

Kansas Agritourism Advisory Council Meeting Notes
June 7, 2018
Kansas Dept of Wildlife, Parks & Tourism

Welcome & Introductions – Mike Hersey, Advisory Council Vice Chairperson

Mike Hersey – Casa Somerset
Debbie Mize – Whispering Elm Farm
Bret Henderson – Frontier Farm Credit
Marlea James – KS Dept of Labor
Ray Rutherford – KS Dept of Labor
Lexi Wright – KS Dept of Agriculture
David Hogg - KS Dept of Agriculture
Nancy Brown - Kansas Farm Bureau
Emily Bain - Peach Hill Adventures
Jessica Bowser – USDA
Shelia Lampe – Lampe Heritage Farm and Pumpkin Patch
Anne Lane – Circle S Ranch and Country Farm
Ken Corbet – Ravenwood Lodge

On phone:

Angela Britt – Britts Farm

Presentation - David Hogg, KS Dept of Agriculture on Continuity of Business Planning & Biosecurity for Agritourism including facilities with animals/livestock and emergency management for Agritourism businesses including active shooter information.

These are my notes – I have also attached a pdf of David's Powerpoint presentation.

There are many different realms with Kansas Agritourism businesses being a business and an active farm both. David said there is no way he can hit everything in depth. He can't tell it all, and is here to share resources. People are sometimes reluctant to spend money and time for things they don't think will ever happen. People don't know what to expect. We knew it was possible, but we didn't know what it was like. It's hard to make ourselves take action in planning for things such as the fires in SC Kansas last year.

If something bad happens, we respond and then try to recover. David gave an example of the Orr farm in Oklahoma that was hit by a tornado a few years ago.

Agritourism businesses need to determine what your threats are. Risk = Frequency + Potential Impact

What falls outside the normal scope of hazards, diseases, human caused, can create our own problems.

Natural Hazards – Be prepared, you may be able to mitigate against them, but you can't prevent them. He suggests the use of Apps for phones for your staff to monitor weather and have a policy in place so staff knows this is our standard for severe weather, have it written down in a policy so it's not a judgement call.

David suggests the use of a NOAA weather radio - a weather "gold standard rule" is to draw an 8-mile circle around your farm and as soon as a lightning strike in within that circle, everything stops, until 30 minutes after the last strike.

How do you get your warnings?

Biological hazards – foreign animal diseases. In 2015 euthanized 50 million plus birds nationwide.

Foot and mouth disease – it would significantly change anyway we would do business in Kansas. Animal movement will stop. It will not be allowed without certain other conditions being met. Specifically, woven hoof animals.

Endemic Disease – Zoonotic, cleaning and disinfecting, lower that risk. Many more resources to share. All sheets can be accessed on KDA website. Animal human interaction.

Horse diseases – have had infections in Kansas. Build into your plan

Plant diseases & pest outbreaks.

Technical Hazards – Cyber Threats, Hazardous materials, ag chemicals, transportation accidents

Human caused hazards – disgruntled employees, customer conflict, medical emergencies, protestors.

What are your hazards, threats, risks, if we don't know what you're planning for you can't be prepared, so thinking about these situations can better prepare you.

What makes your farm unique?

Do most agritourism facilities have a tornado shelter? How do you let visitors know when there is potential serious weather? David suggests having some way to communicate with people that your Agritourism business is in a tornado watch.

Social media may sometimes be the best way to do it, especially prior to your guest's arrival.

David asked those at the table if they have names for their animals? He asked what if a young visitor to your farm gets attached to one of your calves who is named Flossie, the child is a frequent visitor, watching the calf grow, then said animal gets sick and must be euthanized? Have a plan to be able to address those sorts of issues and make your employees aware.

David stated that text message will often work when cell services are down and a call won't work. He suggested families have a named cell phone contact, possibly in another state where your direct family can send a text message to let them know you are all right, safe, and the distant cell contact can them let others involved within a disaster area know other family members are OK.

Does your farm have a "shelter in place" or will you and your guests need to evacuate? Hopefully, it is a slow-moving event, but some things require shelter in place immediately, such as a hazmat event.

David suggests you practice your plan, do a drill, or exercise with your staff. This will allow you to will find things that don't work. He recounted a nationwide exercise with USDA recently, and staff in Kansas was more prepared than other states because of practice drills. Drills in Kansas involve many state and local agencies and they don't want to kill the industry while trying to save the industry.

In a meeting area, he suggests you have a monitor tied into a laptop, livestreaming the weather, to let your guests interpret the weather themselves. Employees should have good communication two-way radios, do not depend on trying to get a cell signal. It might save you some time.

Phones – a military grade has a direct access to get in touch with a park ranger if you are near a park, but they may be occupied with managing emergency services within their park facility. The more rural you are, the more challenge there is.

Build an emergency kit. What do you need to care for your customers, your employees, your animals? How will you sustain for a little while, until you get help there?

Stay informed – seek out reliable information. Media, weather radio, apps, local emergency notification systems. As you work to keep your customers informed, only share from reliable sources. Get to know your

local emergency manager. Work toward business continuity, sheriff, police, let them know of major events, give them a heads up.

Building systems – how do you bounce back You've experienced a major emergency event on your farm, what do you do when things aren't normal, how do you keep things going, what are things we always must keep doing? Keeping your livestock contained and fed, who's in charge? Who are your essential personnel? Keep records of what you must do to get back to normal for insurance purposes. Take lots of pictures, but be sure to write details down.

Financial considerations – How will you pay your employees? Where are your records kept, do you have a back-up, and a back-up to a back-up off site?

- Learn from other's experiences
- Remember what makes your location unique
- Form Public-private partnerships
- Accept help
- Be Patient

Website for multiple agricultural threat preparations – www.prep4agthreats.org.

Get involved, get training through a program like the Community Emergency Response Team (CERT), or there is a brand-new volunteer corps in Kansas called the Kansas Agriculture Emergency Response Corps. <http://agriculture.ks.gov/divisions-programs/emergency-management/kansas-agriculture-emergency-response-corps>.

In an Active Shooter situation, general instructions to prepare you, your staff and guests are to Run, Hide, Fight. Remember the Law Enforcement Officers are looking for someone with a gun, so if you are carrying, be especially aware. The KS Highway Patrol offers additional training for active shooter situations. I have attached a pocket card you may print for your staff, issued by the U.S. Dept of Homeland Security for Active Shooter situations.

Although none of us ever want to think about having an emergency on our farm, we don't want to bury our head in the sand, thinking it will never happen to us. Thank you, David!

**Presentation - Marlea James & Ray Rutherford, KS Dept of Labor
Changes to the Amusement Ride Law during the last legislative session.
(See attached Amusement Ride Law Handout)**

Marlea and Ray work as amusement ride auditors in a new unit in the KS Dept of Labor (DOL), started in November 2017, following the signing of SB310, they are learning and it is a work in progress, the current statutes are not going to be the latest statutes, SB 310 only includes the statutes that were amended in the 2018 Kansas Legislative session.

Kansas Statutes 44-1601 through 44-11619 are the Amusement Ride Law.

When the department needs a way to further explain or define, they refer to the ASTM F24 Standards.

Pony carts are most likely lumped into a hayrack ride type of ride and with SB310, hayrack rides and barrel trains are exempted. Pull behind the tractor, sledding - they figure it as a hayrack ride. (I sent a note to Marlea & Ray to see if they had a checked on this, I will let you know if I receive a follow-up.)

If you are aware of someone that is operating without a permit, DOL will go out and visit with the operators. Operating without a permit is a Class B Misdemeanor.

The first visit will be more of an educational discussion rather than coming in with authority. The would most likely issue a written warning.

With bouncy houses, if you are renting them, be sure to ask the rental company if they are permitted through the KS Dept of Labor. The owner needs to be permitted, if something happens, it's going to be the court of law that asks that question. As far as DOL is concerned, the owner of the inflatables is the responsible party.

Per Kansas Statute 44-1608, safety instructions are required to be posted.

http://www.kslegislature.org/li/b2017_18/statute/044_000_0000_chapter/044_016_0000_article/044_016_0008_section/044_016_0008_k/

The Rental company pretty much needs to provide an operator who has been train in safe inflatables training. Refer to 44-1605.

Bottom line is if anything happens, if things go south you will still get sued.

The DOL has a goal to have a public website where registered amusement ride operators will be listed. see who has been registered. Right now, you can call Pattie Spaeth, DOL 785-296-4386, Ext 2310 with questions about registering or if a company is registered.

The DOL also hopes to be able to provide a list of Qualified inspectors, with contact information on their website.

A question of how the DOL is going to get this information out to everybody? The DOL is working on a plan to travel around and visit with folks to educate and inform and it will be shared in e-newsletters.

SB 310 established new sub classifications. A Kansas registered Agritourism business through the KS Dept of Wildlife, Parks and Tourism will receive a reduced rate.

Registering your amusement ride is a three-step process,

1. Put in your organization, the responsible party, where are you located, what kind of business do you have. Everything must be paid for on a credit card or an ACH bank transfer.
2. Permit rides – if it doesn't have a serial # put a serial marker on the ride so the DOL can tie registration to a certain ride.
3. Provide the documentation required for insurance. Itinerary, inspection by a qualified inspector, provide the document the inspector qualified status report for the ride.
4. There are requirements to be a qualified inspector in Kansas. Please check with the DOL for those requirements.

A question about zip lines - how do you separate things out, are all registered together so if one fails, will all zip lines be shut down?

Response was it depends on if a tower and if all the lines are attached.

A question of how many injuries or deaths have there been in Kansas involving bounce houses or other rides? There have been three deaths they are aware of.

Make sure you take notes, without information, the auditors don't know what you are experiencing.

All the changes in SB310 came from people talking to their legislators. The legislature is trying to get the limited use folks some breaks.

Different ride classes - Class A is designed for someone under 12, small children rides, Class B is anything designed for someone 12 and over.

Department of Labor will be conducting random compliance audits as required under law.

With a serious injury (defined in statute) the ride must be shut down with 24 hrs to begin investigation

KSA 44-1604 is not in SB 310, **44-1604. Compliance with ASTM standards; testing of amusement rides.** (a) Amusement rides shall be constructed, maintained, operated and repaired in accordance with ASTM standards adopted by the ASTM international F24 committee, as published in ASTM international standards volume 15.07.

(b) No amusement ride shall be operated in this state unless nondestructive testing of the ride has been conducted in accordance with the recommendations of the manufacturer of the ride or in conformance with standards at least equivalent to those of the ASTM standards adopted by the ASTM international F24 committee, as published in ASTM international standards volume 15.07, whichever is applicable.

Update on Kansas Agritourism - Sue – Drift watch – you must re-register your property every year. It is always a good idea to have a conversation with your local spraying companies and let them know you are raising specialty crop products on your property including aerial spray operations. You can get signs and register here:

http://www.kslegislature.org/li/b2017_18/statute/032_000_0000_chapter/032_014_0000_article/032_014_0030_section/032_014_0030_k/

Farmers Inspired Advanced Learning Retreat (ALR)– Sue told about the NAFDMA/Farmer's Inspired ALR to be hosted by Quinn Farms near Montreal, Quebec July 28 – 31, 2018. Registration is open to everyone. For more details and pricing: <https://www.farmersinspired.com/2017alr/alr-registration/>

Other Agritourism related updates

KS Department of Agriculture/From the Land of Kansas - Lexi Wright told Farmers Markets are in full swing. The KD Dept of Agriculture will host the Kansas AgGrowth Ag Summit at the Hilton Garden Inn on Thursday, August 23, 2018 in Manhattan. Register here: www.agriculture.ks.gov/summit.

Kansas Farm Bureau - Nancy Brown stated there haven't been many changes from our last meeting. Kansas did propose a resolution at the National Farm Bureau meeting asking the NFB to adopt a resolution regarding agritourism, but it didn't make any headway at the national level.

USDA - Jessica Bowser reminded us to watch for the cycle for the next Value-Added Producer Grant.

The Renewable Energy for America Program, Renewal Energy Systems & Energy Efficiency Improvement Loans & Grants in Kansas is open now. Check out their website for more information: <https://www.rd.usda.gov/programs-services/rural-energy-america-program-renewable-energy-systems-energy-efficiency/ks>

Frontier Farm Credit - Bret Henderson – Frontier Farm Cred has been following the development of the Farm Bill, He said the value of being a Frontier Farm Credit member is they keep on top of things such as the Farm Bill on behalf of their customers. Reminder on grants available through Frontier Farm Credit for the eastern 1/3 of Kansas, FrontierFarmCredit.com