

Public Hearing
Public Input/Comments Proposed ATV Ordinance
March 4, 2014

On March 4, 2014, at 6:30 p.m., the Haysi Town Council conducted a Public Hearing held in the Council Chambers of the Haysi Town Hall Municipal Building located at 322 Main Street, Haysi, Virginia.

The purpose of the Public Hearing was to receive public comments and input on Proposed ATV Ordinance.

Mayor Yates called the Public Hearing in session at 6:30 PM.

Mayor Yates asked Clerk, Amanda Perrigan to read the Public Comment Policy. After the policy was read Mayor Yates said that he would waive the policy for this hearing.

Mayor Yates read the Proposed ATV Ordinance.

Mayor Yates stated that the trail is being mapped at this time. Mayor Yates introduced Andrea Hicks, Marketing Director of the Spearhead Trails. Mayor Yates asked Ms. Hicks if the estimated time was still six to nine months for opening the Coal Canyon Trail, which will be the Dickenson-Buchanan ATV Trail. Ms. Hicks replied that was correct.

Mayor Yates said that the Town of Haysi was about 30-90 days from having an ordinance adopted that would be suitable. Mayor Yates said that he would like to have the audience comment on the draft ordinance with their suggestions for safety, economic development, and overall recreation for the community. Mayor Yates stated that he is working with Chief of Police, George Wallace and Assistant Chief, Bobby Edwards to obtain a land use permit to allow ATV use on Main Street to the Kiwanis Park to Belcher Gap to Lazarus Branch Bridge and connect all residential sections in town and up 83 to Backbone Ridge.

Mayor Yates opened the floor for public comment.

Mr. David Smith asked if a helmet must be worn inside an ATV with a roll cage. Mayor Yates said "yes". Mayor Yates said that he had copies of the codes of Virginia that were applicable available and handed those out to attendants that were interested. Mayor Yates said that the town was required to follow the code of Virginia. Mayor Yates said that some of the things in the ordinance were required by the code of Virginia, which includes helmets and eye protection.

Mayor Yates said that even though it seems like the project is taking a lot of time, a lot of work and money has gone into the project over the past six years. Mayor Yates asked Ms. Hicks when the Mountain View Trail opened. She said that it opened June 25, 2013.

Mayor Yates said that he has assisted with the trails since May 2008, and a lot of the hard work has already been completed and things should move along at a much faster pace.

Mr. Joe Dotson asked about campgrounds. Mayor Yates stated that campgrounds would be up to private investors and not the town. Mayor Yates said that the town would be happy to see campgrounds open for business.

Mr. Jerry Vance asked if the lights on the four wheelers would make a difference to law enforcement. Mayor Yates said that original equipment would have to be operational. Mr. Vance asked "what about signal lights?" Mayor Yates said that anything that came standard from the factory would have to be operational. Mr. Vance said that very few came with signal lights. Assistant Chief Edwards said that hand signals would be used.

Mr. Jerry Vance said four wheelers are not recommended for two people to ride on, but most people use them that way. Mr. Vance asked if only one rider would be permitted regardless of the size. Mayor Yates said that is correct unless they are specifically designed for more passengers from the factory. Mr. Shane Hillman said that they do make a four wheeler for two people, but very few. Mr. Hillman said that Spearhead Trails has the same rule. Ms. Hicks said that the rule is in place for safety. She said that there are more citations for doubling than any other offense. Mayor Yates said that safety was the town's number one priority.

Mayor Yates said that earlier drafts of the ordinance had included a town permit, but that is not allowed by the code of Virginia, so only an SRRA permit is required. Spearhead Trail Permit is an annual permit that is transferable between machines, but is owner specific.

Mr. Jerry Vance asked if the permit could be purchased in Haysi. Mayor Yates said that Appalachian Auto Parts and Motor Sports sell them in town.

Mr. Rick Mullins asked where the trails were going to be located. He was concerned about the hunting leases being pulled. Mayor Yates said that the town wouldn't have anything to do with the hunting leases the matter would be between Forestland Group and the lessee. Ms. Hicks said that they try to work around hunting leases and have been successful at doing so thus far. She said that the trails are a positive thing and they don't want them to become negative. Mayor Yates said that the first week of January, Charlotte Mullins, Director of the Dickenson County IDA and Chair of the Southwest Recreational Authority authorized mapping of trails in Dickenson and Buchanan County. Mapping is planned from Belcher Gap to Poplar Gap and the town is hoping to include the Kiwanis Park and back to the west toward Bartlick and connect back to Belcher Gap.

Mr. Rick Mullins asked if there will be multiple trails throughout Dickenson County or one main trail. Mayor Yates said that was a question for someone who was an engineer. Mayor Yates gave an example using the area around the Kiwanis Park that may have a coal mining permit issued, but a trail is opened in that section. When the permit is approved and mining begins, the trail will be moved. Mayor Yates suggested looking at it

as something fluid, because riders will want a change in experience too. Ms. Hicks said that the trails are “not one straight shot.” She went on to say that there are three levels of trails: green, blue, and black with different difficulties. The Spearhead Trail started at sixty-five miles and is now up to almost ninety miles. All trails loop back to the main trail for rescue purposes. Riders are always looking for something bigger and better, so the trail system is always expanding. Mayor Yates said he thought that there were plenty of trails out there for development with the right land owner agreements; gas and oil properties mostly.

Mr. Rick Mullins asked how far off the trail is permitted. Ms. Hicks said that riders must stay on the trails, that rule is listed on the trail maps. Hunting lease and gate property is marked with no trespassing signs. There have not been any issues to date regarding this on the Spearhead Trails and there is no shortage of signs. Three hundred signs were added for safety purposes on the trails. Mayor Yates said that signs will be posted in town in accordance with the Land Use Permit with VDOT. Mayor Yates stated that he had a meeting with Steve Buston and Jeff Sams of VDOT last week about the permit process. They are willing to work with the town, especially when it comes to usage in high traffic areas. Mr. Mullins said that he was the owner of three ATV's and he was in support of the ordinance, but wanted clarification on a few items. Mayor Yates explained that is purpose of the public hearings. Ms. Hicks encouraged anyone with questions to call her office.

Mayor Yates asked if Spearhead Trails Brochures were available at Appalachian Auto Parts and Motor Sports. Mr. Shane Hillman said that there were brochures available there. Mayor Yates said the Haysi Town Hall had some as well. The brochures contain the phone number for the office of the Spearhead Trails.

Mayor Yates said that the hearing needed to get “wrapped up” and asked Ms. Hicks if she had any additional comments.

Ms. Andrea Hicks shared what took place two weekends ago in St. Paul. The Spearhead Trails ran out of parking, permits, and trail maps. She said that the retailers in St. Paul told her that “several of those riders had such a great time that they decided to stay in town. So, not only did they stay in town, but someone sold them a permit. Someone sold them a room for the night and of course, those folks had to eat dinner.” She stated that St. Paul has had \$700,000 in private investments made in the town. That particular weekend rental companies sold out and one had to turn a customer away. WCYB came that same weekend to cover the story.

Ms. Hicks stressed the importance of being ATV friendly and not ATV tolerant. It is important to create a welcoming feeling for visitors, so they come back continuously. Statistics showed that the average ATV visitor spent an additional \$100-\$200 on purchases in addition to the permit. Right now there is a shortage of overnight lodging access across the trail systems. Spearhead Trails will be looking for other retailers to sell permits. Spearhead Trails sold two thousand permits in less than a year. The cost for a

2014 permit on the Spearhead Trail System is \$50. A day pass costs \$15, which doesn't give credit toward the purchase of an annual permit.

Mayor Yates told Ms. Hicks that he appreciated her attendance at the meeting and bringing her news. The Mayor commented about how beautiful the local trails were and how the administration was working hard on the project.

Mr. Smith asked if the permit was per rider. Mrs. Hicks said "yes."

Mr. Rocky Barton asked what kind of accommodations the riders were interesting in seeing in the communities. Mrs. Hicks said overnight stays; apartments or basically just somewhere to rest their heads.

Mr. Karl Hogston suggested having a location to change clothes available to riders. Mrs. Hicks said that were working on that in St. Paul, but ultimately would be up to a private investor to facilitate.

Mr. Shane Hillman asked if the Spearhead Trails tracked permit sales. Ms. Hicks said that they were tracking the data. She said that they have several retailers and she just finished getting waivers. Since they are requesting money from the state, they are calculating the impact on the area from outside visitors. Ms. Hicks said that they have had permits purchased by people from CA, AZ, WI, a group of thirty-two from GA, a group of twenty-eight from FL, OH, KY, TN, TX, LA, PA, and even from Germany and Czech Republic. Most ATV visitors travel in groups and have an average of eight people in their group. Retailers should keep a minimum of 8 permits in case a group comes.

Mr. Shane Hillman asked if Spearhead Trails had advertised in magazines. Ms. Hicks said that they just did their first magazine ad in Blue Ridge Outdoor, but that is the only magazine ad so far. Spearhead Trails will have an ad in the Virginia Highlands Flyer and they are trying to get an ad in Mud Slinger Magazine. Spearhead Trails is spreading the money out on all the trails, not just Mountain View.

Mayor Yates said that Assistant Chief Edwards was working hard on public safety and getting a safety plan in place.

Mr. Shane Hillman asked for more clarification about the speed limit. Mayor Yates read section A again. The speed limit would not have to be changed, but the key is an approved Land Use Permit from VDOT.

Mr. Jerry Vance asked about travel on Hadley Branch. Mayor Yates stated that the ordinance only covers within the town limits. Dickenson County would be responsible beyond the limits. Ms. Hicks said that she felt Dickenson County should be responsive to an ATV Ordinance. Mayor Yates encouraged the citizens to contact the Board of Supervisors if interested in pursuing the issue.

Mayor Yates thanked everyone for their attendance and comments. He said that the town would take the input and work to create a trail that the public could enjoy that would also spark economic growth.

At 7:20 p.m. Mayor Yates called for the Public Hearing to be officially closed.

Mayor

Attest:

Clerk of Council