

Quarterly Whitewater Commission Meeting Minutes **December 14, 2010**

Location: Division of Natural Resources
324 4th Avenue
South Charleston, WV 25303

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

In Attendance: Jerry Cook, ACE Whitewater; Matt Knott, River Riders; Tim Barton, Alpine; Rob Dobson, West Virginia Adventures; Mark Lewis, WVPRO; Don Beyer, Private River User; Doug Cooper, Private River User; Rick Johnson, River Expeditions; Kelly Crago, DNR recording secretary

Approval of September 15, 2010 Minutes

Matt Knott motioned to approve the minutes recorded from the September 15, 2010 quarterly Whitewater Commission meeting. Don Beyer seconded the motion, and the Commission accepted.

Injury Report RFP

Mark Lewis presented the updated version of the RFP to the Commission. It was suggested that the RFP should define how we decide which accidents are reportable and therefore should be included in the work, but Mark said that nothing in the previous RFPs for injury report research specifically defined reportable versus non-reportable accidents. That would be something we go over with the bid-winner before he/she starts the work.

Mark also said that Angela Negley of DNR Procurement can approve the RFP if the amount is under \$2500.00. Mark believes that the work will cost at least \$5,000.00 which means we will have to go through the entire bid process.

Tim Barton motioned to submit the updated RFP. Jerry Cook seconded the motion, and the Commission accepted. Mark will submit the updated RFP to Angela Negley.

Online Payments

Setting up the site wouldn't be a problem because the DNR could just use the Treasury's site that is already set up.

The Commission wondered how it would cover the cost of processing the cards for the online payments. If the Commission decides to allow Outfitters to pay online, the Outfitters should pay the fee. The form to sign up for the online payment site states that the agency (DNR) can charge a convenience fee to the customer so that the agency itself isn't paying to process the online payments. However, the Commission is not sure how it would figure how much to charge

since the convenience fee must be a flat rate, but the processing charges to the agency are a percentage of the amount charged.

Also, Jerry Cook wondered if “Internet Credit Card Processing Costs” and “POS Credit Card Processing Costs” were two different categories of processing online payments or if the Commission would have to add the percentages charged per type of credit card. For example, would the Commission have to pay 1.89% plus 2.25% to process a Visa/Mastercard payment? Refer to Attachment A of the “Electronic Government Application.”

The Commission discussed whether it would use the online payment system for just user fee payments or if they would also use it for license fee payments. Many said that if it wasn’t difficult to set up, we may as well use the online payment system for things other than user fees in order to make it easier on the agency.

Jerry Cook made the motion to proceed with the investigation into the DNR setting up an online payment system for the Whitewater Outfitters. Matt Knott seconded the motion, and the Commission accepted.

Whitewater Website Work

Kelly Crago updated the group regarding the computer work Chip Short is supposed to be doing. She has been getting very little response and cooperation from Chip. She is concerned that Chip is logging hours that aren’t being used to work on the websites. She also stated that she doesn’t know how long computer programming takes, but the situation is cause for discussion.

Rob Dobson asked about the possibility of hiring somebody else to do the work. The Commission had hired Mr. Short because he designed the websites used by the whitewater industry in West Virginia. However, it doesn’t save much time if Chip is working at the same rate as someone who may be able to either learn about the existing site enough to work on it or completely design a new one.

Jerry Cook offered to initiate a conference call between Chip and one of his website designers in order to see if the work Chip is doing should be taking as long as it is.

The Commission decided to allow Lt. Col. Jenkins to have a conference with Harry Price in order to ask if Chip Short is invested in doing the project or not.

Bond Interpretation

Rick Johnson inquired about the historical interpretation versus the new interpretation of Outfitter & Guide bonds in the law. Rick was curious what the DNR lawyer’s interpretation was based on.

Lt. Col. Jenkins said that Will, the DNR lawyer, knew of the historical precedence before he made his decision. Lt. Col. Jenkins said that the interpretation was based on the wording

found under § 20-2-23d which talks about bonds in terms of the licenses instead of the licensee. Lt. Col. Jenkins said he would get a formal statement from Will in his words regarding his recent interpretation.

User Numbers Reporting

Rob Dobson asked if every Outfitter was required to report numbers every month, even if they did not run any rafts down the river. Lt. Col. Jenkins stressed that, due to the law requiring proper reporting, every Outfitter needs to report numbers for every month, even if they type in 0. Kelly said she had assumed if she didn't get user numbers or trip leader reports, an Outfitter hadn't run the rivers that month. However, in light of the Commission's discussion, she will be more stringent about making sure Outfitters post 0 numbers also.

DNR Officers on the Rivers

Lt. Col. Jenkins asked if the Outfitters had seen DNR officers on the rivers during the season. Rick Johnson said that he had some officers visit him and had good interaction with them. Mark Lewis and Rob Dobson said they both had trainings led by officers that went well.

Rob Dobson believes that having uniformed officers on the rivers "impacts the culture" of the Outfitters and rafters. He believes it enforces the belief that DNR officers are continuously patrolling which encourages a more law-abiding attitude.

Jerry Cook and Tim Barton said it may be a good idea to place officers halfway through the runs so that they would see every rafter coming down the rivers. The Outfitters wouldn't get used to the officers being only at the put-ins and take-outs; they would be more likely to behave the entire trip due to the unpredictability of the placement of officers. May also be a good idea to sometimes have the officers on land and sometimes on the water... mix up the patrolling regimen.

Budget

Matt Knott created and dispersed an updated version of the budget. Nobody had any questions.

Next Quarterly Meeting

The next meeting will tentatively be held on Tuesday, March 15, 2011 at 1:00 pm at Blackwater.

Adjournment

Jerry Cook motioned to adjourn the 2010 third quarterly Whitewater Commission meeting. Tim Barton seconded the motion, and the Commission accepted.