

## **Region Director Ramblings November 13, 2014**

Let me start by thanking everyone involved with this fall's Region OEC Refresher. Thanks to the efforts of 18 very dedicated instructors approximately 160 Patrollers from seven region and three non-region patrols received intense, reverent, hands on refresher in preparation for the coming year. Thanks also to all the participants who came prepared to practice and demonstrate their skills, settled into the tasks and made this a very successful day.

### **Senior Kickoff Meeting**

10 potential senior candidates joined me, Rod Kivell, John Wiley, Pat Throop, Megan Thompson and Jim Parker in NMRs first On-line Senior Program Kickoff meeting. General requirements for earning the senior classification and details for the three required modules, OEC, Skiing and Tobogganing were discussed. The meeting proved just how spread-out NMR members are with one member joining participating from Alaska.

Members are still welcome to join the 2015 Senior Program by registering on the NMR WEB Site. The Senior Registration Form is under Programs\Senior\Senior Program Registration Form. Members who registered in previous years are asked to register again so we know they are still actively pursuing the classification and can plan for them at this year's events. December 15<sup>th</sup> is the deadline to register to be included in this year's core events. This is not a commitment to take an evaluation but a heads up to region staff planning these events.

### **Instructor Development**

My thanks to Virginia Rodeman and Sharon Crocket for conducting Instructor Development classes during the off season. These classes prepared thirteen members with NSP teaching techniques ready to be assigned mentor's to guide them in becoming OEC, Toboggan and/or MTR instructors. We also have three members continuing in mentoring from last December's ID class.

### **New Instructors**

Congratulations to Adam Sinkus, Bob Depivine, Rita Gierl and Alan Hack on completing mentoring to become OEC instructors.

### **Legal Issues**

Two legal issues involving patrollers and patrols have come up around the Division in the past year.

- Case one: involves a patroller and resort are being sued as a result of a injury sustained when an on duty patroller in uniform was teaching friend to ski. The friend was injured resulting in the suit. Not to state the obvious however, teaching friends to ski while on duty probably is not part of standard operating procedures.
- Case two: Area Management was not taking responsibility as defined in the Joint Statement of Understanding (see below), the area was requiring the patrol to purchase equipment (see use of patrol funds below). An finally the area attempted to seize patrol funds (see Name on Checking Accounts & Checks below.)

### **Joint Statement of Understanding**

National Ski Area Association (NSAA) and the NSP created the JSU between our two associations to provide guidance on who is responsible for what at a ski area. Midwest Ski Areas Association recently sent the following message to its members with a very good explanation of the JSU key points. [Click this link for a copy of the Joint Statement of Understanding](#)

**“MSAA has received a number of recent questions** regarding the ski area - ski patrol relationship and the tax implications of soliciting charitable donations to buy equipment used at the ski area. We'll try to sort this out here.

First, you should already know that NSAA and NSP have had a **Joint Statement of Understanding (JSU)** for many years. This JSU (below) sets out some general understandings of how each organization understands the relationship between ski areas and ski patrols. It does not set up any obligations, but it is a good document and is helpful in creating a strong working environment. Link to it below.

The JSU acknowledges that the Your Mountain ski patrol is a creation of Your Mountain Ski Area; and as such you can treat the patrol and patrollers like other departments and aspects of your ski area operation. You oversee all aspects of Your Mountain Ski Area's ski patrol - including management, staffing, training, equipment and everything else. NSP does not do this.

The JSU also acknowledges the things that NSP does for individual patrollers that are NSP members.

The JSU does not address tax issues and use of NSP's charitable organization status. The Central Division of NSP has allowed registered ski patrols to use their tax exempt status to receive charitable donations to buy equipment that is used for charitable purposes - such as training. Our understanding is that the Internal Revenue Service allows this - but that this equipment must then be used only for charitable purposes and not donated to or used by a private business in the general course of conducting their business.

As such, Your Mountain Ski Area and other ski areas may want to make sure that from this point forward, the Your Mountain ski patrol is clear when it solicits funds, holds ski swaps, etc. that the funds are NOT CHARITABLE DONATIONS - unless the funds will specifically be used in charitable ways.

Hope this is helpful. It may be appropriate to consult your tax advisor for information on whether or how this applies to your ski area.“

The National Ski Patrol is a membership organization that provides training and credentialing for its members. NSP members also belong to a “Registration Unit” and registration units are affiliated with a specific ski resort and the resorts Ski Patrol. As a patrol we operate as a department of the resort and are governed by the resorts policies and procedures. As Patrol Officers we are responsible for delivering NSP programs to NSP Members. In addition Patrol Directors are responsible for interfacing between the Patrol and Management as the areas Department Head for Ski Patrolling.

### **Ski Patrol Funds**

NSP, Central Division and by extension all NSP Registration Units are IRS designated 501.c.3 Nonprofit Educational Organizations. All such organizations are exempt from certain taxes including state sales tax and can receive donations that are free from Federal Income Tax and can be deducted from the donors Income Tax. As noted above such funds can be used for the purpose of the nonprofit organization however, they cannot be used to support a for profit business.

What does this mean? Patrols cannot purchase supplies and equipment that support the commercial operation including first aid supplies and equipment, rescue sleds, evacuation equipment, etc. This does not mean that if we are training with a patrol owned sled and a patient falls into it that we will dump them out and wait for an area sled, however, NSP, Division, Region or local patrol owned sleds cannot be stored on-the-hill fully loaded and used for routine transport. Ideally this type of equipment should be stored off the hill when not in use for training.

### **Checking Account Names**

The Central Division Policy and Procedure states:

“The division tax-exempt number must be used for federal tax purposes in establishing a checking account for the division, region, section, local NSP registration units, and for other purposes required by federal or state regulations. The Central Division tax-exempt number is **23-7241210**. Because the Internal Revenue Service matches federal I.D. numbers when 1099's are filed, it is important that checking, savings, and other accounts be titled as: **National Ski Patrol - Central Division, Registration Unit C###.** “

Patrols with checking accounts under the Central Division tax-exempt number should change the name on their checking accounts before ordering new checks. Remember if there are any changes to routing or account numbers that the new information must be passed to the Division Registration Coordinator to update your registration information.

### **National Board Election**

Ten years ago Northern Michigan Region and the Central Division were leading the charge to return a meaningful vote the NSP members. At that time the National Board proposed a slate of candidates that was voted up or down. The bylaws required a majority of the membership to vote no to defeat the slate, making it virtually impossible to defeat the proposed slate. The Midwest based Patroller Committee won the battle giving us the right to vote for individual candidates. Each year approximately one third of the National Board is elected to a three year term. Members can server a maximum to two terms.

There are five open seats this year and we have a choice of 11 candidates. I'm not going to suggest how any one vote but I am going to ask that we encourage everyone to vote. If individuals are looking for suggestions, the Central Division Board rated all the candidates and sent an email with three names if someone is looking for suggestions from this body. I of course have my opinion and will share that with anyone that asks. The important thing is that everyone exercises the right to vote.

### **Central Division Women's Program will be at Schuss.**

The Central Division Women's Ski & Toboggan Program will be held at Schuss Mountain January 24 & 25, 2015. This is an excellent opportunity for our female patrollers to have a fun weekend of instruction with the best female instructors in the Division. Instruction is geared to the existing ability level of participants with small group or even one-on-one instruction on skiing and tobogganing as best meets the needs of participants. Please encourage you female patrollers to attend this great event here on our region.

### **Region Elections**

Pete T reelected by consent email of the PD's for a second term as Section 2 Chief. Pete has been active with recruiting efforts for both section patrols and has been working with Hanson Hills to bring their patrol back to the NSP. We are looking forward to having Pete continue for a second term.

This winter we will conduct elections for Region Director and Section Three Chief. Nominations for Region Director must be submitted to **Kenneth Meldahl, Central Division Elections Coordinator, kmeldahl@comcast.net** . Nominations must be submitted by January 26<sup>th</sup>. 2015.

Patrols with more than 50 members on the National Roster June 30, 2014 will receive extra votes as follows:

- 2 – 50 members - PR
- 51-100 members – PR + 1
- 101 – 150 members – PR + 2

Large patrol Patrol Directors, please identify your extra voter(s) and provide me with name, address and email information for me to provide to the DEC.

It is probable that the Division will conduct this year's elections on-line. Please make sure all voters have valid email addresses.

### **Fall Region Events**

- \* Dec 13/14 - NMR Avalanche – Boyne Highlands.
- \* Dec 13/14 Division STW – Boyne Highlands. Note: This event is intended for seasoned on-hill trainers.

### **2017 Division Meeting**

Mark September 9, 10 & 11, 2017 on your calendar. Yes, I hear you asking "Why? That's a long way away! "Your right its 33 months and 8 days but who's counting. In September 2017 the Central Division Fall Meeting returns to Northern Michigan. NMR has a tradition to putting on great Division Meetings. Now is the time to start planning.

The weekend will include some fixed events typically including:

- Friday
  - Motor Cycle Ride
  - Golf Outing
  - Executive Board Meeting

- Informal Dinner
- Saturday
  - General Meeting (usually put together by the DD)
  - Division Board Meeting
  - Awards Banquet
- Sunday
  - Patrol Directors Breakfast
  - Division Board Meeting – continued

Other opportunities

- Class Room and off snow NSP classes including CPR
- The Division may include a Supervisors meeting for a NSP discipline.
- Events for non-participants
  - Winery tour
  - Mountain Bike Tour
  - Zip Line
  - Horseback tour
  - Shopping spree
  - Microbrewery lunch
  - Let your imagination run wild for other ideas

After we have an idea of the activities we want to include for the weekend, we can decide on a venue that will fit with our plan. I'll have DonD put a form on the WEB site to collect ideas for activities.

Thanks

See you when the snow flies.

Dick Jacques  
Region Director