

**OHIO WATERWAYS SAFETY COUNCIL MEETING
A-2 CONFERENCE ROOM
FOUNTAIN SQUARE – BUILDING A
COLUMBUS, OHIO
MONDAY OCTOBER 23, 2006**

Waterways Safety Council	Division of Watercraft	Guests
Tom Pascoe, Chairman	Mike Quinn	Alan Satterwhite
Jack Hern, Vice Chairman	Bill McGarity	
Norm Schultz	Frank Meravy	
Rod Allen	Phil Miller	
Ann Swain (ABSENT)	Todd Doncyson	
	Emily King	
	John Wisse	
	Tammy Terry	

CALL TO ORDER: Council Chairman Tom Pascoe called the meeting to order at 10:00 a.m.

APPROVAL OF MINUTES: Council Chairman Tom Pascoe called for approval of the minutes of the previous meeting held on August 7, 2006 in the Covered Bridge Room at the Geneva State Park Lodge and Conference Center in Geneva-on-the-Lake, Ohio.

Motion to approve the minutes was made by Council Member Rod Allen, seconded by Council Vice-Chairman Jack Hern, and approved by a quorum of the Council.

BUDGET UPDATE – FRANK MERAVY: Frank distributed a handout detailing the first quarter results for the Division of Watercraft’s 2007 Operating Budget. He briefly reviewed this document, making note of the following items:

- As a whole, revenue was up 14.3% from fiscal year 2006 to fiscal year 2007. Frank noted that this does not reflect clearly, due to the fact that the distribution dates for the fuel tax vary from year to year. Frank also noted that the registration dollars are down so far in 2007 as compared to 2006.
- As a whole, there is a 4.3% increase in expenditures in fiscal year 2007 versus fiscal year 2006. This is primarily due to the Early Retirement Incentive (ERI) buyouts and payroll/personnel increases as designated by state contract. Frank noted that maintenance costs were down, probably due to newer vessels and vehicles in the fleet.

Council Chairman Tom Pascoe questioned why the state does not use a common fuel carrier to consolidate fuel purchases and obtain a lower price rate. Mike and Frank explained that this is handled through state contract and the divisions must adhere to whatever has been established by the state as a whole.

Council Chairman Tom Pascoe also inquired whether the Division of Watercraft was purchasing any “green” vehicles. Frank explained that in most cases, these “green” vehicles do not have the ability to tow the vessels that Watercraft needs to transport.

Frank distributed two handouts detailing the funding allocated for various Division of Watercraft programs in fiscal year 2007. Frank briefly reviewed each of these documents, making special note of the following items:

- Three appropriation increase requests have been submitted:
 - o A \$132,732 increase in fiscal year 2008 and a \$270,109 increase in fiscal year 2009 for the Statewide Dredging Program (to allow for a 3.5% payroll/inflation increase for each of the 2008/2009 calendar years)
 - o A \$40,000 increase in fiscal year 2008 and a \$80,000 increase in fiscal year 2009 for Payroll/Fringe Increases (to fund OCSEA/AFSCME contract and step increases)
 - o A \$500,000 increase in fiscal year 2008 and a \$1,000,000 increase in fiscal year 2009 for Operations (for fuel/utility inflation, Multi-Agency Radio Communication System, etc.)

In regard to capital funding, Council Member Norm Schultz inquired about the status of the dredging project at East Harbor. Phil Miller explained that, to date, an Army Corps Permit has not been granted for this project. Phil clarified that this project was not being funded through a Recreational Harbor Evaluation Project (RHEP) or Cooperative Boating facility (CBF) Grant Project, but rather through the Division of Parks and Recreation Statewide Dredging Program. Because no Army Corps Permit was acquired, the dredge and monies allocated for this project were redistributed for use in other areas in the state. Council Member Norm Schultz committed to record his stance that if and when the Army Corps Permit is acquired, the dredge be moved back to complete the project at East Harbor as soon as possible.

CHECK IMAGING – FRANK MERAVY: Frank provided an update on the check imaging system that is being tested at Watercraft’s Central Office.

This system is similar to what is being used by private-sector companies. Frank noted that other state agencies have taken an interest in this project as well. If the testing phase goes well, the division plans to use this technology at the field offices if it is economically feasible.

At a request from the Council, Frank clarified that the system allows for checks received from customers to be scanned and deposited more quickly into the Waterways Safety Fund.

RECREATIONAL HARBOR EVALUATION PROGRAM (RHEP) – PHIL MILLER: Phil provided a brief overview of the program and its processes, qualifications, and recent allocations. Phil noted that this program and its allocations are tied to the capital budget, which in many cases (including this year) experiences significant delay at the legislative level each year.

Phil clarified that the funding is designated for non-maintenance, publicly-sponsored dredging projects. Specifically, non-maintenance was defined by the Division of Watercraft through policy as not having been dredged within the last five years. There are also match percentages associated with various projects based on the benefits derived from the project for the recreational boating community. Phil noted that these guidelines are identified in materials associated with the program (e.g. applications), as well as on the Division of Watercraft's Web site.

Council Member Norm Schultz inquired about the status of the Ottawa River dredge project that has been stalled for some time pending the city's funding, obtaining an Army Corps Permit, and the state of Michigan's decision on whether to dredge their portion of this area or not. Phil explained that if Michigan does not choose to complete their portion of the project, the portion completed on the Ohio side would have very little impact on the overall problem. A final decision should be made by the city by the end of March, at which time the Ohio funding will be rescinded if the city does not plan to go ahead with the project

Council Member Norm Schultz questioned why the Division of Parks and Recreation is granted dredging monies through the Recreational Harbor Evaluation Program (RHEP) at areas where the Division of Parks and Recreation is making revenue and could, conceivably, pay for their own dredging (e.g. at Geneva). Phil noted that when the Division of Parks and Recreation submits applications for Recreational Harbor Evaluation Program (RHEP) dredge monies, they are considered and, when there are fewer requests for the monies than what is available, there is no reason not to fund their projects. In years when there is more competition for the monies, their projects may not all be funded.

Council Member Jack Hern expressed his continuing concern that the Division of Parks and Recreation is not charging enough at their docks and marinas to pay for maintenance of these facilities.

MIDDLE BASS ISLAND MARINA PROJECT – PHIL MILLER: Phil reported that the Division of Watercraft has received approval from the Ohio Environmental Protection Agency (OEPA) in regard to the 401 Certification for the Middle Bass Island marina Project. Phil noted that a news release regarding this item was included in the Council packets for their review.

Phil reported that the draft Environmental Assessment (EA) for this area has also been submitted to the United States Fish and Wildlife Service (USFWS) for review. This draft will be put out for public review for a 30-day time period, probably in December. The document will also be available through the Division of Watercraft's Web site. Comments gathered from this public forum will be forwarded to Phil Miller, who will in turn draft responses to these comments. If the responses meet with United States Fish and Wildlife Service (USFWS) approval, final approval from the USFWS on this Environmental Assessment (EA) could come as early as February 2007.

The final step will be obtaining a Section 10 Permit from the United States Army Corps of Engineers, which has been verbally guaranteed following approval of the Environmental Assessment.

With these three steps completed, the project should go out to bid and groundbreaking should occur in 2007.

RECREATIONAL MARINE LOAN (RML) PROGRAM – PHIL MILLER: Phil distributed copies of a brochure that has been widely distributed containing details and application information for the Recreational marine Loan (RML) Program. He noted that this item was mailed out to a large group of marinas and other interested parties earlier in the year.

The initial deadline date for applications was November 1. To date, only one application for this program has been received.

Based on the low response rate, Phil reported that the Division of Watercraft is changing the due date on the Recreational Marine Loan Program from November 1 to a “first come, first serve” basis. When funds are depleted, new applications will be accepted on July 1 of the next fiscal year. This change allows the Division of Watercraft to be more effective and flexible in meeting the needs of the private sector.

NEW OFFICE UPDATE – PHIL MILLER: Phil provided a brief update on the Division of Watercraft’s efforts to build new field offices in Portsmouth, Sandusky, and Ashtabula.

Mike noted that there are no plans to use the current ConAgra building in Sandusky as an option for a Watercraft Office at this time.

MEDIA UPDATE – JOHN WISSE: John noted that the Division of Watercraft spent a total of \$77,000 for media advertisement in 2006.

For these monies, the Division of Watercraft received approximately 13 million media impressions, which is 30% above the division’s goals for the year. Breaking it down by region, there were roughly 5.7 million media impressions in the Columbus area, 2.9 million media impressions in Cleveland, and 3.2 million media impressions in Toledo.

John noted that these advertisements included a 30-second television spot that ran for approximately 3 weeks in late May and early June, as well as 30-second radio advertisements that were run in March/April and June/July.

Based on a question from the Council, John noted that the division does not have a print advertisement focus, as this has been shown to be less effective than radio and television.

RECREATIONAL BOATING FATALITY UPDATE – TODD DONCYSON: Todd distributed a copy of the Fatal Boating Incident Summary for 2006 and briefly reviewed this document with the Council.

Todd noted that there were 22 recreational boating fatalities in 2002, 19 recreational boating fatalities in 2003, 7 recreational boating fatalities in 2004, 12 recreational boating fatalities in 2005, and 11 recreational boating fatalities to date in 2006. It was noted that the primary causes of these fatalities continue to be falls overboard, capsizing, and swamping/flooding. Most of the

fatalities occurred on smaller vessels.

UNITED STATES COAST GUARD LIVE FIRE EXERCISES ON LAKE ERIE – TODD DONCYSON: Todd distributed a copy of a United States Coast Guard notice from the *Federal Register* in regard to proposed permanent safety zones on Lake Erie for live fire exercises.

Todd reported that there are a total of thirty-four zones proposed on the Great Lakes, including four on Lake Erie, which would be used for small-caliber weapons exercises. This training is part of the United States Coast Guard's ongoing Homeland Security efforts.

Todd noted that he has attended several meetings with the Coast Guard and other representatives from the Department to discuss Ohio's concerns regarding the establishment of these zones. Todd provided a brief overview of these discussions and the various logistical concerns which were discussed. Special emphasis was given to finding ways to make sure the public is aware of these zones. He noted that the Coast Guard has been very receptive to Ohio's comments and has adjusted several of their parameters accordingly.

Todd noted that public comments regarding these zones was being solicited by the Coast Guard per the instructions in the *Federal Register* notice. Council members were also encouraged to provide any comments they might have to Todd, if they prefer, so he can share these with the Coast Guard as well.

Discussions and coordination will continue with the Coast Guard to make sure that the zones and exercises are as safe as possible for the recreational boating community.

MANDATORY EDUCATION PROGRAM – EMILY KING: Emily provided a brief update on the Mandatory Education Certification process and the groups that currently provide services in this regard.

Council member Norm Schultz questioned whether there were adequate low-cost, easily accessible methods available for the public to meet the requirements of mandatory education. He stressed that the boating industry's support of mandatory education in the past was contingent upon these aspects, which he now feels are not being provided. Specifically, he noted that he is not supportive of having a proctored test requirement.

Emily provided an overview of the mandatory education options that are available to Ohio's boating public, and explained that the Division of Watercraft does not provide approval of state-specific programs by outside agencies (e.g. Boat U.S.) due to the time and resources required to continually make sure these programs include up-to-date and accurate information.

Council Member Norm Schultz inquired whether the Division of Watercraft has an exclusive contract with any outside course providers. Emily responded that there is no exclusive contract with anyone, although Boat Ed is currently a vendor/course supplier for the Division of Watercraft and provides mandatory education materials and online access to mandatory education options for the public.

The group discussed the topic of proctored versus non-proctored mandatory education options at some length.

After significant discussion on the topic, Council Member Norm Schultz made a motion as follows:

The Council moves to recommend to the Director of the Ohio Department of Natural Resources and the Chief of the Division of Watercraft that a committee be formed, consisting of representatives from both the Division of Watercraft and the boating industry, to review the current boating education requirements and programs within the state of Ohio with the idea of moving toward enhancing the ease of obtaining mandatory education for Ohio boaters.

The motion was seconded by Council Vice-Chairman Jack Hern and approved by a quorum of the Council.

It was also agreed that Tammy would research the past Waterways Safety Council minutes with regard to this topic and provide materials to the Council members with regard to the history of these discussions.

OTHER ITEMS – ACTING CHIEF MIKE QUINN: Acting Chief Mike Quinn distributed red mugs displaying the Watercraft logo, as well as new Watercraft lapel pins, to the Council Members and Liaisons in attendance at the meeting.

Mike distributed a copy of a letter from Director Speck to Senator Gardner with regard to the Port Clinton Marina project and briefly reviewed this issue with the Council. Specifically, the letter stated that the Division of Watercraft would not be providing additional funding until the previously-awarded grant monies have been expended.

Mike and Bill made a brief presentation with regard to some elements of the field restructure process that are being implemented. Specifically, all Established-Term Regular (ETR) Watercraft Officers are being converted to full-time, and the field structure will be changing from four regions to three regions. It was noted that an Academy at the Ohio State Patrol will also be reinstated with the next group of officers to be hired, including six weeks of Watercraft-specific training to be provided by Division of Watercraft staff. A Training Officer position is also being developed, who in turn will provide oversight for this Academy as well as additional law enforcement training for division staff.

Mike announced that Tammy has taken on Nancy Gogle's Data Analyst duties. A replacement for her current Administrative Assistant position is still being researched at this time.

Phil announced that Carl Miller will be taking on Clean Vessel Act (CVA) and Boating Infrastructure Grant (BIG) Program responsibilities with the retirement of Dave Roseler.

Tammy noted that Rod Allen's appointment on the Council will expire on January 31, 2007. A recommendation for reappointment has been submitted to the Governor's Office for approval.

OTHER ITEMS – COUNCIL: The Council set their first quarter meeting of 2007 for Monday March 19, 2007 in the A-2 Conference Room at Fountain Square. Tammy will forward further information regarding the meeting as details are finalized. It was noted that the next meeting will also include the election of officers for the Council.

ADJOURNMENT: The meeting was adjourned at 2:00 p.m.

** Following the formal meeting, photos were taken of Council Member Norm Schultz for use in the *2006 Division of Watercraft Annual report*.