

# Missoula Horsemen's Council

## Special January Board Meeting

### January 13, 2014

Missoula County Extension Office, Large Meeting Room  
7:00 P.M. – 9:30 P.M.

#### I. **Call to Order – Roberts Rules of Order:**

Jeff called the meeting to order at 7:03 pm.

Jeff welcomed the new Board members and guests. Introductions were given in round-table format.

#### II. **Roll Call** – All present please sign the attendance roster

#### III. **Committee Reports**

Lease contract negotiations: Jeff reported that the process has been ongoing and without notable progress. Jeff indicated that the county has indicated it may decide to no longer have lease contracts on parks and to handle land use by a different design.

#### IV. **Events Coordinator -**

Appointment of a new Events Coordinator – Jeff reported that Cindy has requested re-appointment in this position. Lisa reported that the events coordinator needs to attend board meetings, especially in the spring and summer to report on events, and that Cindy is unable to attend Monday meetings. Jeff noted that meeting days will be discussed (see below). The board agreed to re-appoint Cindy as Events Coordinator.

#### V. **Old Business**

1. Review by-laws regarding board members holding two positions - deferred

2. Mud run – *New promoter Matt/Tara representing CASA:*

a. Bill Dahlgren distributed his personally prepared recommendations for the mud run lease. This included the following contract points and the aim is to expedite contract approval through BSSC and the county. The next BSSC meeting is on January 15<sup>th</sup>; the next County meeting is in February. His recommended points are:

1. The contract needs to be between the event organizer and the MHC as the leaseholder.
2. The event organizer will pay 10,000 to MHC per contract.
3. The MHC will pay Westside Little League \$750 for impacts
4. MHC will pay Missoula County Parks and Trails Advisory Board \$1500 for the scholarship fund. This is not a county policy or assessment.
5. As in the past, CASA is the charitable beneficiary.

b. Jeff reported that the county is unwilling to put their name on this contract. Barbi reported that in a recent meeting, the BSSC did not think this county 'tax' (\$1,500) should be implemented on the mud run against revenue generated through a contract by the Park. Bill reported that this was true. The County is not asking for that assessment, it is not a policy, but it has been requested and discussed the past several months. This letter is Bill's proposal to improve the likelihood that the contract will be approved in a timely manner.

Jeff reported also that this contract is not a legal contract as written and will put our 501C3 status at risk, as it would be illegal to pay the county a fee, tax, or fund exchange on park revenue. The Park is a leaseholder and has authority to manage the park and park events. In addition, MHC has a contract with Springbok, which puts on the Dirty Dash, to not hold competitive events at the park within (2 yrs) of the past event in September 2012. Jeff asked for advice and thoughts as to how to negotiate through this difficult situation. Barbi reported on a past conversation with Lisa Moise where she has inquired whether the county has taxed other parks on events in the past, the response was 'no'. The county does have a large event fee that is charged to certain parkland activities. The aim of the county is to generate funds to support or develop an income stream to fund scholarships for underprivileged kids and to enable them to attend county offered summer children and youth activities.

Janice suggested that a clause be inserted in the lease (re: lease negotiations) that would prohibit fees and taxes on all future horse-related activities but allow separately billed fees for large events only, such as the mud runs.

There was a discussion on the date chosen for the run, as it is the same date as the Dirty Dash, September 6th. Erika inquired of Matt, whether he is willing to or has a preference about the \$1500 of question and how it is handled in contract. Matt responded that he is willing to pay through the MHC contract or to prepare a separate contract with the County.

Jeff reported that there are actually 2 questions, 1) Whether we allow the event to be approved with a \$1500 fee attached from the county 2) Whether we approve the event given the conflict of interest clause in the Springbok contract. A discussion followed. Bill reported that the \$1500 figure is not actually in the written contract, but should be viewed as a park expense such as porta-potties, parking, etc.

Matt read from the contract offer from BSORE: 2 yr contract @ \$10,000 per year. Includes a non-compete clause; contract is fairly boilerplate. This is a commitment of \$20,000 total and may be written to include a deposit each year. The contract is otherwise quite similar to the Springbok contract. In addition, Matt reported that the park would be granted advertising valued at \$2,500 in the 'Montana Headwall' or the 'Missoula Independent' publications. Matt read the exclusivity clause in the Springbok agreement of 2012. Jeff reiterated that, we don't have control over the agreement, the county presumes to be in control. Our agreement with the county is so obscure, it presumes to say that we just have control of the ground between the fences on the boundaries within the confines of the arenas. Lisa inquired regarding the Board's and each board member's liability considering that we currently have no Director's insurance. Jeff commented his agreement in this regard.

*Lynn made a motion to approve the contract with Bsore for \$8,500.00, for the "Missoula Mucker" mud run event, once the final document is approved by the assigned executive committee of board officers. Kim seconded.*

*Motion approved by voice, one member opposed (Val Knudsen); motion carried.*

Bill, Matt, and Tara excused themselves from the meeting.

### 3. Insurance Issues

a. Laura Bakker' liability insurance did not name the park and county as additional insured. It was returned to her for revision and to resubmit.

b. Liability Insurance for the Park: Jeff reported that we had insurance through October 2013, which is now expired: it was allowed to expire because it was inadequate insurance. Eunice has since been searching for an appropriate plan. Previous cost: \$2000/yr; the new plan would be \$4,200/yr. Drue and Barbi reported on a policy that was obtained from another source. Jeff reported that, to be accepted as a policy, the general public must be excluded from open access to the park. Passive use (eg. Runners and dog walkers) are not covered. The county is requiring us to maintain insurance on the entire premises, however we do not have control over the entire park outside the arenas. A discussion followed.

Janice suggested that two policies be put in place, or a rider be added to our policy, one to cover equestrian events and activities, the other for passive use (county policy). Drue suggested that someone from the county get involved to help us locate appropriate insurance to ensure full coverage.

There was a discussion to share information on how the process of proposals being approved (refer to 1/6 minutes). Jim explained the organizations that comprise Big Sky Park.

Jeff explained that most of the equine park activity is covered by the state equine exemption law, which places accountability on those who choose to participate in equine activities. However, we are required to have property loss and \$1 million liability. Jeff compared policies. A rider would need to be added for director's insurance and errors and omissions insurance.

Colleen suggested that we agree upon what must be covered in the policy first, and then seek that policy. Janice suggested that we ask the insurance agent to design exactly what we are looking for. Lynn suggested that we obtain a short-term policy, eg 3 months or 6 months, just to assure coverage right now. The policy presented by Jeff is due to be signed this Friday.

*Rachel made a motion for Jeff to propose to Payne Insurance regarding the policy issued by "Allen Financial Insurance Group" to request the most cost effective payment plan, to obtain insurance for the park by this Friday 1/17/2014. In addition he will request language change to indicate that the board has only limited control over access to the park premises. Val seconded the motion. Motion carried by unanimous vote.*

## **VI. New Business**

1. Review of By-laws: Jeff requested that all board members, especially new board members, review the by-laws prior to the February meeting. This will be addressed at the February meeting and a committee may be appointed at that time, if needed.

2. Establishment of superintendents v. committee chairs (*may require a by-laws change*) –deferred to February meeting.
3. Committee to explore funding for additional barns- (deferred)
4. Storage of MHC records. – (deferred)
5. Regular meeting schedule: The board discussed the day of the week that is best for the board to meet. There was an agreement that, for the next few meetings, meeting will be held on Tuesday nights and Jokers' Wild will be the venue until the county extension office conference room becomes available.
6. Barbi shared information on a color run that has requested to hold their event, "Run or Dye" at the park in May. They are willing to pay about \$5,000 to the park. If the run is deferred to July, Springbok will pay the park \$2,000. There are currently no horse activities scheduled in the park and generally are few or none. There is a conflict with a horse event on the May date that is requested.

*Lynn made a motion that Barbi pursue the Run or Dye event on behalf of the board with the intent to schedule the event in July 2014. Val seconded the motion. Motion carried.*

7. Lisa shared an event request received from the Bi Sky Region Pony Clubs. This request was received from Todd Kimsey, for May 23-25, 2014 dates. Communications were copied to Cindy. After a brief discussion on the importance to prioritize date requests to horse-related activities, the event/date was approved.
8. Drue requested dates for mini-events and MHJA shows. An initial schedule of events for this season was made as follows:
  - 1) Mini-Event 1 - April 26<sup>th</sup>, 2) MHJA show May 3<sup>rd</sup>; 3) Big Sky Region Pony Club "Mega Rally" May 23-25<sup>th</sup>; 4) Hunter-Jumper show - Aug 2<sup>nd</sup> 5) Mini event 2 - August 9<sup>th</sup> OR August 30<sup>th</sup>; 6) 3<sup>rd</sup> mini event 3 - September 27<sup>th</sup>.

Drue needs 2 volunteers for committee members to help with the mini-events, including work in the office on the day of each event. There will also be a need for jump judges, timers, and other support volunteers for each event.

Erika will email the general membership to request volunteers for park-sponsored events.

9. Membership participation: Examples were given, and a brief discussion followed, on how to increase member involvement in volunteer activities at the park. Examples were provided of similar groups and equestrian parks, where member participation is encouraged or required. Some had tiered

membership categories: for members who volunteer at the park vs. those who do not, membership fees would differ.

## VII. Adjournment

*Erika made a motion to adjourn the meeting. Colleen seconded. Motion carried. Meeting adjourned at 09:45 pm*

Next Meeting: Tuesday, February 4<sup>th</sup> 2014 at 7pm, meeting room TBA, Joker's Wild on North Reserve St.

Minutes are submitted on January 14, 2014 electronically

A handwritten signature in cursive script, appearing to read "Lisa Barnes".

Lisa Barnes, Secretary