

## **MSA Shotgun Board of Management**

### **August 16, 2011**

Meeting was called to order by Hugh Russell.

**Attendance:** Board members present were Max McCart, Hugh Russell, Kimberly Stafford, and Shane Warnick. Members present were Keith Rogers, Paula Ritz, Terry Head, DiAnn Mehl, Shelley Head, Lynn Talley, Richard Wright, Earl Anderson, Gary Long, Jeff Wemmer, Allen Perry, Rick Wiseman, Rene Christensen, Kevin Talley, Cathy Wright, Mark Fairchild, John Smith, John Nobles, Mr. and Mrs. Pete Kennedy, Brent Compton, Ashlee Smith, John Krenik, and John Drissel.

**Minutes:** The May 17, 2011 minutes were reviewed by the Board. A correction was noted regarding the shotgun range inventory. Minutes were corrected to reflect that the inventory list will be provided to Reis Ritz by Kayla Rogers. Max McCart made a motion to accept the corrected minutes. Hugh Russell seconded and the motion passed.

#### **New Business:**

Kimberly Stafford informed the Board that she had received letters, phone calls and face to face meetings with members regarding the following issues:

**Rodents:** A member objected to MSA paying for the rodent problem at the shotgun range. He stated that he felt this was a maintenance issue and should be handled by Keith Rogers. The bill was \$162.37 and Kim pointed out that the concessionaire's agreement states that anything under \$200 is Keith's responsibility. Shane Warnick stated that if the concessionaire's agreement reads that way that he didn't think Keith would have a problem paying it. Keith Rogers stated that we thought the cost was going to be much higher. Kimberly Stafford said in the future we need to make sure our motions for maintenance issues state that Keith will be responsible for the bill if it is under \$200.

**Mowing:** Kimberly Stafford stated she contacted the fire department and code enforcement for the city and county. All three entities stated that mowing may present a fire hazard but they felt the greater hazard was allowing grass and brush to grow. Keith asked if we wanted him to mow the entire sporting clays field (all 80 acres). Kim replied that code enforcement stated that brush and grass should not be above 12 inches. Shane Warnick asked if this guideline applied to a certain distance from structures. Kim responded that she didn't know and asked the Board to discuss it. Kim stated she was concerned with the areas that the public has access to and the immediate areas around structures. Shane stated that he thought all these areas were mowed. He went on to say that unused areas of the range, such as, the RV Park and behind the trap and skeet fields are pastures. Shane asked where we stop mowing. Kim said this is obviously a

maintenance issue and the Board needs to develop a standard that states the areas that will be mowed on a regular basis and this will be our response to members when the issue is raised. Max McCart remembered that they didn't want us mowing until it rains. Keith stated there is 30 years of asphalt pitch in front of the skeet and trap houses and he is concerned with hitting a stake and sparking a fire. Hugh Russell said the Board should discuss this issue over the next month or so and develop a standard. Keith Rogers said that this issue was raised last year when we did not have a functioning brush hog. Kim Stafford stated that issue was rectified last year.

**Fikes:** We have janitorial fees that consist of paying someone to clean the restrooms at \$177.60 a month. Kim Stafford stated a member feels that is a maintenance issue and should be handled by Keith Rogers and not the club. Keith Rogers stated he could have them bill him once a year. Kim Stafford asked what that would resolve. Keith stated the bill would be well over \$250. Kim reminded Keith that his agreement states he will maintain the facility and the bathrooms are regular maintenance not an annual deal. Keith said that originally both campus bathrooms were maintained by Fikes. He was informed there is an employee that cleans the bathrooms at the R&P range. Max McCart asked who cleans the port-a-potties. Kim told him another company maintains them and we obviously can't maintain them. Kim went on to say that she felt there was a difference in providing infrastructure for the members and scrubbing the toilets. Keith stated he could clean the toilets and that it is not a big deal. Kim stated that she didn't care one way or the other if Keith chooses to employ Fikes but that MSA should not pay for it. Shane Warnick stated that he agreed. Shane made a motion that MSA would no longer reimburse Fikes, effective September 1, 2011. Max McCart seconded and the motion passed.

**Capital Projects:** Kim Stafford stated that a member pointed out that Keith Rogers cannot act as an agent of MSA. This is clearly stated in his concessionaire's agreement. Keith Rogers stated that he had an attorney look at that and that it means if he sets a machine incorrectly and someone is injured, the club is not responsible. Paula asked who his attorney is and he replied McNeil. Kim stated that she is not an attorney and her understanding of the agreement would prohibit him acting as an agent for MSA on capital projects. She made the point that the Board was in error when they assigned Keith as the project manager for the last capital project. She went on to say that the Board should be acting as an agent of MSA and we should be spear heading those projects and that we need to be interfacing with contractors. Kim also said this will keep Keith out of the middle of things and help to prevent the situation that recently occurred. Shane Warnick said we need to be careful with this because it could also be interpreted that Keith cannot discuss or sell memberships. He went on to state that Keith represents the club and is "the face of the club". He said we need to be careful about how narrowly we define Keith's role and that it would be better to stay at 10,000 feet and not 2 microns. Kim stated that \$60,000 was not 2 microns but a very big project. Max McCart said the project was handled inappropriately from start to finish. He recommended that we handle

capital projects like building a house, maybe pay the contractor in thirds. Kimberly Stafford stated we obviously had some By-Law issues with this project. She said that everyone's concerns (the Board, members and Keith) should be addressed and discussed and that she didn't think anyone in the room was happy with the way the last project went down. Everyone has been incredibly uncomfortable and that we have an ultimate responsibility to bring member's issues to the Board. She went on to say that we are a team and that our job is to work with Keith to make this the best facility it can be. She also stated that we must be proactive and reactive to member concerns because this is their club. Max McCart asked if the members that contacted Kim were present and she replied they were in attendance. Shane reiterated the point that Keith cannot be an agent of the club. Kim said our job is to be more involved.

**Throwers:** Kim stated she had a concern regarding the throwers recently purchased. She had a question about which throwers were actually replaced and if we exchanged the old ones for a reduction in price. She also asked how we are keeping track of the inventory. Keith Rogers stated we have a yearly \$8,000 budget for that. Kim agreed and asked again which machines were replaced and did we receive credit for the old ones because it is not on the invoice. Keith said they don't always replace them, that sometimes they are just spares in case one is trashed. He went on to say that two of the machines were specialty machines so he could throw different types of targets on the sporting clay field. Shane asked if we traded anything in on the machines. Keith replied that we did not. Shane stated we have a sub-gauge course that we were able to establish after the capital project purchasing new machines. He said the machines on the sub-gauge course are the best of the worst and that we had to shut down the course for about an hour last week to repair a machine. He said previously they discussed using some of the \$8,000 budget to replace some of those machines. Kim asked the question, did we replace or expand. Shane replied expanded. Hugh Russell asked about the minutes regarding the allocation of the \$8,000. He went on to ask if they stated that we could replace machines or expand. Kim replied to replace not to expand. Shane stated he did not get a copy of the agenda so he doesn't have a copy of the minutes. Hugh responded we do not have an agenda. Shane stated that he didn't believe the minutes were on the website. Kim stated they are on the website. She provided the minutes to the rest of the Board. Kim Stafford stated her concern was we have an \$8,000 budget to prevent having another \$85,000 capital project in the future to replace machines. She stated this budget was not for expansion, that expansion is a capital project and must go before the members. She said Keith could come to the Board of Management to request a specialty machine for an event that he felt was necessary and we could move on that if it's under \$5,000. Kim said we need to be careful that we act on issues as the members voted on them and the members clearly voted this money to be allocated for replacement. They didn't say we could expand the range with this money. Max McCart said it's kind of 6 one way and half a dozen another. Kim stated that all we have to go by are the

minutes. Max stated that none of the machines needed to be replaced at that time. Hugh reminded him that if we want to expand it must be presented as a capital project. Max McCart said he didn't remember what we said in 2008. Kim said she didn't either and that she had to look it up. Shane Warnick stated this was information he was previously unaware of and that we need to discuss this from here forward. He went on to say that if the intent was to replace old traps then that is what we will do in the future and trade the old machines for a reduction in price. Hugh reiterated the point that several members are complaining and we need to address the issue. Kim Stafford said we need to be clear that the \$8,000 budget is for repairs and replacements, and not expansion.

**Member Equipment:** A member asked if he could bring his own equipment to the range to throw targets. According to Keith Rogers' agreement he provides all the targets, etc. Hugh stated it was against Keith's agreement. Keith stated it was against the range rules. Shane is concerned with safety and liability. Max stated it's against the rules and the concessionaire's agreement and that you can't do it.

**Private Club:** A member stated that we are listed as a public facility on some websites. Kim Stafford said she is concerned this could create a problem with our 501c7 filing status with the IRS. She went on to say this is against our By-Laws and the range is a private club with membership policies and guest policies in place. The two websites provided by the member were [www.claytargetsonline.com](http://www.claytargetsonline.com) and [www.wheretoshoot.org](http://www.wheretoshoot.org). We are listed as a public facility on both. Obviously, if we have a special event, that would be an exception and there is a provision in the By-Laws for those events. Kim said we need to change these sites. Shane replied we can have the secretary change those. Paula is concerned the whole operation at the shotgun campus is in violation. She went on to say we should be charging guest fees. Kim asked if you have to be with a member to shoot. Shane responded no. Keith said they can run out there and jump on a field with a member. Paula again stated guests should be paying a fee to MSA. Someone asked, "MSA?" Paula replied, "MSA." Kim said our guest policy states you must be with a member to shoot. Shane said we should table the issue and do some research. Keith suggested an amendment to the By-Laws. Kim clarified that Kayla was going to take care of the websites. Keith said she would. Shane said we need to be careful and do some investigating regarding our non-profit status. He said we have several members on the Board that directly profit while using the range. Max stated we need to look at the whole thing. Kim stated the full Board needs to address this issue. Kim asked if Shane and Max were referring to CHL instructors. Hugh stated the instructors pay the club for use. Paula said we fall under the same provisions as social clubs. Shane suggested we hire an auditor. Paula said she spoke with our accountant and he asked if this was a private club, can the public use the range anytime without a guest, and do guests pay fees when they use the range. Paula told him that these policies are in place at one campus but not the other. Kim said we should bring this up as new business with the full Board.

**Forklift Repairs:** Kim Stafford mentioned multiple forklift repairs. She asked if we anticipated future repairs. She asked if this is a really old machine and if it is going to need to be replaced in the near future. Keith Roger's said this machine was purchased three years ago but it's used and from Japan. He said the last repairs were with the fuel system and he thinks it's fixed now. Shane stated the forklift is a piece of junk and he spends quite a bit of time keeping it running.

**Guest Policies:** Keith suggested we contact other ranges to see how they handle guests. Shane thinks that would be a good idea. He recommended we contact the ranges in Abilene and San Angelo because they are both non-profit. Keith said he would give them a call. Shane said we need to know what other ranges are doing and what is required to maintain our 501c7 filing status. Kim said she agrees but the full Board needs to move on this.

**Agenda:** Kim stated that historically we have never had an agenda and asked if this was something the Board would like in the future. Shane stated he would like an agenda.

**Special Events/Matches:** Hugh mentioned the By-Laws and the concessionaire's agreement are in direct conflict on this issue. He mentioned an auditor will need to audit everything regarding range use...guest policies, concessionaire's agreement, etc. John Krenik said the By-Laws were revised after Keith's agreement was in place. Hugh stated these are the types of things an auditor will address. Shane said he finds it aggravating when Hugh gives a member the floor and continuously interrupts him. John said he didn't mind a discussion with Hugh.

**Adjournment:** Kim Stafford made a motion to adjourn. Max McCart seconded. The motion passed.