

**ARTICLE I - General Provisions**

**Section 1. Name.** The name of this organization shall be the *Powder Basin Equestrian Association (PBEA)*.

**Section 2. Organization.** These By-Laws shall govern the affairs of the PBEA, which shall operate as a non-profit corporation under the laws of the state of Wyoming

**Section 3. Members.** Membership will be given to anyone having an interest in Eventing, English riding, jumping or dressage, regardless of age, sex, religion or race upon payment of the annual dues.

Types of membership include:

**INDIVIDUAL MEMBER**

**FAMILY MEMBERSHIP** - two or more individuals of the same immediate family.

**Section 4. Annual Dues.** Membership dues are \$30 for individuals or \$50 for families Dues shall be paid by December 1<sup>st</sup> of each year. Non-payment of dues by January 31<sup>st</sup> will result in forfeiture of membership. New members must pay dues within 60 days of joining. All dues received shall be deposited to the credit of the PBEA in such banks, trust companies, or other depositories as the Board of Directors may select.

**Section 5. Member Rights and Responsibilities** include:

- a. Learning to ride and care for horses as well as learning jumping and dressage.
- b. Support of the organization, helping to organize shows, fund raising and assisting new members.
- c. Use of PBEA facilities for schooling, including the cross country course, jumping arena, and dressage arena.
- d. Priority sign up for clinics and lower costs for riding instruction.
- e. Receipt of organization newsletters, membership list and other publications.
- f. Notice of upcoming meetings and events.

**Section 6. Wyoming Equine Activity Liability Act.** This state law at W. S. 1977 § 1-1-122 - 123 immunizes equine professionals by declaring that those who engage in equine activities or any recreational activities assume the inherent risks in the sport or recreational opportunity (see Attachment A for a copy of this law).

**ARTICLE II - Purpose**

**Section 1. Purpose.** The purpose of the PBEA is to:

- a. Promote the sport of Eventing.
- b. Conduct English horse trials, events, and clinics.

- c. Educate and publish information concerning standards, meetings, activities, dates, or other items of common interest to the individual members.
- d. Support the rules and regulations of USEF and the USEA.
- e. Encourage individual membership in the USEA.
- f. Manage, maintain, support and use of the Equestrian Center.

### **ARTICLE III – Board of Directors**

- Section 1. Directors.** There will be five members of the PBEA Board of Directors.
- Section 2. Eligibility.** Directors must be members in good standing of the PBEA.
- Section 3. Compensation.** Directors shall serve without compensation except for reasonable reimbursement of expense incurred in the performance of their regular duties as officers as specified in Article III, Section 2.
- Section 4. Election of Directors.** Director elections shall be by voice vote of all members in attendance at the Annual Meeting in November.
- Section 5. Terms of Directors.** The term of each Director shall be three years, commencing immediately after the Annual Meeting in November of each year. The terms shall be staggered so there is an election every year for new Directors. There is no limitation on the number of terms that an individual Director can serve.
- Section 6. Removal.** Any Director may be removed from office by an affirmative vote of the other four Directors if they miss two consecutive regular meetings.
- Section 7. Vacancies.** The filling of Director vacancies shall be by voice vote of all members present at a scheduled and advertised meeting. Each Director so selected shall serve only until the next election.
- Section 8. Committees.** The Board of Directors may establish sub-committees to fulfill special objectives of the PBEA.
- Section 9. Non-Liability of Directors.** The Directors shall not be personally liable for the debts, liabilities, or other obligations of the PBEA. The Directors shall not be personally liable for injuries incurred by members or participants at PBEA events.

### **ARTICLE III – Officers**

- Section 1. Officers.** The officers of the PBEA shall be President, Secretary, and Treasurer. No officer shall hold more than one office at any given time. The officers are authorized to execute the business of the PBEA.

**Section 2. Duties.** Each officer shall perform all customary duties of the office in addition to the following specifically described duties.

- a. President** – The President of the Board of Directors shall call all meetings, provide notice of all meetings, prepare meeting agendas, serve as Chairman of all meetings, and preside over the parliamentary process. The President shall supervise the activities of the other officers. The President shall be duly authorized by the Board of Directors to conduct business on behalf of the PBEA in a manner consistent with these by-laws and the laws of the State of Wyoming and the United States of America.
- b. Secretary** – The Secretary shall assist the President and assume the President’s duties in the absence of the President. In instances when a conflict of interest exists, the Secretary may temporarily assume the duties of the President. The Secretary shall keep minutes of the proceedings of all meetings or make provisions for accomplishing this task. The Secretary will also act as the custodian of district records and other usual and customary duties associated with this office. The Secretary will be responsible for conducting the annual Director election as specified in Article II, Section 4.
- c. Treasurer** –The Treasurer shall have charge, custody, and responsibility for all funds, securities, and assets of the PBEA and deposit such funds in the name of the PBEA in such bank or other depositories as selected by the Board of Directors. The Treasurer shall receive, and give a receipt for all monies due and payable to the PBEA. The Treasurer shall disburse the funds of the PBEA as may be directed by the Board of Directors and maintain proper vouchers for such disbursements. No disbursements or expenses shall be incurred and no money appropriated without prior approval of the PBEA Directors. The Treasurer shall keep and maintain adequate and correct records of all Chapter dues, and member dues. The Treasurer shall keep and maintain all accounts of the PBEA’s business transactions, including accounts of its assets, liabilities, receipts, disbursements, gains, and losses. The Treasurer shall present a Treasurer’s Report at each Regular Meeting, which shall consist of the current cash balance, receipts, and deposits. The Treasurer shall also prepare and present a full financial report at the November Annual Meeting.

**Section 3. Collective Authority.** The Officers of the PBEA shall collectively supervise the ongoing affairs of the PBEA. Signatory authority for transacting PBEA business shall require the signatures of two PBEA Officers.

**Section 4. Election of Officers.** Officers shall be elected each November at the Annual Meeting. Officers shall be determined by a majority vote of Directors voting for each office.

**Section 5. Vacancies.** The filling of Officer vacancies shall be by voice vote of all Directors present at a scheduled and advertised meeting.

**Section 6. Terms of Officers.** Each Officer shall hold office until the end of the Annual Meeting one year after his or her election.

**Section 7. Non-Liability of Officers.** The Officers shall not be personally liable for the debts, liabilities, or other obligations of the PBEA. The Officers shall not be personally liable for injuries incurred by members or participants at PBEA events.

#### **ARTICLE IV – Meetings**

**Section 1. Notice of Meetings.** All meetings of the PBEA are open to all members. The President shall e-mail and/or phone all members regarding the time, place and purpose of each meeting one week in advance.

**Section 2. Regular Meetings.** At least three meeting will be held per year generally in the months of April, June, and November. Members will be notified by e-mail at least one week in advance.

**Section 3. Special Meetings.** Special meetings may be called by the President or jointly by any three other Directors.

**Section 4. Annual Meeting.** The Annual Meeting will be held in conjunction with the November regular meeting. Among other things, the annual meeting will include the election of Officers as detailed in Article V, Section 4 and an internal audit of the financial records.

**Section 5. Quorum.** Three Directors shall constitute a quorum. No business shall be considered by the Board at any meeting in which a quorum is not present except to adjourn the meeting to a subsequent date.

**Section 6. Voting.** Each Director, including the Officers shall be entitled to one vote. Voting shall be conducted by voice and all votes shall be cast in person. All actions or motions must be passed by an affirmative vote of a simple majority of Directors voting. The motion fails with a tie vote.

**Section 7. Abstention.** Any Director shall abstain from voting on any motion or issue when that Director has a personal or financial interest in that matter or issue. The Director shall disclose his interest and be disqualified from voting and the Secretary shall record that in the minutes. Any abstention by a Director for other than personal or financial reasons shall be considered a negative vote upon that motion.

**Section 8. Majority Action as Board Action.** Every act or decision made by a majority vote of Directors at a meeting duly held is the act of the Board of Directors.

**Section 9. Proceedings.** The following shall be the typical order of business at all regular meetings:

- a. Call to Order
- b. Consideration of Minutes from Previous Meeting
- c. Approval of Bills
- d. Treasurer's Report
- e. Communications
- f. Unfinished Business
- g. New Business
- h. Adjournment

Individuals may be recognized by the Chairman for discussion of new business, which was not scheduled on the Agenda, following conclusion of the scheduled new business.

**Section 10. Appearance Before the Board.** Individuals that wish to bring new business before the PBEA should notify the President at least one week prior to the meeting.

**Section 11. Executive Sessions.** With a majority vote of the Board of Directors, an executive session may be called in accordance with W.S. 16-4-405. Executive sessions shall be closed to the general membership.

#### **ARTICLE V – Records and Reports**

**Section 1. Maintenance of Records.** The Board of Directors shall maintain the following records, which shall be open to inspection by any member upon request.

- a. The Minutes of all meetings, indicating the time and place of each meeting, the notice given, the names of those present, and the proceedings of the meeting.
- b. Adequate and correct books and records of financial accounts, including assets, liabilities, receipts, disbursements, gains and losses.
- c. Board of Director election notices, results, and oaths of office.
- d. A copy of these By-Laws as amended to date.

#### **ARTICLE VI – Amendments**

**Section 1.** These By-Laws may be amended by a 2/3 majority vote of the PBEA Board of Directors provided prior notice of the proposed changes have been provided to each member of the PBEA, at least two weeks before the meeting.

#### **ARTICLE VII – Parliamentary Procedure**

**Section 1.** The PBEA shall be governed by, and all meetings will be conducted according to, the latest edition of *Robert's Rules of Order Newly Revised*, in which they are not inconsistent with these By-Laws or other provisions of law.

**Adoption of By-Laws**

We, the undersigned, are all duly elected Directors of the PBEA, and pursuant to authority granted to the Directors by these By-Laws we do hereby adopt the foregoing By-Laws, consisting of six (6) pages.

DATE: Adopted March 2015

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Name, Director

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Name, Director

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Name, Director

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Name, Director

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Name, Director

**DIRECTORS 2015**

Teresa - author

Connie

Regina - email March 1, 2015 YES

Jamie

Niki - email Feb. 28, 2015 YES

**Attachment A**

**Wyoming Equine Activity Liability Act**

Citation: W. S. 1977 § 1-1-122 - 123

**Summary:** The Wyoming equine liability provisions immunize equine professionals by declaring that those who engage in equine activities or any recreational activities assume the inherent risks in the sport or recreational opportunity. However, actions based upon negligence of the provider wherein the damage, injury or death is not the result of an inherent risk of the sport or recreational opportunity shall be preserved pursuant to W.S. 1-1-109.

§ 1-1-122 Definitions.

(a) As used in this act:

(i) “Inherent risk” with regard to any sport or recreational opportunity means those dangers or conditions which are characteristic of, intrinsic to, or an integral part of any sport or recreational opportunity;

(ii) “Provider” means any person or governmental entity which for profit or otherwise, offers or conducts a sport or recreational opportunity. This act does not apply to a cause of action based upon the design or manufacture of sport or recreational equipment or products or safety equipment used incidental to or required by the sport or recreational opportunity;

(iii) “Sport or recreational opportunity” means commonly understood sporting activities including baseball, softball, football, soccer, basketball, swimming, hockey, dude ranching, nordic or alpine skiing, mountain climbing, river floating, hunting, fishing, backcountry trips, horseback riding and any other equine activity, snowmobiling and similar recreational opportunities and includes the use of private lands for vehicle parking and land access related to the sport or recreational opportunity;

(iv) “Equine activity” means:

(A) Equine shows, fairs, competitions, performances or parades that involve any or all breeds of equines;

(B) Any of the equine disciplines;

(C) Equine training or teaching activities, or both;

(D) Boarding equines;

(E) Riding, inspecting or evaluating an equine belonging to another, whether or not the owner has received some monetary consideration or other thing of value for the use of the equine or is permitting a prospective purchaser of the equine to ride, inspect or evaluate the equine;

(F) Rides, trips, hunts or other equine activities of any type however informal or impromptu;

(G) Day use rental riding, riding associated with a dude ranch or riding associated with outfitted pack trips; and

(H) Placing or replacing horseshoes on an equine.

(v) Repealed by Laws 1996, ch. 78, § 2.

(vi) “This act” means W.S. 1-1-121 through 1-1-123.

#### CREDIT(S)

Laws 1989, ch. 228, § 1; Laws 1993, ch. 162, § 1; Laws 1996, ch. 78, §§ 1, 2, eff. July 1, 1996; Laws 2009, ch. 47, § 1, eff. July 1, 2009.

#### HISTORICAL AND STATUTORY NOTES

Laws 1993, ch. 162, § 2 provided:

“This act applies only to claims based upon acts or omissions occurring on or after July 1, 1993.”

Laws 2009, ch. 47, § 1, in par. (a)(iii), added “and includes the use of private lands for vehicle parking and land access related to the sport or recreational opportunity” following “similar recreational opportunities”.

#### **§ 1-1-123 Assumption of risk.**

(a) Any person who takes part in any sport or recreational opportunity assumes the inherent risks in that sport or recreational opportunity, whether those risks are known or unknown, and is legally responsible for any and all damage, injury or death to himself or other persons or property that results from the inherent risks in that sport or recreational opportunity.

(b) A provider of any sport or recreational opportunity is not required to eliminate, alter or control the inherent risks within the particular sport or recreational opportunity.

(c) Actions based upon negligence of the provider wherein the damage, injury or death is not the result of an inherent risk of the sport or recreational opportunity shall be preserved pursuant to W.S. 1-1-109.



CREDIT(S)

Laws 1989, ch. 228, § 1; Laws 1996, ch. 78, § 1, eff. July 1, 1996.