

Vermont Trails & Greenways Council Annual Meeting
May 13, 2004
Seyon Ranch State Park, Groton VT

Present: Gray Stevens - VOGA gray@voga.org, Tim Tierney - Kingdom Trails tim@kingdomtrails.org, Sherry Smecker - FPR sherry.smecker@anr.state.vt.us, Bonnie Waninger - NRPC bwinainger@nrpcvt.com, Luke O'Brien - VLC luke@vtlc.org, Jennifer Waite - NPS Rivers & Trails jennifer_waite@nps.gov, Matt Tetreault - VAST mtetreault@vtvast.org, Ed Leary - FPR ed.leary@anr.state.vt.us, Jonathan Wood - FPR jonathan.wood@anr.state.vt.us, Jen Lamphere - No. Forest Canoe Trail Jennifer@northernforestcanoetrail.org, Virginia Lancaster - VT Horse Council virginia@vthorse.com, Amy Bell - VT AOT amy.bell@state.vt.us, David Hooke - Rivendell Trails Association dhooke@sover.net, Eric Scharnberg - Cross VT Trail Association eric@crossvermont.org, Walter Malmquist - Rivendell Trails Association walmquist@kingcon.com, Walter Opuszynski - FPR walter.opuszynski@anr.state.vt.us, Mike Stafford - Morristown Trails Committee msstafford@vtusa.net, Todd Sheinfeld - VASA todd1063@aol.com, Richard Hiscock - MRPA rhc@gmavt.net, Kevin Russell - MRPA path@madriver.com, John Brodhead - Craftsbury Outdoor Center johnbrod@craftsbury.com, Sandy Woodbeck - VAST swoodbeck@aol.com, Rebecca Brown - FPR rebecca.brown@anr.state.vt.us

1. Mike Stafford, Chairman, called the meeting to order at 9:05 and declared a quorum was present.
2. Those present introduced themselves and the organization they represented.
3. The minutes from the March 11th meeting were approved (O'Brien/Stevens).
4. Ben Rose, Treasurer, was absent so Mike Stafford read the treasurer's report. The Vermont Trails and Greenways Council has a bank account balance of \$1,415.01. This is a slight increase from 05/08/03, at which time we had \$1,198.01. Our only expense during the year was \$845.00 for a newsletter, of which \$360.00 was subsequently reimbursed by the State of Vermont for the Landowner Liability insert. We have received membership payments from 28 members since May 8, 2003, the same number as in the preceding year.
5. Luke read the slate of nominees. Mike mentioned there were still openings on the board if anyone was interested. Walter Opuszynski and Jennifer Lamphere volunteered to be appointed to the board. Amy Bell as a member of the nominating committee revised the report to add the two new nominations. The slate was approved (Lancaster/O'Brien). Gray welcomed John Brodhead. Jennifer thanked the nominees. Mike said the secretary position would remain open for now with Rebecca Brown acting as recording secretary. Mike emphasized the importance of the secretary position and asked that anyone interested speak to him.
6. Sherry announced that three members of the Recreation Trails Ranking Committee were stepping down this season. Jonathan acknowledged their service with a plaque. Sandy was the only ranking member present. Sandy encouraged others to participate if they were able as it was demanding at times but also very enjoyable.
7. **Operations Committee**
 - 7a. Sherry asked council members to be thinking of potential replacements on the ranking committee. A brief description of the commitment was given. Virginia expressed interest in the private landowners position. Todd asked what was required to be a volunteer on the committee. Jonathan explained that it was important to have people represent a recreational type not necessarily the organization they were a part of. A ranking member should not be the executive director or a recreational organization. **Sherry asked that council members submit bios to her by August 27th so they could be presented at the next VTGC meeting.**

The minutes from the program review meeting for the Recreation Trails Grant program were passed around for the discussion of criteria revisions. The Council discussed the proposition of implementing a requirement that applicants attend an informational workshop before submitting an application. Eric thought points should be awarded for attendance. Jennifer thought this would present a hurdle that would

be discouraging for the smaller communities or organizations applying. Amy explained the requirement could be problematic because of the need to administer the presence of people. Amy pointed out benefits of having training available after the round of funding has been awarded. Jonathan explained his concern that some communities have paid staff that write great applications and consistently get funding. Communities without the staff should have an equal opportunity at getting grant funds. He agreed mandatory attendance may not be necessary. Kevin asked whether points could be awarded for applications where communities submitted requests for small grants. Sandy explained the cap proposition that was discussed in the program review meeting. Todd noted the concept for different criteria awarding different aspects of the project would allow for new organizations to get into the grant process. **Sherry asked that comments come back to her within a month to be compiled so the Board and Commissioner can approve the changes.**

7b. The Cross Rivendell Trail was presented to the Council by David Hooke. He passed out maps and copies of his VT Trails System Application while explaining the trail was proposed in 1998 as a way of tying the towns of the Rivendell School District together. Jennifer asked about what form of landowner permission had been obtained for the trail. David explained written agreements are obtained with descriptions of the trail segment crossing the landowner's property. Todd asked if the organization indemnifies the trail system. Mike asked that this issue be tabled for discussion in Other Business. Amy moved to approve the completed sections of the Rivendell Trail (Bell/Russell). The Council decided to approve completed sections only with the intention of developing a process that will accommodate trails that are still in the construction stage.

7c. An RFP for rewriting the VTGC Manual has been drafted. The Committee is proposing to have the RFP out by the end of July. There will be two phases to its development. Phase A for the design and Phase B for the printing. Two separate costs will be requested so there is an option to contract with different vendors for the design and printing.

7d. Ed explained an agenda item was added in order to discuss the section of the Public Recreation on Private Land booklet concerning contractual indemnification. A member of the Council had requested that this section be removed because most organizations are unable to offer this kind of protection to landowners. Rather than removing the section the Council thought it best to change the wording. Ed noted that FPR's attorney recommended the section include a statement like "not all organizations have the ability to offer this level of protection". Todd thought the State required indemnification insurance. Matt noted that VAST uses additional insured. David thought towns were the only body that could afford to offer indemnification. Ed asked if any trail organizations offered or communities offered indemnification. The Council agreed that there were groups that offered this protection. The Council made a motion to rewrite the section so that there are two clearly distinguishable paragraphs. One paragraph will describe the additional insured option and the other will explain contractual indemnification with cautionary language that this may be offered by organizations and municipalities (Russell/Bell). **Action:** Send recommendation to FPR and the draft revision will be circulated before final amendment. Todd asked what sort of protection was afforded through the VT Trails System. Mike explained the language difference from "...the damage or injury is the result of the willful or wanton misconduct of the owner" to "...unless the public or private owner intentionally inflicts damage or injury".

8. Public Affairs Committee

8a. Larry was absent so Jennifer discussed the different panels for the Governor's Conference and noted that Larry had sent an email asking for submittals by 4/30. Mike asked for a volunteer to fill Larry's position as he took another job in Boston. Sherry volunteered to act as the contact. **Action:** Mike said he would forward the email requesting panelists to me so Sherry could redistribute. Kevin volunteered to recruit panelists for special events. Amy is looking for suggestions for a universal access panelist. Peter Jensen was mentioned as a good contact.

8b. Jennifer explained the process for producing a newsletter and the associated costs. NPS pays for design & editing - \$700, VTGC pays for printing - \$800 and FPR pays for postage. The next newsletter's insert will be the grant calendar. Ed said FPR would pay for printing the insert. Sherry advocated for

email distribution whenever possible. Ed recommended that request be distributed asking who would want an electronic copy. October 1st is the deadline for submittals. Action: Sherry will work with Jennifer Waite to try for an earlier distribution of the grant calendar.

8c. A draft print out of the website was passed around for comments and suggestions. Jennifer mentioned that a cd of pictures had been given to Bruce for the website. **Action:** Becca will continue to work with Bruce to activate the VTGC website.

9. Membership Committee

Kevin talked about the first mailing that went out in January and the second mailing that was sent out to all non-members earlier in the week. Kevin felt that Part 3 to the membership drive would be to network with VLCT and their membership. Tim thought to keep costs down the Council should consider using the Barre Mailing Center. Amy agreed to accompany Kevin at his meeting with VLCT. Kevin asked the Council what they thought the Council's purpose was. Mike explained that through plans and focus groups they had determined the Council would act as the go to group for legislative updates and public representation rather than being the wheel that grinds. Todd asked if this was determined to be their purpose why had the Council not been invited to participate in the Governor's steering committee on motorized recreation. Mike said there are two things that need to be done to make the Council more effective and involved 1. need to represent more groups statewide and 2. need website and publicity. **Action:** Meeting minutes should be on the website. It was recommended to the Council that they formally let the Commissioner know that they would like to be involved in talks of trail related topics.

10. LUNCH

11. Government Relations Committee

The Council observed that the Capitol Construction Bill had been in conference since the previous Friday and Ben and Becca were in attendance.

VAST Legislation: The Council asked Matt for an update of the VAST proposal. Matt explained that the four recommendations were dismissed by the legislature but VAST would pursue them again in the next session. Ed explained the proposal and noted that the four recommendations did not go anywhere in the legislature because of their financial implications. FPR was asked to review the study and make any recommendations. Kevin proposed that the Council be involved in the review of VAST's study.

The Council reiterated their support for the release of the cap on the gas tax. Mike explained that trail growth data was being collected and discussions would begin to develop a collaborative effort between FPR, AOT and Tourism. Trail growth data and the economic benefit figures of outdoor recreation in the State will show the value of outdoor recreation to the State compared with how much the State invests in trail organizations that manage the recreational opportunities. Sherry thought the Dept of Health should be involved because of the obvious benefit recreation has to the health of the State. Mike noted there was a standing invite from the Lt Governor to discuss economic support for trails & greenways. Walter wondered as a compromise if the money over the cap could be used for alternative transportation projects rather than being used for highway improvement or VAST's recommendation. Mike recommended each council member advocate for using transportation money to pursue studies for alternative transportation in their communities. Tim asked whether a statewide recreation survey had been done. Gray explained the inadequacies of the UVM studies. Mike thought that working with other agencies would help to better target surveys. The Council agreed a study was needed that would target both visitors and residents of Vermont. Two options were discussed: 1. work with Bruce Hyde, Commissioner of Tourism, who funded first study or 2. recommend Jonathan Wood, Commissioner of FPR, have money included in the State budget for a recreational study. The Council agreed making a recommendation to Jonathan was the best option. **Action:** Kevin will work on a letter to the Commissioner asking that funds be allocated for a Comprehensive Recreation Trail Economic Impact Study. Tim will gather information from other similar studies conducted to help prepare the recommendation to the Commissioner. Todd will help Kevin and Tim work with Tourism to develop a study.

ACT 250 Legislation: Bryant Watson and Todd Sheinfeld attended conference for ACT 250 revisions in this year's session. It was questioned whether the Environmental Board has the right to ask VAST to have reviews for trails when the criteria has already exempted trails. The Council agreed that this proposal would close the door for trails development and sustainability because of the implication for landowners. Mike noted that the bill died in the legislature 3 years ago. Mike thought the Government Relations Committee should be tracking this legislation. Kevin mentioned language about trails systems being exempted but the only trails included in this are the CTA, LT and VAST. Kevin thought this stipulation should be consistent with the VT Trails System.

12. Other Business

An announcement was made that another two month extension may or may not be available from Federal Highway. If more money becomes available the department would consider additional awards.

Kevin thought a further representation of the need for additional funding for recreation was obvious when looking at the comparison of requests vs. awards.

13. Other Meetings

September 9th meeting will be hosted by Paul and Luke in Westmore at the Fellowship Hall.

14. Roundtable

It was requested that emails be sent to secretary of roundtable discussion.

Meeting Adjourned at 3:00 PM.

Rebecca Brown, Recording Secretary

Attachments: New Officers and Board
Comments from VAST regarding H.397 The Definition of a Snowmobile