

**Cannon Mountain Advisory Commission (CMAC)  
Minutes from spring meeting at Cannon Mountain  
Friday, April 12, 2013**

**Attendees:**

Dennis Murphy, Chairman / Rich McLeod, Vice Chairman / Senator Jeb Bradley / Representative Suzanne Gottling / Representative Edmond Gionet / State Treasurer Catherine Provencher / Kathy Taylor / Kevin Johnson / Karen Irwin (CMAC members)

Phil Bryce, Director of Parks & Recreation / John DeVivo, General Manager at Cannon/FNSP (DeVivo is CMAC scribe)

Dick & Barbara Langworthy / Dick Hamilton / Steve Morse / Jeremy Clark (members of the public)

**Absent:**

Senator Jeff Woodburn (CMAC member)

**Introductions:**

Chairman Murphy began the meeting at 10:05 AM and stimulated a round of introductions. DeVivo briefly went through the content of the information packets and mentioned Cannon's plan to host a celebratory event on Friday, June 28<sup>th</sup> to mark the 75<sup>th</sup> anniversary of the original Cannon Mountain Aerial Tramway launch on June 28, 1938.

**Minutes from April 9, 2012 meeting:**

Vice Chair McLeod motioned to approve, seconded by Kevin Johnson. Unanimous vote to approve.

**Review of RSA 12-A:29-b Cannon Mountain Advisory Commission:**

Chairman Murphy reviewed his interpretation of the RSA detailing the charge of the CMAC. No questions or comments from the group at this time.

**Synopsis of Cannon Mountain Capital Improvement Fund (CMCIF):**

Treasurer Provencher described the intent, function, and workings of the CMCIF. She pointed out that the CMCIF is comprised of the funds from the leasing of Mount Sunapee Ski Area, and that Mount Sunapee was leased with the intent that the CMCIF would fuel capital improvements at Cannon. She also pointed out that the CMAC has the legal authority to recommend bonding up to the \$6 Million revolving fund limit anytime there's the capacity to do so, and that the DRED Commissioner and the Capital Budget Overview Committee have the legal authority to act upon said recommendation. The Treasurer cautioned, however, that while the CMCIF is estimated to have \$2.2 Million in capacity by June 30, 2013, the annual payments from Mount Sunapee have totaled (cumulatively) \$372,000 less than what's been paid out on bond issuances since 1999. Treasurer Provencher advised that a system must be devised in order for Cannon / NH Parks to annually cover any difference in what is paid into the CMCIF by Mount Sunapee and what is paid out to cover bond issuances, and for Cannon / NH Parks to annually pay down on that \$372,000 in accumulated shortage, whether amortized over 1, 2, 5, or 10 years, etc.

Treasurer Provencher asked the question of who would draft such a plan. Senator Bradley also asked the question and offered to assist with the draft. Treasurer Provencher said that it should be incumbent upon Cannon / NH Parks & Rec / DRED to draft the plan.

John DeVivo discussed Cannon's long-term intent to utilize annual surplus funds to cover any difference in input versus output, amortize the accumulated deficit, and contribute toward the Division of Parks & Recreation (Division), and to continue to utilize the CMCIF as its primary source of capital funding, within the revolving \$6 Million in capacity. DeVivo then detailed the HB2 requirement in FY13 that Cannon must submit its first \$650,000 in surplus funds to the Division and its next \$50,000 in surplus funds to NH Fish & Game. Cannon's remaining surplus in FY13 (expected to be an additional \$100,000 - \$200,000) will be utilized to offset any remaining deficit on its operating line, and then either carried forward or utilized to offset a portion of the CMCIF accumulated shortage, at the discretion of the DRED Commissioner and Director of Parks & Rec. Lastly, DeVivo gave very rough numbers, estimating net surpluses in FY08 (\$438,000), FY09 (\$377,000), FY10 (\$403,000), FY11 (\$1.3 Million), and FY13 (estimated at \$900,000) and a deficit of an (estimated) \$329,000 in FY12, for an average surplus of \$515,000 since FY08.

Director Bryce detailed his plan to attach a footnote to HB2 (FY14/15) that would require that Cannon's first \$500,000 in annual surplus go toward the Division to offset operating costs, and that the remaining portion of annual surplus be split between offsetting CMCIF shortages and paying down the accumulated shortage and being applied toward Cannon's running total and rolled forward. His intent is to essentially mirror the \$500,000 coming in from the CMCIF as though it were being paid directly toward the Division, as it helps to cover capital funding for Cannon in order to produce an annual surplus and offset Division costs.

A discussion followed between Chairman Murphy and Director Bryce about the intent of the CMCIF and its uses, in addition to the annual use of any surplus of revenue over expense at Cannon. Both agreed that as a primary contributor within the NH Division of Parks and Recreation, Cannon bears responsibility to act as a revenue source for the Division, though Chairman Murphy's position is that the CMAC's first priority is to concern itself with the well-being of Cannon Mountain Aerial Tramway & Ski Area.

Karen Irwin asked Director Bryce if his intent was to footnote \$500,000 in surplus toward the Division and \$50,000 toward NH Fish & Game in FY14 and beyond. Director Bryce indicated that the NH Fish & Game "charge" was in the FY12/13 biennial budget, but is not currently in the FY14/15 biennial budget.

Treasurer Provencher advocated for a plan (for Cannon's annual net surplus) that would instead first cover any difference in what is paid into the CMCIF by Mount Sunapee and what is paid out to cover bond issuances, and then cover an amortized portion of the \$372,000 in accumulated shortage, and then contribute a portion toward the Division, and then apply any remaining surplus toward its running net total. With this plan in place, the Treasurer felt that Cannon would have very little opposition when tapping the CMCIF within its capacity (whether annually or otherwise).

Further discussion between Director Bryce, Treasurer Provencher, and Senator Bradley.

Director Bryce again recommended as follows (FY14 and beyond) for annual surplus:

- First \$500,000 of surplus to Division
- Next portion of surplus to cover annual difference in CMCIF input / output
- Next portion of surplus to amortize the \$372,000 in accumulated shortage
- Final portion of surplus toward Cannon's net total

Treasurer Provencher again instead recommended as follows (FY14 and beyond) for annual surplus:

- First portion of surplus to cover annual difference in CMCIF input / output
- Next portion of surplus to amortize the \$372,000 in accumulated shortage
- Next portion of surplus to Division
- Final portion of surplus toward Cannon's net total

Senator Bradley assured Treasurer Provencher that if she drafts such a plan, he'll work very hard to get it into HB2 for FY14/15.

John DeVivo indicated that he'd prefer to take the Treasurer's suggested tack, as it would truly represent a self-funded capital model and would provide a cleaner path toward being able to utilize the CMCIF (whether annually or otherwise, when funds are available) as it was intended. DeVivo also indicated to the CMAC members that this year's request for \$717,000 is aimed at snowmaking volume and efficiency, lift maintenance requirements, and water and power system efficiencies and improvements, and that for the next several years, Cannon's capital needs will largely fall into those categories.

Director Bryce and Treasurer Provencher agreed to work on a drafted plan as soon as possible and submit it to Senator Bradley for consideration as a part of HB2.

### **Review of Cannon's FY13 performance to date:**

John DeVivo advised the new (and returning) members of the CMAC that Cannon Mountain Aerial Tramway & Ski Area is a 12-month business entity, comprised of:

- Winter Aerial Tramway & Ski Area ops
- Summer Aerial Tramway ops
- Echo Lake Beach summer ops

- Cannon RV Park ops (a function of Echo Lake Beach)

...and that Franconia Notch State Park is a more limited business entity, comprised of:

- The Flume Gorge
- Lafayette Place Campground
- FNSP Recreation Trail
- Scenic byways and off-highway accesses (ex. The Basin, Boise Rock, etc.)

...and that the two entities (Cannon / FNSP) are run as one unit operationally, logistically, and geographically, sharing management, resources, and personnel. Cannon is essentially the financial, logistical, and operational hub of the entirety of Franconia Notch State Park.

DeVivo then covered Cannon's FY13 performance, stressing that he'd be using very rough, unaudited figures, and stressing that they be treated as very rough, unaudited figures.

- Warm early season, moderate & inverted temps
- Snowmaking/grooming challenges in the early going as a result
- Good belt of natural snow and cold temps supported Christmas week
- Several unforeseen lift issues during Christmas week, all corrected
- Good snowfall from mid-late January onward
- Fairly good MLK weekend and Presidents' Week, strong NH vacation week
- Unforeseen water system issues during Prez Week, temporary repairs
- Very solid spring business volume, similar to record year in 10/11

Cannon's very rough, unaudited figures:

- Nov 30 through Apr 7 (ski season to date)
  - Skier visits 25% ahead of last season and within 3% of record season
  - Ski Area revenue 19% ahead of last season and within 12% of record season
- Fiscal Year-To-Date (Jul 1 – through Apr 7)
  - Ski Ops Div revenue 23% over FY12
  - Ski Ops Div expense 1% under FY12
  - Ski Ops Div net total \$970,000 over FY12 to date
  - Retail Div revenue 22% over FY12
  - Retail Div expense 23% under FY12
  - Retail Div net total \$535K over FY12
  - Overall revenue 22% over FY12
  - Overall expense 5% under FY12
  - Overall net total \$1.5 Million over FY12 to date

Kevin Johnson asked if the CMAC members may be given Cannon's Quickbooks report as they have in the past. DeVivo replied that he would issue them if approved by the Division, as they vary (literally) by the day based upon the cash-in, cash-out nature of the business and are unaudited.

Director Bryce asked DeVivo about the overall vibe at Cannon, in addition to any awards, recognition, rankings, and media attention during FY13. DeVivo noted that business is strong and that Cannon's connection to its user base is strong. Also that FNSP was ranked the #2 State Park in the United States last summer (of more than 6,200), and that Cannon continues to rank very well in major ski publications, and that Cannon has very regularly fielded information and multi-media requests over the last several years for articles, news stories, and online and TV features.

#### **Review of Cannon's proposed (Summer 2013) capital projects:**

John DeVivo detailed the following (\$717,000) proposed projects/purchases, to be completed utilizing available capital funds from the Cannon Mountain Capital Improvement Fund, fueled by the Sunapee lease:

\$400,000 in snowmaking projects and purchases (low energy tower guns, low energy portable land guns, pipe and hydrant installation on Taft Slalom, pump capacity upgrades on existing equipment, tower mounted fan gun, replacement piping on two trails, and 3-month excavator rental);

\$167,000 in water and power system upgrades (primary water pump/s, metering equipment, primary reservoir tank/s, primary water lines for Peabody & Notchview Lodge area, well construction for Park HQ area, low-flow fixtures @ Peabody kitchen, primary switch at Cannonball Quad, communication line to summit, communication line to Peabody Quad, service switch at Mountain Station, rebuild on Aerial Tram motor generator;

\$150,000 for replacement of Peabody Express Quad haul rope

Senator Bradley motioned that the CMAC vote to recommend the \$717,000 capital project request, contingent upon the Legislature acting upon a CMAC recommendation that HB2 (FY14/15) has a provision to follow the plan recommended by Treasurer Provencher.

Discussion followed, as several CMAC members voiced opposition to the recommendation of the capital project request being contingent upon a provision being enacted upon within HB2 by the Legislature on a measure not yet drafted by Treasurer Provencher and Director Bryce, as Cannon's desire and need is to act upon the CMAC recommendation and put the request before the capital budget overview committee as soon as possible (pending DRED Commissioner Jeffrey Rose's approval).

Senator Bradley withdrew his first motion, and made a new motion to recommend the \$717,000 capital project request. The motion was seconded by Representative Gionet. Representative Gottling asked if Senator Bradley foresaw any hangup in the capital request process, given the removal of the contingency upon an HB2 provision. Senator Bradley offered that he didn't foresee any problem legislatively, and that it should simply come down to an approval or denial by the capital budget overview committee. Chairman Murphy called for a vote, and the motion was passed unanimously.

Senator Bradley then made a second motion, this one for a CMAC recommendation to Treasurer Provencher and DRED Commissioner Rose to craft a plan along Treasurer Provencher's tack to cover the annual CMCIF input/output difference and resolve the outstanding (accumulated) CMCIF shortage. The motion was seconded by Representative Gionet. Chairman Murphy called for a vote, and the motion was passed unanimously.

John DeVivo then detailed the proposed Mittersill enhancement project, approved by the Executive Council on February 6, 2013 as a major component of an amended and restated 20-year agreement with Franconia Ski Club (FSC): The club intends to raise \$3.5 - \$4 Million in private donations to fund a snowmaking, terrain enhancement, and T-bar installation project in the Mittersill terrain area, including an additional 6,000 cfm compressor which will add 20% more air capacity to Cannon's system; Upon completion, full ownership of the project and all equipment will be Cannon's, and FSC (and Holderness School) will have access privileges (for training and racing) similar to what they have at Cannon presently; Said access privileges will essentially be no greater or lesser than what they presently enjoy; The general public will enjoy a vastly improved product (and daily access) to the Mittersill terrain area, and will enjoy both natural and manmade snow. DeVivo detailed the project last April for the CMAC members, and today provided the members with the map of the proposed project area, the FAQ sheet, the summary of public commentary on the project, and the monitoring report (detailing all interaction between Cannon, FSC, NH Fish & Game, NH Audubon, and WMNF). The club (FSC), upon gaining approval at the Executive Council meeting on February 6, 2013, immediately engaged in active discussion with a professional fundraising entity, and has been working very closely with NH DES regarding wetlands mitigation / permitting and alteration of terrain / permitting.

Senator Bradley asked DeVivo about watershed concerns, and DeVivo replied that FSC has been very active thus far with NH DES in discussing any need (or lack thereof) to deal with Federal authorities regarding watershed concerns. Thus far the project has been dealt with by NH DES, and there's been no concern expressed thus far regarding a need to involve the EPA. Senator Bradley asked about high winds and the impact upon the wide training slope at Mittersill, and DeVivo replied that historically the winds have not been a factor from the top of the T-bar area downward, and is not considered to be a threat by the engineers at Horizon Engineering, the firm that laid out the project. Kevin Johnson asked about the logistics involving public use of the area on racing and training days, and DeVivo replied that Cannon and FSC always work together to set up pass-through areas and/or actively advise the public as to other accessibility. Johnson also asked about whether the erosion control work by the contractors of the proposed work at Mittersill would be held accountable, and DeVivo replied in the affirmative.

#### **Old Business:**

None discussed.

#### **New Business:**

Kevin Johnson asked about the CMAC's role in recommending non-ski area related capital enhancement projects, geared toward year-round activity. Specifically mentioned (and/or included on a flyer he distributed) were: Segway tours,

mountain biking, mountain coasters, summer concerts, ziplines, canopy tours, mobile GPS / Geocache apps, etc. John DeVivo replied that Cannon's management team has been actively researching Segway tours, mountain biking, summer concerts, ziplines, and canopy tours, in addition to being open to other ideas, and that any activity or capital intensive investment must fit within the scope of the park itself and meet the needs/wants of a very transient summer crowd. At nearly \$7,000/unit the Segway fleet/tour startup cost seems cost prohibitive; a high quality (downhill / x-c) mountain bike park requires a rental fleet, a shop, a dedicated trail network, a lift, and a trail crew / patrol staff; summer concerts, fairs, etc. on the Profile Field area make a lot of sense and will be more actively researched; ziplines and canopy tours are cost prohibitive and may become passé very soon. DeVivo thanked Johnson and asked the CMAC members to continue to bring other ideas forward for consideration.

Representative Gionet asked the Chairman about the election of officers. Chairman Murphy replied that it was his intent to address it as the first item on the regular agenda at the next meeting. Representative Gionet asked when the next meeting would be called. Chairman Murphy replied that it'd be held at the call of the Chairman, and that the CMAC meetings are typically held in mid-November (prior to the start of Cannon's winter season) and again in mid-April (just before or after the close of the winter season). Representative Gionet asked if a member may request the consideration of items on the agenda, and whether a member may request that the Chairman call a meeting, to which Chairman Murphy replied in the affirmative.

**Adjournment:**

Representative Gionet motioned to adjourn, seconded by Rich McLeod. The meeting was adjourned at 11:59 AM.