



Carolina Mountain Club

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December 2019

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CMC Liability Waiver and Signup Sheet

By Chris Koebelin

CMC's Council recently approved a new liability waiver (as part of the sign-up sheet) for our hiking and other outdoor pursuits. We're really excited about switching to this effective January 1, 2020 as it gives added legal protection to everyone involved in the activity, as well as club leaders, trip leaders, and the CMC organization. The new waiver was developed by a knowledgeable NC lawyer who worked with us over several months to create a document that fits on a single sheet and would meet our needs for now and the foreseeable future.

You'll notice that it is more lengthy than our current version, so we wanted to make sure you have the opportunity to read it prior to being asked to sign it at a Club activity meeting place.

[Click here](#) to view the waiver.

CMC Liability Waiver and Signup Sheet Carolina Mountain Club (CMC) is a registered non-profit in the State of North Carolina, similar to the NC Arboretum, Manna Food Bank, Habitat for Humanity, etc. We are a hiking club that periodically assumes risks above what other non-profits may encounter during their course of business. Many hike leaders and council members have realized the signup sheet (liability waiver) is not as inclusive as other comparable non-profits. A committee consisting of CMC Officers and Council members reviewed 16 liability waivers from other hiking clubs (local and national) and Western North Carolina non-profits. It was quickly realized there was fundamental differences relative to the CMC waiver/signup sheet and other similar situate organizations. The Committee drafted a new proposed signup sheet / liability waiver that was judged to be appropriate based on the other liability documents reviewed. The Committee realized we did not have any legal expertise, especially since liability laws differ from state to state. A local, licensed lawyer was consulted. The lawyer determined the waiver the Committee developed was still inadequate to protect the Council, trip leader(s), volunteers and co-hikers from any legal action. The lawyer developed and recommended an alternate liability waiver that conformed to the State of North Carolina non-profit liability laws. After discussing the waiver with the rest of the Council, the waiver was modified to better suit the CMC's needs. A final review was made by the lawyer and minor final adjustments were incorporated. This new sign-up sheet/waiver identifies:

- Hikers are ultimately responsible for their own wellbeing, not the hike leader(s) or other hike participants,
- Sets the expectations for the roles and responsibility of the trip leader(s), as well as any decisions that may be made,
- Enables minors (those less than 18 years old) to attend regular hiking events,
- Formally identifies that photos of the participants can be used by the CMC. Participants may opt out, if desired,

- Clarifies that transportation to and from trailhead(s) are not part of the event, even for hikes identified as a car shuttle,
- Hike leaders may use the waiver for scout hikes if they consider the trip a CMC event,
- The same waiver can now be used across all CMC events (trail maintenance, hikes, and Youth Partner Challenge.)

As noted, these changes were not taken lightly, but CMC wants to ensure all volunteers are adequately protected as they give generously of their time and efforts. Please familiarize yourself with the new signup sheet prior to attending future hiking events.

CMC Returns to Doubletree

By Stuart English

On a cool, rainy evening before Halloween, the Carolina Mountain Club once again held their Annual Dinner and Meeting at the Doubletree Hilton. A social hour started the evening as hiking friends old and new got together in an indoor setting for a change. President elect Debby Jones got the program started. Chris Koebelin, our Challenge Committee Chair presented the latest completers of club challenges.



To read more, [click here](#).

Photo: L-R Kathy McAuley-Secretary, Chris Koebelin Councilor at Large, Judy Magura Technology, Brenda Worley Hiking, Lynn Saul Membership, Stuart English Communications, George Bauernfeind Treasurer, Tom Weaver Vice President, Barbara Morgan Out Going Past President, Ron Navik Trail Maintenance, Debby Jones President, Randy Fluharty Immediate Past President. Absent: Mike Fisher Conservation, Jan Onan Education/Outreach, Sarah Broughton Councilor at Large, Hugh Hensleigh outgoing Councilor at Large.

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Waterfall 100: Sallye Sanders, Dana Koogler

Pisgah 400: Jon Bellows, Bob Forsythe, Joe Ellenberger

Lookout Tower Challenge: Cameron Bailey

AT and MST Challenge: Jennifer Costner, Guy Gaudi, Lorena Garufi South Beyond 6000: Dennis Smith, John Bennett, Rick Harkins, Dean Giuliano, William Sanderson

Then a buffet dinner was served up and the meeting began.

George Bauernfeind gave us our robust financial report, past President Barbara Morgan presided over the election of the new council members, (see picture with caption), and recognized the council members who were departing.

Awards were given to two members who had advanced the goals of our club through their efforts. Rich Evans works on the Waynesville Wednesday crew (and co leads), the Thursday crew, the Friday crew, and the quarterly crew. He formed the Art Loeb Trail crew that works on Monday. He has over 1000 maintenance hours this year. Rich was given the Award of Appreciation earlier at a Trail Maintenance picnic. This award recognizes exemplary efforts accomplished in a short period of time. (This award was actually given earlier at a Trail

Maintenance picnic.)

Jan Onan received the Distinguished Service Award. Jan is best known for her involvement with children on the trail and the Youth Partner Challenge. To quote her, "we need to show them there's another world out there, a natural world." She is chair of the Education and Outreach Committee for CMC. She has been leading hikes for CMC since joining the club in 2003.

Our guest speaker was Jay Leutze, an attorney, outdoorsman, conservationist, and author of Stand up that Mountain. Jay gave an impassioned talk about the continuing struggle to protect public land.

For our friend Walt Weber, it was his 26th consecutive Annual Dinner. For everyone, it was another reminder of what a great organization we belong to. Thanks to upcoming President Debby Jones for a successful dinner.

CMC Secondary Trails

by Les Love

Since we're approaching the end of the year, you're probably wondering what you can do in 2020 to give back to the trails that give all of us so much pleasure. There are still some of the Secondary Trails opportunities open that CMC is responsible for. (The primary trails are the AT and the MST).

I'm attaching the spreadsheet that shows all these trails. You can adopt one - either as a tool carrying maintainer or just as an observer who reports issues. We want you to go out on your section at least four times a year, cleaning the water diversions, lopping limbs, and string trimming the annual growth. Rich Evans is the field supervisor and he will meet with you to issue tools and go over what needs to be done on the trail - no previous experience required!

While you are looking over the list, notice all the people who have already stepped up to adopt some of these trails. These are probably your friends and fellow hikers, so the next time you see them, give them a special thank you and it will inspire them to keep doing what they're doing on their section. We trail maintenance volunteers will work all day for a good thank you!

Let me know if you'd like to grab one of these sections before they are all gone.



The eNews is published on the first Friday of each month. Articles are due on the last Friday of the previous month. Send your news to eNews@carolinamountainclub.org. Please limit articles to no more than 1,000 words. You may send up to two photos as jpg attachments.

To join Carolina Mountain Club go to: www.carolinamountainclub.org. Click on "Join CMC" on the right side. Follow the instructions. Send all address and email changes to Dennis Bass at dbass3607@gmail.com. Your email changes will be automatically reflected in eNews delivery.

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