed jointly with the Coeur d'Alene Tribe and they prohibit the use of E-Bikes on portions of the trail under their jurisdiction. IDPR has followed this same policy to maintain consistency in rule and to await statewide direction on the use of E-Bikes. IDPR staff recommends prohibiting the use of E-Bikes on the TOC and CDA PWY, until we can coordinate with all of our managing partners. Board and staff discussion followed on how to determine if a bike is an E-Bike or not. Mr. Fatkin brought up the concern of allowing E-Bike users to go 20 mph on the trails. The Board asked if they could carry this agenda item over to the August Board meeting to allow sufficient time to talk with the tribe, the county and city of Coeur d'Alene, so everyone is on the same page. Mr. Strack stated that the law goes into effect on July 1, 2019 and if the Board does not act before this date, then all E-Bike classes will be allowed on our trails.

Mr. Eastwood moved for the Department of Parks and Recreation to permit the use of Class 1 and Class 2 Electric-Assist Bicycles and prohibit the use of Class 3 Electric-Assist Bicycles, as defined in HB 76, on all Idaho State Park trails and multi-use paths, with the exception of the Trail of the Coeur d'Alenes and the Coeur d'Alene Parkway. Motion was seconded by Mr. Beckley. The Chairman asked for further discussion, hearing none, the Chairman called for a vote on the motion. Amended Motion passed unanimously.

Mr. Eastwood moved that the Department of Parks and Recreation prohibit the use of Electric-Assist Bicycles on the Trail of the Coeur d'Alenes and the Coeur d'Alene Parkway, until staff pursues consensus with IDPR's management partners, the Coeur d'Alene Tribe, City of Coeur d'Alene, Kootenai County and the City of Post Falls, to allow for the use of the Class 1 and Class 2 Electric-Assist Bicycles, as defined in HB 76. Motion was seconded by Mr. Hansen. The Chairman asked for further discussion, hearing none, the Chairman called for a vote on the motion. Amended Motion passed unanimously.

Mr. Eastwood moved for staff to bring this agenda item back to the August Board meeting for implementation to further include the Trail of the Coeur d'Alenes and the Coeur d'Alene Parkway. Motion was seconded by Mr. Fatkin. The Chairman asked for further discussion, hearing none, the Chairman called for a vote on the motion. Motion passed unanimously.

LUNCH BREAK

Wake Zone Policy – Dave Claycomb

Mr. Claycomb announced that this is an informational agenda item today. He reported that two Valley County meetings were held in April one in McCall and one in Cascade. The purpose of the meeting was to gather input on a proposal that was rolled out by the Valley County Commissioners that would have had a profound impact on power-boating within the county. There was large opposition to this proposal. The County has since scrapped the proposal due to the feedback they received during the meetings as well as written comments that were submitted by the public. Mr. Claycomb addressed some of the education pursuits IDPR has engaged in thus far and ideas for long term outreach. Mr. Claycomb shared a radio spot on messaging the Recreation Department has used to encourage ATV riders to stay on the trails. Mr. Claycomb stated they would like to do the same thing in training the motorized boating community on minding their wake and being aware of this as well as playing responsibly. Mr. Claycomb stated he will work with Ms. Okerlund to complete the messaging for the boating community. Board Member Hansen requested, when Mr. Claycomb has the campaign and messaging outlined, to please send it to him, so he can help get the word out to the community.

FY 2021 Budget Proposal – Steve Martin

Mr. Martin provided a brief overview of the FY 2020 budget and basis for the FY 2021 budget and provided a PowerPoint presentation which included:

- FY 2020 Budget Appropriation by Expenditure – 2.1% increase over FY 2019
- FY 2021 Budget Proposal Program Enhancements
- FY 2021 Budget Cash Flow Projections
- FY 2021 Budget Proposal – Requests

Mr. Martin stated that IDPR staff has reviewed and ranked the enhancement and replacement items and if approved by the Board, the information will be incorporated into the final budget document submitted to DFM on September 1, 2019. Board and staff discussion followed with additional questions pertaining to redoing our current website and the addition of an additional Regional Manager for the East Region.

Mr. Hansen moved to approve staff recommendation of the FY 2021 budget proposal based upon the ranked replacement and enhancement items, for a total request of \$45,673,600, as summarized on page five (5) of this agenda item and approval to adjust Health Benefit costs and CEC, if any, to the actual amounts included in DFM's budget instructions. Motion was seconded by Mr. Eastwood. The Chairman asked for further discussion, hearing none, the Chairman called for a vote on the motion. Motion passed unanimously.

BREAK AT 1:45 P.M

RECONVENED AT 2:00 P.M.

Fees – Tammy Kolsky

Fee Change Item #1 – Tax Inclusive Fees

Ms. Kolsky provided a brief overview of this fee change and requested Board approval for IDPR to move from a tax add to a tax inclusive model on fees. Ms. Kolsky stood for questions.

Mr. Eastwood moved to approve staff recommendation to change to a tax inclusive model on use fees. Motion was seconded by Mr. Beckley. The Chairman asked for further discussion, hearing none, the Chairman called for a vote on the motion. Motion passed unanimously.

Fee Change Item #2 – Ponderosa Deluxe Cabin Fees

Ms. Kolsky provided a brief overview of the proposed fee schedule change for the Deluxe Cabins at Ponderosa State Park. Ms. Kolsky stood for questions.

Mr. Hansen moved to increase the staff recommended amount on the Resident Fee from \$150 to \$160 per night and the Non-Resident fee from \$165 to \$175 per night for deluxe Cabins that sleep four. Also, to approve staff recommendation to increase the Resident Fee for the cabins that sleep 6-8 to \$181 and the Non-Resident Fee to \$200 per night. The Motion was seconded by Mr. Fatkin. The Chairman asked for further discussion. Board and staff discussion followed

regarding the cap amount that is allowed on fees for these cabins and weekend and holiday fees. The Chairman called for a vote on the motion. Motion passed unanimously.

Fee Change Item #3 – Restructure Agency Campsite Types

Ms. Kolsky provided a brief overview of the proposed Restructuring of the Agency Campsite Types. Ms. Kolsky stood for questions.

Mr. Eastwood moved to approve changing IDPR's current campsite types and definitions to the proposed site types and definitions provided by staff, and to further direct staff to initiate proposed rulemaking with final approval of the proposed rule change prior to publication in the Administrative Bulletin. Motion was seconded by Mr. Hansen. The Chairman asked for further discussion, hearing none, the Chairman called for a vote on the motion. Motion passed unanimously.

Fee Change Item #4 – Variable Pricing – Implement Fee Tier

Ms. Kolsky provided a brief overview of the proposal to move forward with a pricing model that would eliminate the high demand destination parks premium pricing model and, in its place, implement agency wide Variable or Market rate pricing by assigning each of our campground parks into one of three tiers of campsite pricing based upon the parks performance in the reservation system and "Peak" season occupancy. Ms. Kolsky stood for questions.

Mr. Fatkin moved to accept staff recommendation and direct staff to move forward with utilizing pricing tiers as a part of IDPR's Variable Pricing efforts and approve the Initial Park and Pricing Tier assignments as presented. Motion was seconded by Mr. Eastwood. The Chairman asked for further discussion, hearing none, the Chairman called for a vote on the motion. Motion passed unanimously.

Fee Change Item #5 – IDAPA 26.01.20 Fee Changes

Ms. Kolsky provided a brief overview of the team evaluation and recommendations. The items detailed are ones where changes are being requested to update IDAPA in order to change existing fees, to delete fees or to insert new fees in IDAPA 26.01.20.

Mr. Hansen moved to accept staff recommendations as presented with the exceptions of the following changes:

- 1. Change the Fee Collection Surcharge to \$25.00**
- 2. Raise the maximum charge allowed on the Camping Cabins and Yurts to \$500.00**
- 3. Raise the pet fee to \$15.00 per pet, per night**
- 4. Add a cleaning fee of \$50.00**

It was clarified that these recommended fees would be caps.

The Board also approves to make these changes to the IDAPA 26.01.20 sections 225, 250 and 251 as detailed and further direct staff to initiate proposed and negotiated rulemaking with final approval of the proposed rule changes prior to publication in the Administrative Bulletin. Motion was seconded by Mr. Beckley. The Chairman asked for further discussion. Further Board and staff discussion followed regarding the \$500.00 cap on the Camper Cabin's and Yurts, clarifying that on Holiday's, weekends and higher use days, staff could increase fees, not to exceed the maximum of \$500.00 per night. These fees will require Board approval at a future Board Meeting, after these caps are changed in IDAPA. The Chairman called for a vote on the motion. Motion passed unanimously.

Fee Change Item #6 – State Parks Passport

Ms. Kolsky provided a brief overview of the direction IDPR staff was given by the Board to re-visit the Passport, to determine if the time had come to propose changes to the Program. Director Langhorst suggested the Board not vote on this today, to allow time for staff to discuss this with the Governor's office and to obtain additional background information, unless there is specific energy with the Board to move in a specific direction. Mr. Eastwood inquired if staff is under a timeline if the Board decided to implement changes in the Passport? Director Langhorst stated there is a timeline of July 13, 2019, when a proposal would need to be submitted to the Governor's office for approval, prior to going to the Legislature. If the Board directed staff to do so, it is feasible to make these changes prior to July. Director Langhorst stated that he had a meeting with Sen. Mark Harris and Rep. Mark Gibbs regarding

Bear Lake and the fact there are too many people on the beach and overcrowding, and that our fees to enter the park are too low. Sen. Harris and Rep. Gibbs both stated in a letter they sent to the Director that they would support a fee increase in the Passport. Chairman Black suggested we arrange a meeting with Governor Little, prior to the August Board meeting, to discuss the proposal of increasing the cost of the Passport. Director Langhorst proposed a new staff recommendation to the Board, to direct staff to work on developing Legislation to increase the cost of the Passport to \$15.00 and include an additional \$1.50 vendor fee on top of the \$15.00.

Mr. Hansen moved to instruct staff to propose Legislation for an increase in the Passport fee to \$15.00 and add the vendor fee of \$1.50 on top of this and to work towards completing this proposal for the next Legislative Session. 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.

Rules Reauthorization and Red Tape Reduction Act – Anna Canning

Ms. Canning reported that Idaho Code states the Board has the sole authority to approve IDPR rules. Ms. Canning walked the Board through two areas that are related to this:

1. Initiating the rule making process to comply with the Red Tape Reduction Act.
2. Reauthorization of the rules as appropriate given that they are set to expire July 1, 2019.

Ms. Canning provided a table that summarized actions for each rule in numerical order, with staff recommendation and proposals:

- € Do Not Submit for Reauthorization – 26.01.01, Rules of administrative Procedure of the Idaho Park and Recreation Board. Mr. Strack has indicated that we can rely on the Attorney General rules on administrative procedures rather than have IDPR specific administrative procedures.
- € Do Not submit for Reauthorization, Adopt IDPR Policy – 26.01.02, Rules Governing Reporting and Remittance of Surplus County Vessel Account Moneys. 26.01.06, Rules Governing Cooperator Recognition and Sale of Advertising, 26.01.23, Rules Governing Filming within Idaho State Parks.
- € Submit for Reauthorization Exclusive of Subsections 030 and 170 – 26.01.21, Rules Governing Leasing Practices and Procedures for Recreational Residences within Heyburn State Park. Two sections of 26.01.21 are incorporated into the Heyburn Leases and no longer need to be in rule.
- € Submit for Reauthorization – 26.01.34, Idaho Protection against Invasive Species Sticker Rules. Rule 26.01.34 is listed among IDPR rules, it was initiated by the Department of Agriculture and we are not proposing any modification on this rule.
- € Submit for Reauthorization. Consider edits for 2020 Legislative Session – 26.01.20, Rules Governing the Administration of Park and Recreation Areas and Facilities, 26.01.36, Rules Governing the Winter Recreation Parking Permit Program. Staff proposes consolidating 26.01.36 into this document, implement fee changes as approved by the Board and remove unnecessary or inappropriate regulation. DFM will need to submit the Temporary Rule and IDPR will follow with the Proposed Rule.
- € Submit for Reauthorization. Consider edits for 2021 Legislative Session – 26.01.03, Rules Governing Recreational Registration Program Vendors, 26.01.10, Rules governing the Administration of Temporary Permits on Lands Owned by the Idaho Department of Parks and Recreation. 26.01.22, Rules Governing Cooperating Associations. 26.01.24, Rules Governing the Administration of the Sawtooth National Recreation Area Special License Plate Fund. 26.01.31, Rules Governing the Administration of the Idaho Department of Parks and Recreation State and Federal Grant Funds. 26.01.33, Rules Governing the Administration of the Land and Water Conservation Fund Program. 26.01.37, Rules Governing Test Procedures and Instruments for Noise Abatement of Off Highway Vehicles. Staff will review these rules and conduct negotiated rule-making and bring back specific proposals to the Board at a future Board Meeting.
- € Submit for Reauthorization. Consider edits for 2022 Legislative Session – 26.01.30 Idaho Safe Boating Rules.

Ms. Canning stated that there will be five motions requested of the Board for this agenda item.

Motion #1

Mr. Eastwood moved to direct staff to develop or amend IDPR policy to incorporate the following rules as described and presented by staff in Motion #1 for rules 26.01.02, 26.01.06 and 26.01.23. 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.

Motion #2

Mr. Beckley moved to Direct staff to allow the following rules to lapse and not be reauthorized as presented by staff in Motion #2 for rules 26.01.01, 26.01.02, 26.01.06 and 26.01.23. 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.

Motion #3

Mr. Beckley moved to direct staff to work with DFM to have IDPR rules reauthorized as detailed in the Notice of Omnibus Rulemaking for Non-Fee Rules as presented by staff in Motion #3 for rules 26.01.03, 26.01.21 with the exclusion of subsections 030 and 170, 26.01.22, 26.01.24, 26.01.30, 26.01.31, 26.01.34 and 26.01.37. Motion was seconded by Mr. Hansen. The Chairman asked for further discussion, hearing none, the Chairman called for a vote on the motion. Motion carried unanimously.

Motion #4

Mr. Beckley moved to direct staff to work with DFM to have IDPR rules reauthorized as detailed in the Notice of Omnibus Rulemaking for Fee Rules as presented by staff in Motion #4 for rules 26.01.10, 26.01.20, 26.01.33 and 26.01.36. 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.

Motion #5

Mr. Beckley moved to direct staff to initiate proposed rule-making on the following rules during the 2020, 2021 or 2022 Legislative Sessions with final Board approval of the proposed rule prior to publication in the Administrative Bulletin as presented by staff in Motion #5 for rules 26.01.03, 26.01.10, 26.01.20, 26.01.22, 26.01.24, 26.01.30, 26.01.31, 26.01.33, 26.01.36 and 26.01.37. Motion was seconded by Mr. Hansen. The Chairman asked for further discussion, hearing none, the Chairman called for a vote on the motion. Motion carried unanimously.

Eagle Farm Building Update – Melanie Schuster

Ms. Schuster provided the Board with a PowerPoint Presentation. It included:

- € Where Eagle Island is Now
- € Location map of Eagle Island Prison Farm
- € Where Eagle Island Prison Farm was in 1930-1977
- € Process so far:
 - A. 1/8/19 – Prison Farm Exhibit at Eagle History Museum
 - B. 2/4/19 – Structures discussion at Eagle Island
 - C. 3/25/19-3/26/19 – Structure Survey and Asbestos Inventory
 - D. 4/1/19 – Preparation of Building Evaluation
- € Eligible Historic Buildings
- € Why Now?
- € Next Steps:
 - A. Committee to Review the Evaluation Report and Recommend Next Steps
 - B. Present Proposed Recommendations to the Board and Tour Eagle Island Site

Ms. Schuster stood for questions. Board and staff discussion followed with a request that staff provide the Board with recommendations for next steps for this property and a cost proposal during our November Board meeting. Ms. Schuster will provide this requested information to the Board during their November Board meeting.

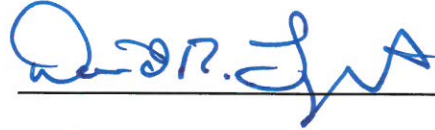
Mr. Beckley moved to adjourn the meeting. Mr. Eastwood seconded the motion. Meeting was adjourned at 3:57 P.M.

Wednesday, May 22, 2019

9:00 A.M. Park Tour of Kokanee Cove and Ponderosa State Park – LUNCH PROVIDED



Pete Black, Chairman
Idaho Park and Recreation Board



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

