

# **MINUTES OF THE WHITEWATER COMMISSION**

Quarterly Meeting

March 17, 2010

1:30 P.M.

Lieutenant Colonel Jerry Jenkins, Division of Natural Resources Law Enforcement, on behalf of Director Frank Jezioro, called the meeting of the Whitewater Commission to order. This meeting is being conducted at the conference room of the Division of Natural Resources Headquarters, South Charleston, West Virginia.

## **Whitewater Commission Members**

Lieutenant Colonel Jenkins introduced the newly appointed members of the Whitewater Commission.

Don Beyer, 915 Chestnut Road, Charleston, West Virginia, for a term ending June 30, 2010. Mr. Beyer is a private river user from the New River zone and this is a reappointment.

Chris Ellis, P. O. Box 397, Fayetteville, West Virginia, for the term ending June 30, 2012. Mr. Ellis is a private river user from the Gauley River zone and succeeds William Garten.

Doug Cooper, HC 73, Box 24, Valley Head, West Virginia for the term ending June 30, 2011. Mr. Cooper is a private river user from the Cheat River zone and succeeds Arthur George.

Brian Campbell, P. O. Box 65, Fayetteville, West Virginia, for the term ending June 30, 2011. Mr. Campbell is a commercial outfitter and succeeds Rick Johnson.

Tim Barton, 1100 Sweeneysburg, Road, Beckley, West Virginia, for the term ending June 30, 2010. Mr. Barton is a commercial outfitter and succeeds Jonathan Danz.

Jerry Cook, 49 Reed Road, Oak Hill, West Virginia, for the term ending June 30, 2011. Mr. Cook is a commercial outfitter and succeeds Jeff Proctor.

Matthew Knott, 200 River Rock Run, Harpers Ferry, West Virginia, for the term ending June 30, 2011. Mr. Knott is a commercial outfitter and succeeds Paul Hart.

## **Division of Natural Resources**

Lieutenant Colonel Jerry Jenkins, Law Enforcement, Charleston  
Lieutenant Larry Case, Law Enforcement, District Four  
Jennifer Weinrich, Law Enforcement, Charleston (Recording Secretary)

## **Others In Attendance**

Betty Cutlip, Division of Tourism (sent on behalf of Betty Carver)  
Rick Johnson, River Expeditions

## **Approval of Minutes**

Motion was made and seconded to approve the minutes of the December 16, 2009 Quarterly Meeting of the Whitewater Commission. The motion was unanimously approved.

## **Boy Scouts of America Proposed Purchase of Passages to Adventure's License**

Steve McGowan on behalf of the Boy Scouts of America approached the Commission requesting passage license be issued for the Boy Scouts of America.

There was some discussion among the members as to there being any other tangible assets involved and also that the Commission has never been asked to give an opinion or approval of a transfer of license; this has always been an administrative decision made by the Director.

After further discussion, motion was made and seconded to approve the transfer of license for passage adventure to the Boy Scouts of America, pending the Director's blessing, and with the stipulation that this action not set precedence and the Commission does not have to approve future licenses. The motion was unanimously approved.

## **Whitewater User Fees, Prompt and Accurate Reporting**

Jennifer Weinrich reported that the amounts on the Trip Leader Reports are not matching the User numbers. She suggested maybe there were some computer problems or some sort of glitch causing this and advised the numbers don't have to be exact, but they need to be closer than what is being reported.

After a great deal of discussion, motion was made by Brian Campbell and seconded by Jerry Cook to combine the LAC and Regulations Committees. The motion was unanimously approved.

Motion was made by Brian Campbell and seconded by Jerry Cook to appoint Brian Campbell, Jerry Cook, Rick Johnson and Larry Case to serve on the LAC/Regulations Committee with Brian serving as Chairman. The motion was unanimously approved.

Motion was made by Brian Campbell and seconded by Jerry Cook to reconstitute the Budget Committee with Matt Knott serving as Chairman of the Budget Committee and Brian Campbell and Mark Lewis volunteering to assist. The motion was unanimously approved

Lieutenant Colonel Jenkins advised we need a better reporting system. It has been brought to our attention that one outfitter didn't submit any numbers for 2008. We need to be able to

provide this information to our officers; they have no way of knowing. When you get the report and you don't see certain names on it; just let us know.

### **Whitewater Study and Improvement Fund**

Lieutenant Colonel Jenkins presented the financial statement for the Whitewater Study and Improvement Fund which reflects a cash-in-hand balance of \$122,672.72.

The current balance for the Trout Fund is \$6,697.00.

### **Whitewater Rule Change**

This rule will change the whitewater zone and is pending the Governor's signature.

### **Other Business**

Lieutenant Colonel Jenkins advised, as you know, the WW Commissioners are seated until they have been replaced. Some of you will be losing your Commission appointment as early as June 30<sup>th</sup>, 2010. The seats are staggered in one to three year intervals.

Also in other business, there was discussion about safety issues involving whitewater. The LAC Committee sits down once a year and reviews all the injury and fatality reports. We then submit a report to the Commission for investigation; which takes a while to complete before we can access those files. The LAC and Regulations Commission can then sit down and review the files and report our findings at our next meeting. We review them from the standpoint; do we need to change a regulation or address an issue?

Lieutenant Colonel Jenkins reported that when he was reviewing a whitewater accident report, there was no actual Coroner's report and the body had been sent to the Coroner; the report said the victim drowned. But after the deceased was embalmed and some organs harvested, the Medical Examiner's report said the victim died of a heart attack. The last legislative audit said we weren't doing our job as far as reviewing the accidents.

The Commission has not had an official Accident Report since 2003. We need to get a system that can generate these reports so we can summarize the data ourselves or we need to re-engage someone who can tally them for us and write a report.

### **Next Meeting Date and Place**

The next meeting of the Whitewater Commission will be conducted on June 16, 2010 at 1:00 p. m. at Extreme Expeditions.

### **Adjournment**

Upon motion and a second and unanimously approved, the Quarterly Meeting of the Whitewater Commission stood adjourned.

