



Oregon Parks and Recreation Commission

November 18-19, 2009

The Loft at the Red Building

20 Basin Street Astoria, OR 97103 (503) 488.5814

11/18-19/2009 Meeting Minutes

Those attending all or part of the meeting included:

Commissioners Present:

Jim Parr, Chair

Jay Graves, Vice-chair

Robin Risley

Sharon Rudi

Brad Chalfant

Jim Brown

Sue Musser

Staff:

Tim Wood, Director

Chris Havel, Communications Coordinator

Roger Roper, Assistant Director, Heritage Programs

John Potter, Assistant Director, Operations

Kathy Schutt, Planning Division Manager

Kyleen Stone, Assistant Director, Recreation Programs and Planning

Steve Shipsey, Assistant Attorney General

Vanessa DeMoe, Commission Assistant

Cliff Houck, Property and Resource Manager

Richard Walkoski, Recreation Programs Manager

Jim Morgan, Natural Resources Manger

Ron Campbell, Master Planner

Wayne Rawlins, Grants Program Manager

Lisa Van Laanen, Assistant Director of Administration

Bob Reitmajer, Engineering Manager

John Allen, Region Manager

Visitors Present:

Lee Jimerson, Oregon State Parks Trust

Paul Benoit, Astoria City Manager

Cassandra Profita, Daily Astorian Newspaper

Jim Scheller, Warrenton Trails Association Chair

David Szymanski, Lewis and Clark

Mike Dickerson, Shorebank Enterprise

Commission Executive Session & Workshop
Wednesday, November 18, 2009
10:00 a.m.

1. Executive Session (PowerPoint presentation and discussion)

The Commission met in Executive Session to discuss acquisition priorities and opportunities. The executive session was held pursuant to ORS 192.660(2)(e).
The Executive Session was closed to the public.

2. Natural Resource Program Update (PowerPoint presentation and discussion)

Jim Morgan, Natural Resources Manager

Mr. Morgan updated the Commission on the following aspects of the Natural Resource Program and the issues he has been working on since he joined the Department in November 2008:

- Policy
- Guidelines for setting priorities
- Planning
 - Natural Resource Planning
 - Master Planning
 - Habitat Conservation Planning
- Management
 - Snowy Plover Management
 - Wildlife Management
- Invasive Weeds
 - Native Plant Invasion
- Fuel Reduction Projects
- Forest Management
- Hazard Tree Policy Implementation
- Habitat Restoration with Partners
- Natural Resource Specialists in Regions
- Discussion
 - Climate Change

3. National Heritage Area Orientation

Roger Roper, Heritage Programs Manager

David Szymanski, Lewis and Clark

Mike Dickerson, Shorebank Enterprises

Mr. Szymanski shared that in 2007 a Study Bill to designate the region around the mouth of the Columbia as the Columbia/Pacific National Heritage Area was initiated; the area was designated in 2008. He also provided background information on National Heritage Areas.

National Heritage Areas (NHA):

- Designation given by Congress to areas that tell a distinctive part of the American story
- No land use restrictions or regulations
- Areas run by non-profit agency or organizations named in legislation
- Appropriation of up to \$10 million over 15 years
- 49 areas designated to date
- First site designated in 1984

Intended Purpose of NHA:

- Investment with measurable results
- Redefine heritage areas; give community resilience

Mike Dickerson, Shorebank Enterprises

Mr. Dickerson shared information regarding Shorebank Enterprises and their involvement with National Heritage Areas:

- Non-profit, 501 (c) (3)
- Formed 15 years ago
- Affiliate of Shorebank Corp. in Chicago
- Focused on community and reinvestment in communities
- Triple Bottom Line
- Economic, family and environmental resilience
- Belief that heritage is more about the future than the past
- Heritage of places like the Lower Columbia have falsely divided by State, and other, lines
- Feasibility study on the project will be completed by the end of this year
- Public comment meeting will be held on both sides of the river
- Seek support from various groups for approval by Congress
- If NHA is approved, have a 3 year window to produce a management plan

Mr. Roper added that Heritage Areas are in some ways like a large-scale version of the Main Street program, in that they are focused on both historic preservation and economic development. He said that the model that is being pursued in the Columbia Pacific area is very innovative, leading with investment, industry and jobs, rather than just historical brochures and information.

Commission Training Session
Thursday, November 19th, 2009
8:30 a.m. – 10:15 a.m.

1. Audits Division, Secretary of State (PowerPoint presentation and discussion)
Gary Blackmer, Audits Director

Mr. Blackmer gave background on auditing and why audits are done. He shared that the mission of the Secretary of States office, which is a long standing mission, is “auditing to protect the public interest and improve Oregon government.” Mr. Blackmer stated that audits are done according to Government auditing standards and are authorized by the Oregon State Constitution. He covered the auditing steps and specific audits at OPRD, including:

- Measure 66 (required by the measure to audit every two years)
- Change of Director Reviews
- Capital/Non-Capital Asset Audit
- Statewide Financial Audit
- State Fair
- Parks Cash Controls

Mr. Blackmer provided a look at auditing from a Commission point of view and provided some Commission Accountability Questions.

1. Does the agency have a shared understanding of where it is going, how everyone involved can work to that common purpose, and how it will measure its progress and levels of success?
2. Are agency resources allocated in accordance with its mission, priorities, and desired results?

3. Are the agency's operations aligned to achieve its goals and monitored to help improve its performance?
4. Does the agency take action to modify its strategies, resource allocations and operations to better achieve its goals?

2. Financial and Oversight Responsibility (PowerPoint presentation and discussion)

John Radford, State Controller

Mr. Radford explained that the State Controllers office is a small organization within DAS. He gave a brief introduction to the responsibilities of the State Controllers office.

Mr. Radford stated that a board or Commission member must at all times exercise a reasonable degree of care and diligence in performing a member's functions, and in furtherance of this duty without limiting its scope, must:

- Take reasonable steps to inform himself or herself about the institution, its business and activities, its financial condition and affairs, its business risk and control mechanisms, and the circumstances in which it operates;
- Take reasonable steps, through the processes of the board/commission, to obtain sufficient information and advice about all matters to be decided by the board/commission to enable him or her to make conscientious and informed decisions; and
- Exercise appropriate judgment with respect to all matters to be decided by the board/commission.

Mr. Radford discussed the following topics as they applied to the Commission:

- Control and Accountability-you set the tone
- Planning
- Risk Awareness
- Execution
- Internal Control
- Recording
- Reporting
- Monitoring
- Internal and external auditing
- Help your agency stay out of trouble

Business Meeting
Thursday, November 19th, 2009
10:30 a.m. – 2:00 p.m.

2. **Public Comment:** *This time was provided for the public to address matters **not** included in the agenda.*

Paul Benoit, Astoria City Manager

Paul Benoit thanked the staff and Commission for the invitation as well as meeting in Astoria. Mr. Benoit stated there has been a lot of changes in the last 20 years in Astoria. He said that Oregon State Parks efforts to preserve the landscape and cultural aspects has paralleled Astoria's efforts and has kept Astoria unique. He stated that Astoria has focused on not attracting tourism but making it attractive to people who live here; that in turn will make it attractive to others. Mr. Benoit said that Oregon State Parks is an agency we love to love. Astoria has had a lot of interaction with Parks through SHPO and the grants program and have a very strong, supportive and positive relationship.

Jim Scheller, Warrenton Trails Association Chair

Mr. Scheller shared about all-weather trails in Warrenton. He said that with parks funding they have been able to realize plans that have been in process for many years. He thanked the Commission and staff for the support.

Commissioner Chalfant said that it is very encouraging to see the work that Astoria and Warrenton has done with funding from OPRD and Lottery dollars.

Lee Jimerson, Oregon State Parks Trust (OSPT) Update

Mr. Jimerson gave an update highlighting the following projects and plans:

- Draft letter seeking OPRD comment. Letter seeking support from park users and other interested parties. Scheduled to mail out early December, comments were requested within 10 days
- Closed out Kam Wah Chung; over \$1 million dollar project
- Champoeg interpretive display project closed out
- Finishing up Collier and light house projects
- Iwetemlaykin opened last month; OSPT was instrumental in the purchase of this property
- Fort Yamhill current keystone project; raised \$100,000 in funds so far
- Lets Go Camping
- Silver Falls, North Visitor Center rebuild

Director Wood commented that the Trust has been going through some difficult times the past year and at no time have they slacked on their commitment. He thanked the Trust for the commitment and hard work.

1. Commission Business

- a) Approval of Agenda (Action)

Commissioner Graves moved to approve the November Commission agenda. Commissioner Musser seconded. The motion passed unanimously, 7-0.

- 2. Public Comment:** item 2 was heard prior to agenda item 1.

3. Approval of Commission Meeting Minutes (Action)

- a) September 17, 2009

Commissioner Rudi moved to approve the September 17, 2009 Commission minutes. Commissioner Chalfant seconded. The motion passed unanimously, 7-0.

- b) September 29, 2009

Commissioner Musser moved to approve the September 29, 2009 Commission minutes. Commissioner Risley seconded. The motion passed unanimously, 7-0.

4. Director's Update (Information)

- a) Budget Update

Lisa Van Laanen, Assistant Director of Administration

Ms. Van Laanen explained the following points:

- Last biennium furloughs were imposed on management only
- Still have \$1 million ending balance
- \$3 million carry over from last biennium
- Because of ballot measures all agencies must participate in 10% reduction exercise
- Extended deadline to 30th, moved up the forecast to November 19, 2009

Commissioner Brown asked, with a dedicated fund agency how can they un-schedule money in a way that helps the general fund? Ms. Van Laanen replied that although the lottery funds are constitutionally dedicated the other funds can be used for the general fund deficit. The agency would be responsible for backfilling with lottery funds.

Commissioner Rudi asked if the State Fair impacts our budget; is it depleting our funds. Director Wood replied that it is included in the agency budget. He said that there is about \$4.2 million in Lottery funds that goes to debt service for the State Fair and a \$3.2 million difference in operating costs.

- b) Financial Restructure Plan

Ms. Van Laanen clarified the Strategic Alignment draft. She explained that it creates efficiencies needed and is not about reorganizing the agency. The plan is focused on creating flexibility to allow the agency to appropriately fund its business needs. Ms. Van Laanen stated that the purpose and function of the restructure plan is to align the budget structure to meet agency's needs and priorities. She shared the plan for the appropriations and their categories. Ms. Van Laanen said that the agency has met with Budget and Management (BAM) and the Legislative Fiscal Office (LFO) and gained support and approval to establish this new structure for 2011-2013 with the understanding that this is a work in progress and will be further refined in 2013-2015.

The Commission discussed the structure of the appropriations and categories.

c) State Closure and Furlough Plan

Lisa Van Laanen, Assistant Director of Administration

Ms. VanLaanen explained the tiered system of furlough days. The State agreed to ten closure days, depending on levels of management an additional 1 to 4 days will be taken over the biennium. The parks and Expo Center will be open on the closure dates and field staff will have floating furlough days, however the headquarters building along with most other state offices will be closed on the fixed closure dates. Ms. Van Laanen shared that the HR Manager, Sharon Frank was at the bargaining table during the furlough discussions and was able to help articulate our business needs. The Commission discussed the impact of furlough days on staff.

d) Recruitment for Assistant Director of the Exposition Center

Director Wood stated that the position was advertised for four weeks and had been extended to increase the competitive candidate pool. He explained that the interview process had been moved forward while the opportunity to apply is still open. Director Wood explained the interview process; candidates will go through a written, presentation and panel interview. From that group candidates will be selected for a final interview with the Director and Kerry Tymchuk. He said that the plan is to propose an offer by the middle of December. Director Wood said that the agency also wanted to be sure that the right person is found, the position will be open until filled.

Director Wood shared that a report will be given to the Governor's office mid December on the Expo Center. He also reported that the responsibilities of the building and grounds at the Expo Center have been transferred to the Operations Division and the State Fair and events planning to Connie Bradley. The transition becomes effective Dec 7th.

[Commissioner Chalfant excused himself for the remainder of the meeting at 11:25 a.m.]

5. Consent Calendar (Action; unless otherwise noted)

- a) Approval of Delegated Authority Report
 1. Contracts
 2. Natural Resources
- b) Commission update on previously approved property transactions
 1. Central Oregon Irrigation transaction
 2. ODF co-location agreement – Sisters
- c) Heritage Division Grants
- d) Veterans and War Memorial Grants
- e) ATV Advisory Committee Appointments
- f) Oregon Recreation Trails Advisory Committee Appointments
- g) Centennial Horizon Progress Report (Information)
- h) Special Assessment rules
- i) Best Practices report – postponed to January 2010 meeting
- j) Contract Award Update – Access Road Pavement Overlay
- k) Contract Award Update – Powder House Cove Parking Lot Paving
- l) Day-Use Area ADA Improvements

Discussion

Commissioner Graves asked about agenda item a)1, page5; Oregon Department Human Services, ATV Injury Surveillance contract.

Wayne Rawlins explained that when Oregon Senate Bill 578 was passed it required the agency to develop a training program for those under the age of 16. He said that as a part of the effort, in the 09-11 budget, a program option package was developed and approved to use the Human Services Department to track where accidents happen and under what circumstances. He said this data will help our educational program target the right issues.

Commissioner Graves asked the breakdown be provided at the next meeting. [Mr. Rawlins provided the information to the Commission via email after the November 19th meeting.]

Commissioner Musser asked about the secret shopper for concession stands. Ms. Stone explained that the secret shopper audits vendors at the State Fair to make sure that they are operating according to procedure.

Commissioner Brown moved to approve the Consent Calendar. Commissioner Graves seconded. The motion passed unanimously, 6-0.

6. Real Estate (Action – unless otherwise noted)

a) Sale/City of Huntington (Maintenance Site)

Cliff Houck, Property & Resource Management Manager requested the Commission's approval to sell the Huntington Maintenance Site for \$20,000 to the City of Huntington subject to existing deed restrictions, inclusion of a hold harmless clause favoring OPRD, and a commitment by the City to continue its fire and emergency services to Farewell Bend State Recreation Area.

Mr. Houck said that this is a sale of property located just outside the city limits of Huntington, Oregon. He explained the property had been used by ODOT as a maintenance site after its acquisition in 1951 from the Union Pacific Railroad Company (UPRR) and OPRD purchase of the site was intended as a maintenance or storage facility. Mr. Houck said that recent construction of a new maintenance building at Farewell Bend State Recreation Area has created no current use for the off-park facility. He shared that the City has agreed to purchase the property with the ODOT deed restrictions and enter into a contract to make payments to OPRD for \$20,000; the City has also agreed to a hold OPRD harmless against any liability for cleanup or costs as a result of any contamination at the property; and this agreement will contain a commitment by the City to provide fire and emergency services to Farewell Bend State Recreation Area.

Commissioner Brown moved to approve the sale of the Huntington Maintenance Site. Commissioner Rudi seconded. The motion passed unanimously, 6-0.

b) Acquisition/ODOT (Banks-Vernonia Trail)

Cliff Houck, Property & Resource Management Manager requested the Commission's approval to accept an ARRA stimulus funding grant in the amount of \$117,000 to then purchase and accept 2.38 acres of railroad right-of-way within the Banks–Vernonia Trail.

Mr. Houck provided the Commission with information on the project agreement between OPRD and Washington County for the Banks-Vernonia Trailhead and Sellers Road realignment project. He explained the project funding to the Commission; the purchase of the ODOT property with the ARRA grant will provide clear title and the ability for Washington County to move to construction of the Banks-Vernonia Trailhead and Sellers Road realignment project. He further explained that the total cost of the project is estimated

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at \$1,400,000 which will include Washington County's design and engineering, the Evers property purchase, OPRD technical assistance, and the Bayless property purchase in Banks. The project will provide for a realignment of Seller's Road for Washington County and a trailhead parking lot, ½ mile of paved trail, and a new bridge crossing at Dairy Creek on the Banks-Vernonia trail. This project will complete the trail with a trailhead and pavement from the City of Banks to L.L. Stub Stewart State Park.

Discussion

Commissioner Graves expressed his concern about the agreement. Mr. Houck explained that ODOT policy will only allow them to sell property at market value. He said that it was our concern that this was a property that was given to them. He added that the agency views the trail as a transportation corridor and that ODOT looked for a way to make this work without a direct cost to OPRD and within the policy and statutes.

Commissioner Graves moved to approve the Banks–Vernonia Trail (ODOT) Acquisition. Commissioner Musser seconded. The motion passed unanimously, 6-0.

c) Exchange/City of Vernonia (Banks-Vernonia Trail)

Cliff Houck, Property & Resource Management Manager requested the Commission's approval to exchange property rights with the city of Vernonia subject to the city accepting the results of testing and clean up efforts on the OPRD property and indemnifying OPRD against future responsibility and liability.

Commissioner Musser moved to approve the exchange of property rights with the city of Vernonia. Commissioner Brown seconded. The motion passed unanimously, 6-0.

d) Sale/Army Corps of Engineers (Wyeth)

Cliff Houck, Property & Resource Management Manager requested the Commission's approval to accept the offer from the Army Corps of Engineers to purchase the property, ownership of the bridge structure that will be built at this location, and other valuable considerations.

Mr. Houck outlined the offer from the Army Corps of Engineers.

The Corps is offering to acquire the following to establish an Indian Treaty Fishing Site:

- 42.09 acre portion of the property
- Road Easement on 1.58 acres
- storm/utility easement on 0.21 acres

As part of the project, the Corps will spend \$14,000,000 for a bridge and rail crossing which would benefit the remaining OPRD property. The project will include the following:

- access over the railroad from the Wyeth exit on Interstate 84 to the river
- access to both OPRD's retained property as well as to the Indian Treaty Fishing Site
- ownership will be transferred to OPRD
- Bureau of Indian Affairs (50%) and ODOT (50%) will provide funding to OPRD annually for the operation and maintenance of the bridge structure
- removal of gravel pile located on OPRD property
- re-seeding and planting of vegetation
- installation of fencing along both sides of the railroad right-of-way.

Commissioner Brown moved to approve the offer from the Army Corps of Engineers to purchase the property. Commissioner Rudi seconded. The motion passed unanimously, 6-0.

- e) Easement/ for access (Fort Yamhill)

Cliff Houck, Property & Resource Management Manager requested the Commission approve OPRD to enter into an easement agreement correcting the legal description of the access road to the existing roadway.

Mr. Houck provided background on the Graves property, stating that in February 2008, OPRD acquired the 14.4 acres. He said that this property is non-contiguous to the Fort Yamhill site, and was acquired for maintenance and operation facilities nearby but outside of the fort viewshed.

Mr. Houck explained that a neighboring property owner, Burton Nicoll, discovered the actual, existing road is not located within the twenty-foot wide easement area as stated in our deeds. Mr. Nicoll had survey work done to identify the existing road showing that very little of the existing road is within OPRD's property boundary. Mr. Nicoll then approached all parties and asked that each owner enter into a new easement agreement.

Commissioner Brown moved to approve the easement agreement. Commissioner Risley seconded. The motion passed unanimously, 6-0.

- f) Acquisition/ Price property (Beaver Creek Initiative)

Cliff Houck, Property & Resource Management Manager recommended and requested approval to purchase the Price property for \$466,885.

Mr. Houck said the subject property (Price) was identified in the land acquisition work plan approved and funded for the 09-11 Biennium. He described the property as a 25-acre improved, residential home site with an approximately 1,900 square foot house overlooking the 318-acre, 2007 OPRD acquisition which created the Beaver Creek State Natural Area.

Mr. Houck stated Mr. Price had the property appraised in August of 2008 for \$575,000, for lending purposes. OPRD appraised the property in February of 2009 for \$445,000. He said that Mr. Price refused this offer in early 2009 and listed the property throughout the summer at \$549,000. Mr. Houck explained negotiations have continued with meetings and emails finalizing in a recent agreement to purchase the property for the \$445,000 appraised value plus the timber cruise of \$21,885 for a total purchase price of \$466,885. He said a review of the appraisal and a home inspection report has been completed; the agreement to purchase would be subject to OPRD review of and satisfaction with a phase 1 environmental site assessment and well test report. The property has been used as a residential home site and vacant forest land.

Discussion

Commissioner Rudi said that the property had been used as a residential home site. She asked if any inspections had been done. Mr. Houck replied that a house inspection and a Phase 1 analysis had been done; there is no history or record of anything other than a residential home site; a well test had also been completed.

Commissioner Rudi asked what is going to happen to the residential house. Mr. Houck said that there is a move towards using the Price house as a public facility to provide a place to be out of the elements. He said that the deck may be suitable for ADA access and to create an overlook. Mr. Houck shared that while in most cases houses are used as park housing, this former residence might better accommodate visitors.

Commissioner Risley moved to approve the Acquisition/ Price property. Commissioner Musser seconded. The motion passed unanimously, 6-0.

g) Naming of new park (Murtha property)

Cliff Houck, Property & Resource Management Manager requested Commission approval to name and refer to the land acquired from the Western Rivers Conservancy at Murtha Ranch as the Cottonwood Canyon State Park.

Mr. Houck said that in accordance with OPRD policy in naming State Parks, the Oregon Geographic Names Board and appropriate tribes were consulted for their input. A majority of the board members from OGNB concurred with staff suggestion and research conducted by District Manager Bill Crawford that "Cottonwood Canyon State Park" could be an appropriate name for the new park.

Commissioner Musser moved to approve the Naming of new park (Murtha property) to Cottonwood Canyon State Park. Commissioner Graves seconded. The motion passed unanimously, 6-0.

h) Property acquisition funding – Climate Trust (Information)
Jim Morgan, Natural Resources Manager

Mr. Morgan provided the Commission with information on a project Oregon Parks and Recreation Department (OPRD) staff has been developing that could reduce atmospheric carbon dioxide, a greenhouse gas, while protecting wildlife habitat and park land. He said that through a partnership with the Climate Trust, staff was exploring ways to acquire coastal properties that could add to existing state parks and natural areas while sequestering carbon through the growth of coniferous forests. The Climate Trust's primary focus is to develop carbon markets in the state of Oregon.

Mr. Morgan stated that the lands targeted for acquisition by OPRD for a future park and natural area must meet the necessary following requirements for funding by the Climate Trust:

- Avoids, sequesters or displaces carbon dioxide
- Avoids, sequesters or displaces at least 50,000 metric tons of carbon dioxide over the project lifetime
- Is new and has not been implemented yet
- Occurs in the United States and
- Meets the Climate Trust's [additionality test](#) in that implementation of the project would otherwise not be able to occur

Mr. Morgan said that a meeting with the Department of Justice will occur to make sure that it meets all state policies. The land being considered for acquisition by OPRD has been approved as a target within the Beaver Creek State Natural Area Initiative by the Parks Commission at its July 2009 meeting.

Discussion

Chair Parr asked what would happen in the event of a forest fire? Mr. Morgan replied that catastrophic events are addressed in the terms of the agreement; the agency would not be held responsible unless it is found negligent in management practices.

Commissioner Rudi asked if there is insurance in the event the entire stand is lost? Mr. Morgan replied that trees would not normally be insured. He said that if we lost them due to a fire or negligence we would be held to the terms of the contract.

Commissioner Rudi asked, if we were found negligent, how the agency would meet the terms of the agreement. Mr. Morgan replied that there are two ways to meet the terms; you can replant the stand or transfer the agreement to another property that meets the agreements terms.

Commissioner Graves stated that he thought the process was to take bare land and plant trees; if already forested property qualifies could we take all of our forested property and sell it for this purpose? Mr. Morgan replied that the interest in this particular property is because it is in a young forest stand age class and still creating carbon at a relatively rapid rate. He said that other criteria and interest of the Climate Trust focuses on ownership, development and funding.

7. Rulemaking

- a) Adopt Confidentiality and Inadmissibility of Mediation Communications, OAR 736-140-0010 and 736-140-0020 (Action)

* The Commission will not be accepting further comment prior to their action.

The public comment period for this item has closed.

John Potter, Assistant Director of Operations

Mr. Potter stated that there was an immediate need for rules designating the confidentiality of mediation communications as recommended by the Department's Assistant Attorney General, prior to the scheduled agency mediation. OPRD temporarily adopted the Attorney General Model Rules for Confidentiality and Inadmissibility of Mediation Communications, as new OPRD rules, OAR 736-140-0010 and 736-140-0020. At the same time a Notice of Proposed Rulemaking Hearing was filed with the Secretary of State. A public hearing was held September 17th 2009 in Enterprise, OR at the Best Western Rama Inn regarding these rules, no public comments were received at the hearing.

Commissioner Musser moved to approve the adoption of the Confidentiality and Inadmissibility of Mediation Communications rule. Commissioner Brown seconded. The motion passed unanimously, 6-0.

- b) Adopt Oregon ATV rules, OAR chapter 736 division 4 (Action)

* The Commission will not be accepting further comment prior to their action.

The public comment period for this item has closed.

Wayne Rawlins, Grants Program Manager

The Oregon Legislative Assembly 2009 Regular Session passed SB 578 that:

- Authorizes financial assistance to first aid and police services that are related to all-terrain vehicle recreation,
- Changes the name of the All-Terrain Vehicle Account Allocation Committee to the All-Terrain Vehicle Advisory Committee,
- Changes the committee membership from seven voting members to eleven and from four non-voting to one and describes who the members are to represent,
- Describes the function of the Advisory Committee to
 - review accident information and to make recommendations to the OPRD Commission
 - review vehicle classifications and make recommendations to the commission
 - review safety features for all class of off-highway vehicles and make recommendations to the commission
 - recommend safety requirements
 - create a subcommittee to review grant proposals and make recommendations to the commission
- Requires the All-Terrain Vehicle Advisory Committee to report to the legislative interim committee on transportation and provide recommendations on vehicle

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classifications and other safety issues related to all-terrain vehicles.

- Permits the OPRD Commission to take any action necessary to appoint members to the Advisory committee.

Mr. Rawlins said the existing Administrative Rules needed to be modified. He explained that the 75th Oregon Legislative Assembly passed Senate Bill 578 which modified the ATV Grant Program; Notices of proposed rulemaking hearings were filed with the Secretary of State and a Rulemaking Advisory Committee was formed consisting of stakeholders including members from Bureau of Land Management, county park directors, US Forest Service Law Enforcement personnel, county sheriffs, private citizens, Oregon State Marine Board, and land managers from US Forest Service.

Mr. Rawlins added that SB 578 states there will be 12 members with rotating positions. However it does not describe which positions will rotate or in what order.

After discussion it was proposed that the Advisory Committee meet and develop their recommendations. Staff is to also meet with legal counsel. Staff is to then bring to the Commission both staff and committee recommendations as to how the positions should rotate.

The Commission suggested a clarification of the public agencies within the rule and an addition that the agency director shall appoint their representative. Although the statute says that they have to be rotated, the question was asked if the rotation schedule can be distributed between the public and agency positions.

Commissioner Brown moved to approve the adoption of the Oregon ATV rules. Commissioner Risley seconded. The motion passed unanimously, 6-0.

- c) Request to begin rulemaking for Owyhee Scenic Waterway, OAR 736-040-0055
Richard Walkoski, Recreation Programs Manager

Mr. Walkoski said that the Bureau of Land Management (BLM) has asked OPRD to adopt public use regulations within the state scenic waterway that mirror existing federal laws. These laws include non-fee boater registration, carrying and use of approved personal flotation devices, carrying portable toilets, campfire and litter restrictions; and places limits on group sizes. The federal recreation regulations for the Owyhee River are not enforceable by the Oregon State Police (OSP).

Through OPRD adopting these specific public use regulations, OSP and local law enforcement officials are able to support the BLM in their law enforcement efforts.

Commissioner Rudi moved to approve the request to begin rulemaking for Owyhee Scenic Waterway. Commissioner Risley seconded. The motion passed unanimously, 6-0.

8. Reservation System Contract Approval (Action)
Lisa Van Laanen, Assistant Director of Administration

Ms. Van Laanen stated that the proposed contract covered reservation services to be performed by the Active Network, Inc. The initial contract period is five years, with options to extend services for an additional ten years. She explained that the contractor was selected via an RFP process which resulted in selection of the ORMS product by a cross-functional team of OPRD employees.

Ms. Van Laanen said that prior commission action was taken during the April 2, 2009 meeting where permission was granted to move to the acquisition phase of this project. She said that the project implementation budget will be \$220,000.00; and gave the project schedule as follows:

RFP Issued 9/23/09
RFP Closed 10/23/09
Contract Award 11//09
Contract Completion 11/14

Qualified RFP Responses Received:

Name	Location
The Active Network, Inc.	San Diego, Ca.
Camis, Inc.	Guelph, Ontario

Ms. Van Laanen requested that the commission approve award of the contract to The Active Network, Inc. for the five year estimated amount of \$4,566,905.00. She noted that the contract amount was an estimate because of Internet reservation fees, which are dependent upon customer reservation volumes via the Internet.

Chair Parr asked if staff had taken a good look at The Active Network, Inc., the company who recently acquired Reserve America. Lisa Van Laanen replied that The Active Network is used by Oregon Department of Fish and Wildlife and is the largest vendor for recreational agencies. She said staff had been very cautious with this change and in their research.

Commissioner Graves moved to approve the Reservation System Contract. Commissioner Risley seconded. The motion passed unanimously, 6-0.

9. Heritage Programs Report (Information)

Roger Roper, Assistant Director of Heritage Programs

Federal Funds Increase for SHPO

The Historic Preservation Fund (HPF) a federal appropriation, through which SHPO receives an annual allocation of approximately \$780,000, is slated for an approximate 10 percent increase in the 2009 federal fiscal year. This translates to an additional \$156,000 (approx.) for Oregon's 2009-11 biennium. While the budget bill has not yet passed the Congress, all parties are currently in agreement on the amount, so it is highly likely that the funds will be approved as planned.

Archaeological Events Held Statewide

OPRD and SHPO are among the 29 partners who promote awareness and appreciation of archaeology through the annual Oregon Archaeology Celebration, which is typically held during the month of October. This year more than two dozen events were held statewide, including several at Smith Rock State Park. The poster and calendar of events also featured Champoege State Heritage Area. See the attached Celebration calendar for a full list of activities.

Main Street Program

A very well-qualified candidate has been hired to fill the Oregon Main Street Coordinator position. Sheri Stuart has 20 years experience working with the Main Street program at local, statewide, and national levels (most recently Washington State). She takes over a very vibrant state program that currently has 62 participating communities. The Main Street program is jointly administered by OPRD and Oregon Business Development Department (OBDD), and is paid for by non-Lottery funds from Heritage Programs' budget.

State Advisory Committee on Historic Preservation (SACHP)

The SACHP is one of four “sub-commissions” within Heritage Programs. Its primary role is to review and make recommendations about nominations of historic properties in Oregon for placement in the National Register of Historic Places. It consists of nine members appointed by the governor, representing disciplines such as history, archaeology, architectural history, and architecture, among others. The committee meets three times per year and usually reviews about 7-12 nominations per meeting.

Committee vice-chair John Goodenberger, a resident of Astoria, addressed the Commission and provided details about the SACHP and its role.

Mr. Goodenberger said that he has been on the committee for three years. He said the real focus of the committee is to review the applications submitted by the general public and consultants, (consultants are often hired by the owners). He explained that applications have four basic criteria; an important event; important person associated; representative of trend or work of a master; and /or archeological site.

10. Planning Update – Cape Lookout State Park (Information)

Ron Campbell, Master Planner

Mr. Campbell discussed the following highlights about Cape Lookout State Park:

- Historic Shoreline Erosion, Loss of Park Facilities and Efforts to Stabilize the Shoreline
- What do we know about future risks to the park?
- Where Do We Go From Here:

Preparations are now underway to address the most immediate needs for protecting facility investments and keeping the park in operation. Construction of the new drain field and replacement of the cobblestone revetment are in progress. For the longer term, a planning process is needed to determine what changes to the park should be implemented over time to adjust to the changing park landscape and avoid further damages and related costs while continuing to offer safe and enjoyable recreation opportunities that are suitable for the park setting. Staff intends to initiate a master planning process for the park in the upcoming calendar year. To begin, staff will convene a core team to establish a set of objectives for the park’s future. The planning process that will follow will include a more thorough examination of the risks related to coastal hazards and assessment of costs and benefits of retaining, redesigning, removing or relocating various facilities. Redesign of the park will also be guided by the opportunities and constraints related to assessments of the natural, cultural and scenic resources and regional recreation trends. The plan will set out a phased implementation strategy, identifying short term and longer term projects for removing or relocating facilities that are at risk. OPRD’s mandated master planning process will be followed in formulating the plan, involving the public, adopting the plan and obtaining land use approval.

11. Marketing Plan Update (Information)

Kyleen Stone, Assistant Director of Recreation Programs and Planning

Ms. Stone focused on two kinds of marketing:
Promotion and brand loyalty.

2008-09 Highlights:

- Grant programs
- Grant’s Getaways
- Park opening celebration events
- “Camping is an Oregon Value” coupon campaign

- Advertised completely through social media (Twitter, face book, etc)
- 980 redeemed coupons
- Learned that you can hear your customers through social media
- OPRD website improvements
- Go Click/Go Play
- Merchandise
 - Exploring ways to get the merchandise out
- Oregon 150
- Hispanic Outreach
- Oregon State Fair

Top Work plan Priorities 2009-11

- Expand and execute statewide Let's Go Camping program
- Devise strategic business plan for merchandise
- Modernize OPRD web pages and improve new media strategies
- Develop and execute new park and local Facility Investment Program publicity strategies
- Park-a-Year opening events: Beaver Creek in 2010, Bates in 2011 and preparation for 2012 opening of new park along John Day River
- Improve and expand JR Beaver marketing and identity

The six marketing themes reported to the commission in 2008 have not changed:

- Repairing Oregon State Parks
- Acquiring and Opening New Parks
- Community Support and Partnerships
- New Markets, New Supporters
- Strengthen Traditional Markets
- Stewardship and Resource Protection

Discussion

Commissioner Brown suggested that an outlet such as a pamphlet or local newsletter provided to campers and other park users may provide an opportunity to connect parks to local communities and publicize how public funds are improving parks.

Chair Parr asked how the merchandise inventory looks currently. Kyleen Stone stated that the merchandise seems to be selling relatively well.

12. Facilities Investment Program (Information)

- a) 07-09 FIP Close Out Report (PowerPoint presentation and discussion)
- b) 09-11 FIP Program (PowerPoint presentation and discussion)

Bob Reitmajer, Engineering Division Manager

Mr. Reitmajer presented information about Department FIP accomplishments in the 2007-09 biennium as well as plans for work in the 2009-11 biennium. His presentation covered the following topics:

- 07/09 FIP Specific Accomplishments
- 09/11 FIP on the Way
- 09/11 Large FIP Projects Planned
- Other Projects Accomplished and Planned
- Capital Planning
- Project Budget
 - Time, money, scope

13. Commission Planning Calendar (Information)

January 27 and 28th - Estacada/Boring

Wed - CZ Trail and McIver State Park

Executive Session: Acquisition Priorities

Commission Training: State Budget Process

November 19, 2009 Commission Meeting adjourned: 2:03