**Minutes**

**Southern Maine Sea Kayaking Network**

**Board Meeting**

**Monday, April 13, 2020**

Meeting Participants:

Janet Robinson, President

Chip Woodman, Treasurer

David (Sig) Siegfried

Jenna Ginsberg

Mike Duffy

Tom Carr

Vytas (Vic) Marciulionis

Greg Fergin, Recording Secretary

The conference call commenced at 7:05 p.m.

1. Welcome
2. Approval of Minutes: The Board unanimous approved the minutes of the March 9 and 16 Board calls.
3. Old Business
   1. Committee Updates
      1. Treasurer report: Chip reported one new dues payment during the month.
      2. Skills Committee

Sig said he was reaching out to trainers to see if they are willing to schedule a skills training session in July. They will reassess the feasibility of holding a training session as needed closer to the time. Janet reported that Suzanne Blackburn is willing to do a training session for SMSKN at some point. She stressed that it is important to have activities displayed on the SMSKN website to show that the group is active, even if they have to be postponed or cancelled later. Likewise, meetings can be posted on Meetup with a specific date and a “stay tuned” proviso.

* 1. Stand-down Status of Club

Janet said that while we can post future plans on the website and Meetup page, we should continue to avoid posting current or near-term activities, in keeping with the governor’s stay-at-home order and the club’s stand-down status.

* 1. Group Participant Agreement

Janet requested Board members to give her feedback on the new group agreement prepared by Pinnacle Risk Strategies.

* 1. PO Box Update

Chip said he had paid the annual fee for SMSKN’s post office box. He volunteered to check the mailbox periodically.

* 1. Membership Enhancement activity status

Vic said he is reaching out to SMSKN members with Instagram accounts to get them to post their paddling photos on SMSKN’s new Instagram account, noting that the account now has 34 followers. Janet encouraged members to post photos from their individual paddling excursions while group excursions are suspended.

Regarding SMSKN business cards, Sig sent Janet a list of suggested information to include in the card, and price lists from two companies that do take online orders for business cards. Jenna volunteered to take charge of card design and research on companies that could produce a bulk order at reasonable cost.

* 1. Call service switching to Microsoft Teams

Janet noted that Microsoft is phasing out Skype and replacing it with Microsoft Teams. At some point the Board will have to use a different app for its monthly calls, and should try a different one next month, such as Microsoft Teams, or Zoom.

1. April Goal: INSURANCE

As background, Janet noted that SMSKN was formed as an “adventure peer” group in which kayakers came together of their own accord for paddling excursions, with participants accepting responsibility for their own actions during their excursions. As time went on, SMSKN leadership decided it was prudent to require that excursion organizers be approved by the SMSKN board, to insure that organizers were experienced paddlers capable of planning and supervising paddling trips, and able to make clear to participants what equipment and skills were required for each trip. As an additional precaution, SMSKN required each participant to sign a participant agreement waiving SMSKN’s liability for any mishaps that might occur during paddling trips. Last year SMSKN had Pinnacle Risk Strategies prepare a strengthened individual participant agreement and Pinnacle had recently prepared a group participant agreement for the board’s review. While all of these measures mitigated SMSKN’s risk of liability, it was still possible that the organization, board members, and individual trip leaders could be sued for negligence as a result of mishaps occurring during SMSKN activities. Moreover, even a successful defense could be very costly.

Against that background, SMSKN now needed to decide whether to take the next step and obtain liability insurance, or simply maintain existing risk management measures. Janet had conveyed to board members Deidre St. Louis’s extensive research last year on insurance options to aid the board’s deliberations.

Jenna pointed out that Maine law specifically makes board members, officers, and volunteers of charitable organizations immune from civil liability for the activities of their organizations. That immunity is waived if negligence results from operation of a vehicle or vessel requiring an operator’s license or insurance. Also, if such organizations have liability insurance, the law waives this immunity, but the amount of damages cannot exceed an organization’s insurance coverage.

The board discussed these issues extensively, along with changes to SMSKN’s operations that might be necessary to pay for insurance and comply with provisions of a liability policy. Chip said SMSKN’s capital account includes a reserve for legal fees, but others observed that this reserve could quickly be exhausted in defending a lawsuit. Board members pointed out that other outdoor organizations (AMC, Sierra Club, MITA) conduct formal training for trip organizers. Also, with SMSKN’s current revenues and operating costs, it might be necessary to increase annual dues to pay the cost of annual insurance premiums, which could range from $600 to $1,000 based on Deidre’s research.

Janet polled board members remaining on the call (Vic had left the call by this point) on their views, and all expressed support for getting liability insurance, provided we could get a policy that met our specific needs. To explore specific options, Janet said she would contact Pinnacle Risk Strategies to see if they had recommendations, and also Paddle Sport, one of the companies offering insurance. Jenna said she would ask two lawyer she knows for advice. Tom said he would contact the Maine Association of Non-Profits (nonprofitMaine.org) to see how other non-profit organizations deal with liability issues.

The conference call concluded at 8:38 p.m.

1. Closure and Action Items.

Group Participant Agreement: Board members to give feedback to Janet.

SMSKN Business Cards: Jenna to research card design and companies that could do a bulk order for SMSKN.

Insurance: Janet to contact Pinnacle and Paddle Sport.

Jenna to contact lawyers about the law and liability.

Tom to contact Maine Association of Non-Profits.

Next call: Monday, May 11. Topic: Webpage. Revise?