



Ocoee Board Meeting—October 3, 2018

Roll Call: Members present: Sen. Mike Bell, Macy Brower, Deputy Commissioner Brooxie Carlton by phone, Ryan Cooke, Lamar Davis, Drew Freeman, Angelo Giansante, County Executive Robby Hatcher, Tim Henderson, Deputy Commissioner Brock Hill, Representative Dan Howell, Keith Jenkins, Assistant Commissioner Kevin Mahoney, and Melissa Woody. Not present: Chris Richardson

Welcome—

- Emily Urban introduced Jennifer as the point of contact, and also Alexa Witcher, and Joe Sanders from OGC. She provided a summary and description of TDEC/Parks and Conservation, OGC, and Fiscal divisions as managers of the fund.
- Angelo Giansante offered a Hiwassee Ocoee/ park description; map of area where zone is located was pointed out on display. He stated that his role is to provide legal enforcement on the river to ensure companies are operating under the rules. His jurisdiction includes the water and a few parking areas.

Selection of Temporary Chairman—

- Emily Urban called for a motion for a temporary chair and proposed Senator Mike Bell. Tim Henderson made the motion and it was and seconded by Ryan Cooke. Vote passed unanimously.
- Mike Bell recognized Emily Urban and Joe Sanders for board orientation.

Board Orientation—

- Emily Urban provided a description of board characteristics and statutory authority
- Self-introductions of board members
- The establishment and purpose of the board was announced. Currently it is scheduled to terminate June 30 2019, but the board will be extended for two years if legislation is enacted. Joe Sanders emphasized that a two year sunset is a normal progression for boards under the statute.
- Emily Urban will send an updated list of members with OGC points of contact.
- We will operate under Robert's Rules of Order if the bylaws are adopted.
- Conflicts of Interest policy is included in the bylaws. Summary of the policy and contacts for questions on the policy was provided. Emily Urban distinguished

between what benefits the economic community versus benefits for the individual. Governor appointments need to consult with the Governor's Legal Counsel, and ex-officio members their own Department Legal Counsel. Liability of board members was also discussed.

- Powers and Duties of Commissioner and Board. Emily outlined the primary purpose and abilities of the board as outlined in the board manual.
 - Representative Dan Howell asked if the board will have assistance in applying for grants/sponsorships. TDEC can and will provide staff assistance if asked.
 - Senator Mike Bell asked if the board will reimburse the counties within the zone. Dept. Commissioner Brock Hill said it could be rescue services, Polk County Executive Hatcher and Angelo Giansante commented on other items used on the river that would require reimbursement. Emily introduced TVA and US Forest Service personnel and asked about reimbursements. She also asked when the reports would most likely occur that would be presented at board meetings. Discussion occurred.
- Emily summarized what the monies in the Fund will be used for per the statute. We anticipate that there will be extra money in the Fund beyond administrative costs in 2020. Senator Mike Bell added it could be spent on anything that would promote tourism.
- Emily noted the section on statutes within the zone and proposed bylaws and highlights of general statutes. She went over in detail the highlights of the general statutes to explain dos and don'ts.
 - Representative Dan Howell asked for clarification of public notice. A month's notice is preferred. An agenda will be up a week before the meeting.
 - Senator Mike Bell inquired about attendance requirements and stressed the importance of attendance. Emily noted quorum is 7 of 9 voting members. Voting non ex-officio members need to provide written notice of absence. She further elaborated on attendance and quorum.
 - Representative Dan Howell asked for the procedure for an emergency meeting. Emily noted additional meetings may be called by the Chair, or a majority of members may vote to meet or request a meeting in writing. TDEC must provide reasonable public notice of additional meetings.
- Travel: The travel policy was explained and Jennifer added that if there was a need, she could block rooms at the state rate and board members would follow the travel policy for reimbursement.

Adoption of Bylaws—

- Senator Mike Bell entertained a motion to pass the bylaws. Melissa Woody moved to pass. Motion seconded by Tim Henderson. Vote passed unanimously. Bylaws adopted.

Nomination and Election of Officers—

- Vice Chair nominees: Keith Jenkins was nominated by Ryan Cooke. Motion seconded by Lamar Davis. No other nominations were made. Vote to install Keith Jenkins as Vice Chair passed unanimously.
- Keith Jenkins called for nomination of the Chairman. Representative Dan Howell suggested we have a seasoned chairman as the board is new. Tim Henderson nominated Senator Mike Bell as Chairman, Angelo Giansante seconded. Vote passed unanimously.
- The board decided that additional officers weren't necessary as the board receives resources to meet secretarial needs from TDEC and the treasurer position will be handled by the Department.

Permit Update—

- Emily went over the fact that TDEC would receive applications and she pointed out the webpage is a resource where all questions would be answered in order to provide information to all. The deadline for receiving applications by mail is October 19. A committee will decide which applicants will receive permits.
 - Chairman Bell noted that the permit has been online about one month he asked if the outfitters have any questions.
 - Ryan Cooke asked how long it will be before outfitters know who will receive a permit. Dep. Commissioner Brock Hill asked if there was a timeline. Ryan would like to know no later than Dec. 7th or 8th. This question will be answered on the website.
 - Vice Chairman Keith Jenkins inquired how the outfitters be notified. This question will be answered on the website.

Rulemaking Update—

- Emily stated TDEC is revising rules to reflect statutory law and agreements we are entering into.
- Chairman Bell elaborated on the rulemaking process and stated that all parties will be heard prior to revisions.

- Emily pointed out that individuals can send written comments or can come in person to make comments at the hearing. There will be a local hearing in the Chattanooga area or video conferencing will be made available.
 - Lamar Davis asked if the rules need to be in place before they operate next year. The answer is no.
 - Representative Dan Howell shared that comments often have a bearing on the revision of rules.

General Questions—

- A conflict of interest form was handed out to the board, signed, and collected by Alexa Witcher.
- Questions:
 - Melissa Woody asked about the number of permits that will be issued? Will there be more or less or the same? This question will be answered on the website.
 - Ryan Cooke brought up the agreement with TVA and stated that because the board had not met yet, TVA did not recognize the letter. Chairman Bell asked if there was a copy of the Contract with the State. Robin Peak from TVA stated that a program manager/park manager can sign it.
 - Angelo Giansante asked if he can sign it outside of the board process. Robin Peak agreed and noted there is still time to turn it in.
 - TDEC OGC can take action if the board requests it.

Motion to Take Up the Bylaws—

- Ryan Cooke made a motion to take up the bylaws with a second by Keith Jenkins.
- Ryan Cooke proposed new board meeting months as February and August to accommodate outfitters seasonal obligations. Ryan noted that Aug. dates are longer hours (4 days). He would rather they be switched to June.

Current Recreational Release Schedule:

Ocoee 2: Aug. 1 and 2

Aug. 8 and 9

Sept. 21

Ocoee 3: Sept. 21

Proposed Schedule:

Ocoee #2: Trade August 1 and 2 hours with June 20 and 21 hours 2019

Ocoee #2: Trade August 8 and 9 hours with June 27 and 28 hours 2019

Ocoee #2: Trade September 21 hours with September 1 2019

Ocoee #3: Move September 21 to June 2

- Vice Chairman Jenkins suggested September vs. August in order to gather input.
- Tim Henderson agreed with the September timeline.
- Angelo Giansante suggested March and September to keep a 6 mos. gap between board meetings.
- Chairman asked for motion, Angelo Giansante motioned to change bylaws for March and September with a second by Tim Henderson. Emily Urban offered we need 2/3 to pass. Roll Call vote was taken and passed with a vote of 9-0.

Next Meeting—

- Chairman Bell asked for suggestions for a Thursday meeting in March. Emily reminded the board that the meeting will take place in Nashville. Keith Jenkins asked if there is board business that needs to be discussed before the TVA meeting on March 5th. Ryan Cooke asked if there is a need to turn in any forms to TVA for the spring.
- Angelo Giansante motioned that we meet on the 7th of March, Ryan Cooke seconded. Vote passed unanimously.
- Ryan Cooke inquired about dates that need to be turned into TVA. Melissa Woody suggested someone provided an explanation to the group regarding the recreational release schedule.
- Representative Dan Howell asked if it could be done administratively through TDEC.
- Emily asked TVA if they have already heard changes. They have, with no objections, unofficially. The board will provide feedback as rep. of the department. We will take it under consideration and will sign the amendment, if that is deemed acceptable. TVA will work with us over the next couple of weeks.
 - Lamar Davis noted there will be a greater economic impact on the community and for outfitters.
 - Angelo Giansante added that the state would benefit because we have more staff/seasonals in June than August.
 - Melissa Woody suggested the region would benefit due to school hours affecting numbers on the river during August
 - Ryan Cooked commented that the Outfitter Assoc. is onboard
 - Joe Sanders asked for public comment from community attendees:
 - Gerald Marshall: It is pleasing to see our government working together for the community and outfitters.

- Tom Tohill: Sunday on Labor Day cut off times are different on different parts of the river. Cut off on middle section should be 6:00 p.m.
 - Keith Jenkins asked if it was a 7 hour day. Upper is 8 hour day. Clarified by TVA.
 - Angelo State Parks has no problem extending the water
 - TVA suggested 10 hour day for Sunday.
 - Ryan Cooke, Lamar Davis, and Angelo Giansante agreed to changes in the dates.
- Tim Henderson asked about the reimbursement policy. Jennifer clarified.

Meeting Adjourned

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