

ATV Maine Meeting
October 18, 2014
Hosted by: Southern Maine ATV Club

Call meeting to order by President, Tami Kane, at 9:02 a.m.

Please turn off cell phones

Pledge of Allegiance

Introduction of Officers: Mike Lee, Ed Zilinisky, Richard Willoughby, Ed Coleman, Ken Snowdon, Maurice Sargent, Ray Archer, Real Deschaine, Sherri Jordan, Tami Kane and Doug Kane.

Count of Directors - 10 present

Reminder of Appropriate Meeting Conduct

Secretary's Report: - Minutes from August,– Richard Willoughby made a motion to suspend the reading of the August Minutes - Sue Lanouette 2nd the motion; all in favor ~ no opposed. There are 389 Business Members with 17 of the 389 belonging to 2 clubs.

Treasurer's Report: Nora Foster is absent today. Ken Snowdon questioned \$402 paid out to the Business Manager – Ken stated he had asked that at the August meeting but did not get any response. Tami shared she did not have the specifics of this information from Nora of what this expense was for. Tami will look into it further and provide an answer.

Vice President's Report: Review of Legislative Proposal – Real was concerned with the Proposal #6: 12 MRSA - Permission to operate ATV's on private land – and if changing of the wording would affect the large landowners such as the paper companies with logging roads. The Assistant to the Commissioner of Inland Fisheries and Wildlife, Christl Theriault, responded that she had discussed with Major Cloutier and Rick LaFlamme and they did not believe this proposal would have any impact on larger landowners. Carole Phillips asked when this was going to be voted on in Augusta. ATV Maine does not have a date this would be voted on. Carole Phillips also asked if ATV Maine should have a presence for the voting. Tami shared as we get closer to 2015 we should hear additional information.

President's Report:

Financial update: Account Summary as of 10/17/2014

BUSINESS CORE CHECKING	\$ 37,202.90
Pot of Gold	\$ 300.00
Trailers - Advertising	\$ 3,550.22
Liability Insurance	\$ 6,344.85
High Mileage	\$ 377.61
Totals	\$ 47,775.58

Al Langley Scholarship Account -- CLOSED

Calendar Raffle Savings Account -- CLOSED

Sale of (94) calendars	\$940.00
o Cash Winner	\$250.00
o 1 st place insurance incentive – ATV Maine	\$200.00
o 2 nd place insurance incentive – Grand Lake Stream	\$100.00
o 3 rd place insurance incentive – Madawaska	\$ 50.00
o Reimbursement to Richard (printing, postage, wooden chips)	\$145.41

○ Reimbursement to Doug (postage)	\$ <u>9.73</u>
Ending Balance	\$184.86
Interest earned	<u>.07</u>
Deposited in Safety Trailer Account	\$184.93
(\$3,365.29 + \$184.93 = \$3,550.22)	

Liability Insurance balance as of August meeting:	\$4,488.76
▪ April interest	.55
▪ May interest	.57
▪ June interest	<u>.55</u>
	\$4,490.43
▪ (2) clubs paid ~ 2013-2014	<u>\$1,100.00</u>
	\$5,590.43
July interest	.57
August interest	\$1.23
September interest	<u>\$2.62</u>
	\$5,594.85

Liability Insurance:	\$32,805.00	Paid September 3, 2014
	<u>- \$18,700.00</u>	2014 – 2015 invoices paid to date in Liability account
	\$14,105.00	Deducted from Business Core Checking

Liability Insurance Account Balance as of October 4, 2014	\$24,294.85
○ Transferred to Business Core Checking	<u>\$18,700.00</u>
	\$ 5,594.85
▪ Transferred from Calendar Raffle	200.00
▪ (1) club invoice paid since 10/4/14	<u>550.00</u>
Balance	\$ 6,344.85

Unemployment- All clubs should have received the e-mail from Tami stating ATV Maine was deemed as an employer. ATV Maine has not received any further information on what ATV Maine is going to pay out.

United Insurance – liability policy: Tami Kane negotiated right up until the time the premium was paid. Tami shared with United Insurance ATV Maine is now 501(c)(3) but this did not make any cost difference with the premium. ATV Maine’s lawyer asked Tami if ATV Maine had looked elsewhere for insurance because of the cost. The timing was too close and we would risk a lapse in coverage. Carole Phillips asked if this would be something ATV Maine could look into for the future as there is plenty of time. Tami stated ATV Maine will get other quotes from other carriers for next year. Carole Phillips asked if ATV Maine could try to negotiate coverage for the Officers of the club. Clubs have decided not to purchase because they are not going to fill out an event form for each meeting, clubs have said it is not worth the clubs’ time and money for this. Mike Lee asked when ATV Maine is ready to look at different options, if ATV Maine could form a committee for this. Tami shared the Q&A’s form she has shared with all clubs provide answered questions.

Newsletter deadline – November 1, 2014

Tami shared with the room when Jason Duval from United Insurance arrives; they have a proposal for ATV Maine.

Recap of 2014 –

- 501(c)(3) completed
- Bill Lombard Memorial Trail complete and dedication held

- Purchase of the 3rd Safety Trailer
- Addressed Inappropriate Conduct
- Effects of 2013

35 Clubs have purchased insurance.

Department of Agriculture, Conservation, and Forestry (DACF) - Brian Bronson: Not Present.

United Insurance – Jason Duval: Due to scheduling conflicts, Jeff Mitchell was not able to attend. Jason has come in his place. Jason understands ATV Maine has many questions on the insurance. Policy renewed this year for a flat \$28,500 (not including taxes and fees), \$1,000,000 per occurrence – \$3,000,000 aggregate. Who is insured? – Policy is specifically for ATV Maine, Members of ATV Maine, Officers to the extent that they are under club direction. Scenario – club brings tools or machinery and someone is hurt under guidance of the club – club will have coverage. The injured person will have coverage if it was a reported event and the insurance company accepts it. Regular club meetings do not have to be reported. Work parties should be reported. If you have any questions on what should be reported, contact Tami Kane or Jeff Mitchell. To date – there is no limit on events allowed to each club. Richard Willoughby questioned the statement Jason made of regular club meetings do not need an event form made. Jason to check into this because ATV Maine purchased the coverage for Officers but there is no clarification if the clubs in ATV Maine are covered. Carole Phillips asked because rides are posted on websites and other people (non-club members) may participate in the ride. Jason shared clubs should ask these individuals to sign the waiver. Walter asked if club members need to sign the form for each event? Jason will ask if the club member can sign the form once for the year and that one signature would be good for all events that premium year. Non-club members may have to sign each time but Jason will get further clarification. Ed Coleman shared reporting each work party is nearly impossible. Jason believes there may be a misunderstanding with the insurance company of how often a work party is going to take place. Jason mentioned maybe there could be a block of time instead of a specific date. Ed asked if it could be a summer or a month at a time. Bringing in a backhoe, excavator or building a bridge – these would be reportable events. Ed Coleman stated ATV Maine needs to sit down with United Insurance and get clarification for all of this. Richard Willoughby shared if clubs put in for each work party – this is going to drive our premium up. Mike Lanouette said if that was the case his club alone would be putting in approximately 25 per month. Walter asked what if the club was going to have an outside contractor come in to do work – even if the contractor is insured - should an event form be filled out? Carole Phillips asked for a timeline on when ATV Maine clubs will have the answers to the many questions that have come out of today's meeting. Jason shared it will not take 2 months to get these answers. Ed Coleman asked if ATV Maine should have a committee to meet. Jason offered to get the answers within a couple of weeks of coverage of the directors/officers of the individual club and event clarification. If the need arises to have United Insurance back at another meeting or meet quarterly, that would be possible. Jason also mentioned within this insurance policy, if the club holds an event and the 3rd place winner disputes the scoring and decides to sue the club – there is coverage for the club. Jason shared with the room each club should have a premise insurance policy on their own policy for club property, such as a club house. Jason wanted to stress this policy does not cover any claims of someone under the influence of alcohol.

After the conversation, there were many questions and confusion. Jason is going to touch base with Jeff Mitchell and get back to Tami to try and clear everything up.

Jason shared United Insurance, as part of a club membership incentive, has partnered with Patrons Oxford (Maine based insurance company). If a member decides they would like to insure with Patrons Oxford, the member would receive 5% off for being an ATV Maine Member. If this is something that ATV Maine would like to offer as an incentive, Tami would have to sign ATV Maine up for this. This would be Home and Auto bundled together. They have strict guidelines. Patrons Oxford does not insure ATV's. If ATV Maine decides to go this route and members are already with Patrons Oxford, the member will have to switch to United Insurance as your agent.

The room thanked Jason for his information today.

Break at 10:37 a.m.

Resumed session at 10:53 a.m.

Tami shared questions asked by Portage Lakers regarding Poker Runs and under 18 years of age. Tami searched and found updated as of May 2014 – Rules of Beano, Bingo and Games of Chance. Under the age of 18 the law states they can be there if they are accompanied by an adult and cannot buy a ticket in their name. Ed Coleman stated clubs needed to have a license for a Poker Run and have a separate banking account for this type of event. Tami will send this information she gathered to the clubs.

Resignation from Beverly Sargent on October 8, 2014 from the Recognition Committee

Resignation from Danielle Barcelou on October 15, 2014 as Webmaster

Resignation from Dave Phillips on October 4, 2014 as Central District Rep

Francis Smith – Some time ago Francis Smith was asked to be on different committees and represent the Pine Tree Camp. Francis shared his goal is to represent Al Langley Scholarship Fund, or send someone to Camp Capella for a day or send someone to Pine Tree Camp. Francis would like to continue the same road he is currently on. Francis wanted to remind people if they have a big check that comes in, call him and he can get you some Christmas Cards to benefit Pine Tree Camp. Francis would also like to remain on the Al Langley Scholarship Fund Committee. Francis also mentioned Jeff Ireland does a good job for the ride that he does. Tami Kane asked for clarification from Francis as he stated in the August meeting he was stepping down from the Al Langley Scholarship committee. Francis would like to remain if the option is open. Francis mentioned Harvey from Pine Tree Camp offered to host ATV Maine.

Old Business:

- Budget Committee: Tami shared - to date, due to scheduling conflicts, the Budget Committee has not been able to meet yet. No date has been set. Sue Lanouette has asked to step down from the Budget Committee at this time. This leaves the 3rd committee member open.
- Position Responsibilities: Tami discussed the edits have been done, lawyer has reviewed each one and they have been edited by the lawyer. The only two that need to be looked at –Executive Board and the Business Manager position. The Executive Board needs to have just what is listed in By-Laws. Dave Phillips asked if we need this responsibility sheet out there separately. Ken Snowdon made a motion to accept the Position Responsibilities as written. Tami reminded Ken these would not be voted on without complete understanding. Motion suspended. Tami asked if there were any Directors present who needed more time to look these over who did not attend the June meeting when these were first presented. Richard Willoughby questioned the Vice President's term limit. Richard Willoughby said in his time with ATV Maine, Real has never been bias and he keeps Northern Maine in touch. Richard feels if anyone feels differently, it should be talked about. The Term Limit was changed to (3) consecutive 1-year terms with hiatus of 1 year. Debbie Scates commented we can do without a President and Vice President but not a Treasurer and Secretary. Deb Willoughby asked Sherri, as Secretary, if she could have done her job without a President and Vice President. Sherri's response was absolutely no. Tami has responded to e-mails coming into ATV Maine, has the ATV Maine cell phone ~ responding to any incoming calls, making changes to website as needed, all incoming checks mailed to ATV Maine and delivers/mails to Treasurer. Tami shared with the room before we vote on the Position Responsibilities, do we agree this is effective for the next election. As for the Term Limit of the Vice President, would Real Deschaine begin (3) consecutive years with no hiatus? Ray Archer wanted clarification if we make the change today on the Position Responsibilities, they will go into effect in December. Tami wanted to make sure all were aware if Real was nominated.

Ed Zilinsky made a motion to delete the (3) consecutive 1-year term limit for President and Vice President. Richard Willoughby 2nd the motion ~ 4 in favor - 4 opposed. Linda Archer asked if Tami

could vote where it pertains to her position. According to Robert's Rules, the President breaks the tie. Tami voted she was in favor of removing the term limit. Mike Lee made a motion to accept the Position Responsibilities as written with the removal of these Term Limits. Ken Snowdon 2nd the motion ~ 8 in favor – 2 opposed.

- **RTP Grant Information** – Ed Coleman: With the applications that have been received, site visits have been completed. Only 3 applications total for motorized. They will begin to score the applications in January 2015 and in March 2015 they will announce the grants.

Al Langley Scholarship update by Liane James: Not Present.

Regional Vice Presidents' Reports:

Northern Region - Real Deschaine: Went to Eagle Lake last month – new trail connecting Eagle Lake with Portage – section is land locked by 1600 feet owned by PC. If they cannot get this access they will look at DOT to get Route 11 for 1 mile. This would connect another 30 miles of trails.

Eastern Region - Ray Archer: Everyone has been asking for years about the Sunrise Trail to go into Ellsworth. It is now in the works and should be completed by 2016. There have been questions why there is no connection from Ayers Junction to Calais. The answer has been Moose Horn National Wildlife was located there. It has been reported the State of Maine has a right of way on the rail bed and the possibility is there. Ray also reported there was a possible closure in Whiting – that would have been 20 miles of trails. The club has come up with a bypass around that landowner. Another major North - South Trail has been connected with trails approved by Huber.

Central Region - Ken Snowdon: If anyone wants to ride through Greenville do it before November 15th. If you want to ride to the B52, do that before then as well because this trail will be closed on November 15th and the bridge will be pulled out. Cry Baby Hill in Abbott has a go around if you choose – you can go down the road.

Western Region - Mike Lee: Mike and Ed Zilinsky will be attending a meeting in hopes of connecting Western to Central via Kingfield. One landowner is opposed to this. Moose Alley is really excited to get to Kingfield. Moose Loop Trail is open and no longer on a trial basis.

Southern Region - Richard Willoughby: Army Base has put cameras out there now and anyone caught there will be prosecuted. Another section of trail had 4 wheel drive trucks – someone got stuck – left his vehicle there for a few days. Tonight, Ossipee Mountain has a night ride. November 2nd Southern Maine has a Toy Run and tomorrow Lake Region has the Apple Orchard Ride. The two-year project by the Southern Maine ATV Club of the suspended bridge that goes across a marsh 550 feet of steel and hopefully after this week will be open to ride.

Lunch adjourned at 11:56A

Meeting called back to order at 12:42P

Tami called Ed Coleman & the Kitchen Crew out and ATV Maine thanked the kitchen crew for a great lunch. We all appreciate it.

Ray Archer wanted to share Helen's Restaurant has started construction and will be open late March.

New Business: Tami asked the room with the voting of Position Responsibilities we have added two new responsibilities of Governmental Relations Coordinator and Public Relations and Marketing Coordinator will stay as an appointed position in June. We will post both of the positions making them open for nominations in December.

- Nominations:
 - Ed Zilinsky nominated Tami Kane for President

Tami asked the room 3 times for any further nominations for President and there were no other nominations. Ed asked Tami if she accepted the nomination – and she declined. Sue Lanouette asked for clarification of what was just declined – Sue asked if it was for the President position and Tami said yes. Sue Lanouette said she understands there are a few who did not support Tami as President but there are more people who do support her. Ray Archer stated that Tami is the one who has held this organization together. Ed Zilinsky nominated Tami Kane again for President and Tami accepted.

- Mike Lee nominated Real Deschaine for Vice President. Tami Kane asked the room 3 times with no additional nominations. Real Deschaine accepted.
- Mike Lee nominated Nora Foster as Treasurer. Nora Foster had expressed to Tami Kane she would decline if nominated for the Treasurer's position. Francis Smith nominated Walter LaRoue for Treasurer. Walter declined. Mike Lee nominated Liane James for Treasurer but Liane James was not present to accept or decline. Tami asked 3 times but there were no other nominations. Tami will contact Liane.
- Beverly Sargent nominated Sherri Jordan as Secretary. Tami asked 3 times but there were no other nominations. Sherri Jordan will accept but wanted to share if there was anyone else who could do a better job, Sherri would be okay with that.
- Real Deschaine nominated Ray Archer for Trails Vice President. Tami asked a total of 3 times if there were any other nominations and there were no others. Ray Archer accepted.
- Doug Kane nominated Real Deschaine for Northern Region Vice President. Tami asked a total of 3 times if there were any other nominations and there were no others. Real accepted.
- Mike Lee nominated Ray Archer for Eastern Region Vice President. Tami asked a total of 3 times if there were any other nominations and there were no others. Ray Archer accepted.
- Sue Lanouette nominated Mike Lee for Western Region Vice President. Tami asked a total of 3 times if there were any other nominations and there were no others. Mike Lee shared he was ready to step down today but because Tami Kane has accepted the position as President, he will accept.
- Sue Lanouette nominated Ken Snowdon as Central Region Vice President. Ken declined. Mike Lee nominated Dave Phillips, Dave declined as he had resigned from Central Rep position as well. Mike Lanouette asked if Ken had been working with anyone that has expressed interest. Tami asked a total of 3 times if there were any other nominations and there were no others at this time.
- Mike Lee nominated Richard Willoughby for Southern Region Vice President. Tami asked a total of 3 times if there were any other nominations and there were no others. Richard Willoughby came prepared to step down today. Richard Willoughby said he would accept but he is going to give it until the April 2015 Annual Banquet for this organization to work together. He wants this organization to work together.

Mike Lee asked if ATV Maine will be able to work together as a whole.

Francis Smith expressed he would take the Central Region Vice President. Mike Lee nominated Francis Smith as Central Region Vice President. Francis accepted.

Webmaster position will be posted on the website.

Deb Willoughby wanted to share the encounter Richard Willoughby had when he went to get the ATV Maine helmet certificate for the award at West Port Motorsports. The owner asked Richard what ATV Maine was because he used to receive maps. The owner asked how to find out information on ATV Maine. The owner has a website and Facebook page. He shared with Richard his business gets more hits on his Facebook page. He questioned why ATV Maine doesn't have Facebook. He also wanted to know why trails cannot be any wider than 60". Richard shared he was informed each dealer pays \$32 per machine they purchase that goes into a fund. Tami will get clarification on this and share it with the members.

Carole Phillips said Facebook has been brought up in the past but ATV Maine wanted to get the webmaster acclimated before we move to Facebook.

Debbie Scates asked who will maintain the website without a webmaster. Tami shared she will, as she has been doing periodically and since Danielle Barcelou stepped down.

Mike Lee suggested ATV Maine needs to form a committee to follow up with businesses for the 501(c)(3). Carole Phillips recommended getting a couple more members for the Budget Committee and let them handle that.

Open discussion of bringing Facebook back, with emphasis this would be managed/monitored appropriately. We will make a decision at the December meeting. Tami shared her appreciation of the open discussion.

Hosting Club 50-50 – Mike Lanouette was the winner of \$50

Helmet Award – Ed Coleman won the certificate and donated it back to ATV Maine for the next meeting.

Pot-of-Gold Drawing – Endless Season Riders -- not present

Raffle prizes provided by hosting club were won by many

Adjournment -- Ed Zilinsky made a motion to adjourn – Beverly Sargent 2nd the motion at 2:08p.m.

Respectfully Submitted by,
Sherri Jordan, Secretary

Next ATV Maine meeting – December 13, 2014 – Eastern Region Hosted by: TBD
