

BOATS AND GEAR PROCEDURES

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1. Purpose

The Boats and Gear (B&G) Committee shall have as its purpose the acquisition, maintenance, and disposal of fleet assets. Emphasis shall be on providing safe and seaworthy boats and equipment for the Sam Houston Area Council Sea Scouting program. The committee is charged with overseeing the assignment of vessels to ships, proper titling of vessels and trailers, current registration, and overseeing a common plan of maintenance.

The primary Fleet assets are the boats and equipment that are donated to and owned by the Sam Houston Area Council for the use in the Sea Scouting program. Significant support activities provided in the name of the BSA or Sea Scouting to the Fleet shall also be considered "fleet assets." The committee shall: Solicit and reject or accept donations of assets; accept surrender of assets from council ships; dispose of excess, unused, or inappropriate equipment so as to enhance the overall usefulness of the Fleet assets to the Sea Scouting program.

2. Responsibilities of Ships – Operation

Because these are SHAC-owned boats, and ships are custodians of the vessels for the benefit of the fleet, there are certain obligations each ship assumes for vessel operation.

1. Vessels will be operated IAW the fleet safety and training policy.
2. Custodial ships have first call on SHAC-owned vessels. If a vessel is not going to be used by the custodial ship, another ship may request use of it. The using ship must provide a qualified AVO. If necessary, the custodial ship and using ship should arrange a checkout cruise for any AVOs who will command the vessel. Vessels will not be released to persons not qualified as an AVO.

3. Custodial ships are responsible for properly briefing the using ship on the current status of the vessel. Custodial ships are responsible for providing a current, accurate operating checklist for each vessel or class of vessels. This checklist will include, as appropriate, trailer towing, assembling the vessel and rigging, before starting the engine, starting the engine, launching/departing the dock, docking/post-sailing steps, and securing the engine. Checklists are needed because Sea Scouts are often neophyte sailors and need their help to keep from missing critical steps.

4. Using ships are responsible for using the operating checklist, returning the vessel in clean, good condition, with at least as much fuel in it as on departure, and other expendables replaced. They should repair anything that broke on their cruise. They must call and debrief the custodial ship on the cruise. If the custodial ship maintains a ship's log, they should complete the appropriate entries.

5. No ship may use a vessel that is not theirs without the permission of the custodial ship. Such usage, or abuse of the privilege of borrowing another's ship shall be cause to deny usage, after consultation with the commodore.

3. Responsibilities of Ships – Maintenance

The general principle is that custodial ships are responsible for operating expenses of their ships. Operating expenses are essentially all consumables used by the boat, including fuel and small items not easily accounted for. License fees, authorized slip fees, and maintenance expenses will be paid from council funds, to the extent that the council has funds to pay them. Specific procedures are identified below for pre-approval and reimbursement of those expenses.

The fleet has made certain arrangements to minimize our costs by taking advantage of our non-profit status and the good will of the public and businesses we deal with. The procedures in Attachment 1 must be followed for ships to take advantage of them. [Attachment 1](#) is provided separately to make it easier to update should any of our preferred providers change.

4. Administrative Matters

Meetings. The Boats and Gear Committee will normally meet immediately prior to each fleet meeting to prepare recommendations for that meeting. It may meet at additional times as needed.

Membership. Membership shall consist of 5 members including the Council Commodore. The Commodore shall appoint the chairman (Vice-Commodore Boats and Gear) and other three members in consultation with the skippers of the fleet. The chairman’s responsibilities are:

- a. Coordinate activities of the committee.
- b. Plan agenda for the meetings.
- c. Give direction to effective communication.
- d. Appoint project coordinators.
- e. Attend all Fleet meetings.
- f. Maintain a current inventory, including slip assignments/location.

Voting. Vessel assignment and dispositions are recommended by B&G, and approved by the entire Fleet. Each council ship in good standing shall have one vote, to be exercised by a ship's member present. Ships outside the Houston metropolitan area may vote by written proxy. Unless otherwise specified, a simple majority will approve passage of motions.

Safety and Training. The Boats and Gear committee shall adopt guidelines and policies to complement the Safety and Training policy adopted by the Sea Scout Committee.

Definitions.

Acquire-for-sale – a boat is accepted through donation for the expressed purpose of selling to raise funds.

Approved expenditures – costs of documented and pre-approved component items needed to bring a boat to sales condition. Labor and expendables are not included.

As is, where is – boat is returned to council custody from a ship; 100% of funds go to the fleet maintenance fund general usage.

B&G – Boats and Gear committee

Council – Sam Houston Area Council

Expendables – items that are relatively inexpensive, not easily accounted for, wear out in a short period of time, or expire by date. Licenses and trailer tags are not included in this definition.

Examples:

Expendables

- Handheld VHF
- PFD's
- Flares
- Fire Extinguishers
- Running Rigging

Inventory items

- VHF installed
- Sails
- Anchors
- Standing Rigging

Fix-and-Sell – with committee approval and guidelines, a ship volunteers to take on a boat as a project, fix it, sell and add 10-50% of net sale proceeds to an earmarked account in the fleet maintenance fund. The percentage share is negotiated in advance based on the work involved.

Proceeds (100%) are deposited directly in to the fleet maintenance fund. Approved expenditures are reimbursed to calculate net sale proceeds. Does not apply to ship currently having custody of the boat.

Fleet assets – assets acquired by SHAC and assigned to the Sea Scout Fleet for use in the Sea Scouting program and significant support activities provided in the name of the BSA or Sea Scouting to the Fleet.

Fleet expenditures – designated expenditures made by the committee on a pre-approved basis that are not charged directly to the ship.

Fleet maintenance funds – Funds acquired by donation or sale of Fleet assets for the maintenance and operation of Fleet assets.

Matching funds – approved expenditures paid 50% from the fund by reimbursement.

MSD – Marine Sanitation Device

Net sale proceeds – the sum of money gained from sale of a boat after deducting the approved expenditures which are reimbursed to the ship.

New ship – a ship which has not yet reached it's first recharter date but otherwise meets the requirements of a ship in good standing.

Project coordinator – a person appointed by the B&G chairman to complete a specific task, such as acquisition or disposal of an asset.

Ship in good standing – a chartered Sea Scout Ship in the Sam Houston Area Council that has met accountability and training requirements of this committee.

SHAC – Sam Houston Area Council

Significant support activities – tangible or intangible support functions provided by a third party on a recurring basis in the name of the BSA or Sea Scouting to members of the Fleet. (Complimentary slips, haul-outs, donations of bottom paint, etc.)

5. How to Title and Register Boats and Trailers

Listed in the Forms part of this section are the forms required to title and/or register a fleet vessel or trailer. (These procedures apply to ship-owned vessels with appropriate modifications. Normally, the sponsoring institution is the equipment owner.) To initially title and register a fleet asset, we must have the old title, properly signed on the front and back, and a PWD 143 signed on the back (or corresponding TxDOT documents for trailers). With that the V-C B&G will title and register the asset. Once registered, the B&G committee will normally reregister fleet assets, but ONLY on request of the custodial ship. Significant savings are generated by only registering assets when they are in actual use, so it is the ships' responsibility to request registration.

To Title and Register a Boat: Complete form PWD 143. Instructions are with the form. Section F should be "Sam Houston Area Council, BSA, PO Box 924528, Houston, TX 77292-4528, 713-756-3380, Harris, US Citizen YES." OR the appropriate sponsoring institution or ship. Section G and H should be blank. Complete Section I fully, vessel use is "pleasure." Complete Section J. Normally, mark Section L, box 1 and Section N, boxes 11-16. Section P must read "Sam Houston Area Council, BSA" and be signed and dated by the professional advisor to Sea Scouts OR should be the appropriate official for a ship. The **TPWD** web site forms are at <http://www.tpwd.state.tx.us/fishboat/boat/forms/>.

To Renew Registration: Complete form PWD 143M IAW the instructions.

To Title and Register an Outboard Motor: Complete PWD 144. Instructions are with the form. Section F should be "Sam Houston Area Council, BSA, PO Box 924528, Houston, TX 77292-4528, 713-756-3380, Harris, US Citizen YES." OR for a ship-owned motor. Section G and H should be blank. Complete Section I fully, vessel use is "pleasure." Complete Section J. Normally, mark Section L, box 1 and Section N, boxes 11-16. Section P must read "Sam Houston Area Council, BSA" and be signed and dated by the professional advisor to Sea Scouts OR for a ship.

Affidavit of Fact: Sometimes a donated boat is missing some important parts of the paperwork or history. It may not be possible to complete the PWD 143 or 144. In that case, contact the TPWD title office to determine the course of action. You may need the Affidavit of Fact PWD 314 to complete your application.

Marine Sanitation Device (MSD): The Texas Commission on Environmental Quality (**TCEQ**) requires vessels over 26 feet have a MSD. All vessels with an installed MSD on Clear Lake, Lake Conroe, Lake Houston, Lake Livingston, and many other lakes in Texas must buy a certificate. The form, Application to Certify Marine Sanitation Device (TCEQ 117, Rev. 8-18-03), is at cleanmarinas.org/MSD_CertificationApplication.pdf. Completing and filing the application and fee is the responsibility of the ship. The sticker is applied next to the registration sticker, IAW the instructions. The regulation is at tceq.state.tx.us/assets/public/legal/rules/rules/pdflib/321a.pdf. Other information is available at the site. All SHAC fleet boats will comply with TCEQ and TPWD regulations. Boats that do

not comply must present and follow a written plan to comply within six months of discovery of the deficiencies. No boat not in compliance may be taken on overnight trips.

To Title and Register a Trailer: B&G does not title or register trailers, that is a ship responsibility. However, the title should be filed with the SHAC Sea Scout professional advisor. Complete form 130U. Block 14 should be "Sam Houston Area Council, BSA, PO Box 924528, Houston, TX 77292-4528, 713-756-3380, Harris" Block 14b may be the ship Skipper if desired, but we recommend that it be "Randy Fowler at ..." the SHAC address. Provide the trailer's storage location. Block 21(a) should show \$0 for donations, 21(h) should be \$0. Check the block "\$10 Gift Tax." Block 22, insure you have the donor's signature, printed name, and date. Block 23 must be signed and dated by the professional advisor to Sea Scouts. The **TxDOT** web site forms are at dot.state.tx.us/vtr/vtrreginfo.htm?pg=form1.

To Renew Trailer Registration: Complete the registration from that will be mailed to the specified address. 50% of registration fees will be reimbursed on submission. Do not reregister a trailer that is not in use, wait until it is needed.

6. How to Request a Boat, Custody

A. Eligibility. Only ships in good standing are eligible for custody of council-owned boats.

B. Availability. Written notice of availability of a Fleet asset shall be emailed to all skippers at least two weeks prior to award of custody. Such notice may be satisfied by the minutes of the Fleet Committee meeting.

C. Requests. The committee shall consider all timely and properly presented requests by ships in good standing for allocating custody of boats. Requests should be in writing to the Boats and Gear Chairman and Commodore at least one week prior to the Fleet meeting.

D. Guidelines for Assigning Custody. The ship's participation level, membership, geographical location, and overall program shall be considered in allocating custody of boats.

E. Responsibilities of Custody.

1. Types

a. *Custodial* - a ship assumes custody of equipment for use in the ship's Sea Scout program.

b. *Fix-and-Sell* - a ship assumes custody of a boat to prepare for sale and participate in sale proceeds through additional ship's annual maximum funds allocation.

2. Accepting custody of equipment constitutes agreement to care, maintain, and store the equipment (boats and other) until authorized disposal or transfer is accomplished. Each ship will sign a Boat Loan Agreement (Form 7) when accepting custody.

3. If a ship relinquishes custody, no costs incurred by the ship will be refunded, except as allowed by the *Fix-and-Sell* policy.

4. Getting the seller's signature on the title and the registration forms will be the responsibility of the ship taking custody. Guidance will be provided by a member of the B&G committee. B&G will complete the title/registration process. Allowed transfer costs will be refunded for a properly transferred title.

5. Acquiring the required MSD sticker and paying the tax will be a ship responsibility. Forms and instructions will be provided by B&G.

F. Accountability. Annually, in January, B&G will provide each ship with the current inventory of council-owned vessels. Each ship will in turn provide the B&G committee with an updated inventory of the council-owned vessels in their possession. Normally, the specific information required on the Sea Scout Boat Inventory is in the records. Each ship will confirm the vessel(s)' location and condition. Information needed is: Manufacturer, brand, length (ft/in), year, hull #, name, material, type, TX #, Expiration, Ship #, location, [Trailer brand, tag#, expiration], [Motor manufacturer/model, #, HP], donor name, address, phone, date donated, and condition, and number of times used each calendar year.

G. Re-evaluation.

1. The purpose of re-evaluation is to maintain the Fleet assets and meet the objectives of this committee. As plenty of boats are available to Sea Scouting, emphasis must be placed on converting marginal assets to operational equipment.
2. Boats may be re-evaluated for suitability on request of a ship, at time of transfer, or by decision of the Boats and Gear committee.
3. Boats must be re-evaluated for suitability at time of any transfer.
4. Boats must be re-evaluated for suitability after any incident resulting in significant damage to the boat.
5. Abuse or infrequent use may be cause for re-evaluation.

H. Abuse and Infrequent Use

Equipment which shows evidence of abuse or infrequent use may be considered by this committee for return to council custody or reassignment to another ship. Ships in the water, especially where we are paying slip fees, should be used a minimum of 12 times a year, preferably more. Out-of-water ships that have not been used in a year should be evaluated.

8. Proposed Donations

A. Procedure:

1. The Boats and Gear committee shall appoint a minimum of one person to survey the proposed donation and make a recommendation to the committee.
2. After evaluating the potential value to the Sea Scouting program, the committee members shall decide on acceptability by a simple majority vote.

B. Evaluation:

1. Each potential donation shall be carefully evaluated with respect to condition and suitability for the Sea Scouting program.
2. In some cases unsuitable or badly damaged equipment may accepted if it offers potential for resale value or salvageable parts.
3. When a Fleet asset donation is offered it shall be surveyed by an appointed Sea Scouter or by outside professionals if necessary and placed into one of five classifications. Equipment rated as *Reject* will not be accepted.
 - a. *Serviceable* - judged to be structurally sound, in reasonable good repair, and appropriate for the Sea Scouting program.

- b. *Repairable* - judged to be in need of repair, but repairable within the capabilities of a Sea Scout ship. Evaluation must be made as to "custodial" or "fix-and-sell" candidates.
- c. *Acquire-for-sale* – While not appropriate for the Sea Scouting program, or excess to our current needs, the vessel is judged to be of sufficient value to sell on the open market. Funds received are applied to the SHAC fleet maintenance fund. If any needed refurbishment is required, a ship has to agree to provide it before acquiring the vessel, and Fix-and-sell rules apply.
- d. *Salvage* - although the boat or equipment is not serviceable or repairable, it has value to the program for salvage, and the capability to recover that value is apparent.
- e. *Reject* - would not likely provide a net value to the Sea Scouting program or carries risk of additional liabilities with acceptance.

C. Acceptance: No one may accept a boat until approved by B&G, and B&G has a place to put it (i.e. free slip or storage location).

1. Procedure. Proper and complete documentation for transfer must be provided to SHAC at the time of transfer for the donation to be accepted. If a documented boat is received, it should be converted to a TPWD registered TX boat at the time of receipt. All associated equipment must be acquired at the time of transfer.

2. Acquisition Costs. The only acquisition costs which are allowed are fees imposed by governmental regulations such as

- a) Title transfer fees
- b) Annual registration renewals
- c) Trailer license fees

Acquisition costs are paid by the SHAC fleet maintenance fund. These include title and registration of vessels and trailers, quick hauls when deemed necessary, and repair/refurbishment in preparation for sale. Large expenses must be pre-approved by the committee and professional advisor. Reimbursement for repair/refurbishment will not occur until the vessel is sold.

3. Storage. Before a donation can be accepted, a storage location must be identified. Storage fees must be approved and are paid from the fleet maintenance fund.

SHAC does not normally pay storage fees. Vessels and equipment for sale may be stored commercially for short periods of time to facilitate sale. Vessels for sale should be in the water at a marina that does not charge slip fees. Storage space donation should be sought. Long term storage will be at Bovay Scout Ranch.

4. Documentation and records. SHAC must get the old title, bill of sale/affidavit, IRS Form 1098C, and process to get the new title and registration. These records will be kept by the Sea Scout professional advisor. Documentation and records will be maintained by the Boats and Gear Committee. Titles will be held by an executive selected by the Council.

D. Rejection. Send a polite letter if appropriate.

9. Fleet Maintenance Fund

SHAC Fund 1-2306-485-00 is the fund that pays for SHAC Fleet expenses. This fund receives money from sale of vessels and from other donations direct to Sea Scouting, and pays for boat and trailer titles and annual registrations, FCC station licenses, safety equipment, slip fees, vessel acquisition costs, and other necessary expenses for SHAC-owned vessels. When money is

available, it may pay for maintenance expenses, such as bottom jobs, sail repair, etc. Do not expect to have the fund pay for any maintenance and repair without checking in advance with the B&G Committee. This fund also will hold in trust those monies earned by ships in the fix-and-sell program. These trust funds may be applied to that ship's maintenance and repair expenses at their discretion.

The fleet maintenance fund is administered by the SHAC Sea Scout professional advisor. He is advised by the B&G Committee. The committee will seek donations to the fund, in the form of vessels, gifts-in-kind, and cash, to support the fleet assets. All money received for the specific support of Sea Scouting shall be deposited into the above account.

By majority vote, the committee will recommend disbursement from this fund for authorized expenses. Expenses will be prioritized as in the first paragraph. Repair expenses may be partially paid when fund balances are sufficient to pay some but not all repairs.

A. Expenditures of Fleet Maintenance Fund Monies. Continuing expenses are authorized by resolution, such as slip fees and registration fees. Funding for acquisition costs is part of the acquisition decision. Maintenance expenses must be approved in advance. This may be done by conference call or by polling the B&G members. The Sea Scout professional advisor must be part of the decision process.

B. SHAC Approval. The SHAC authorizing signature shall be the executive appointed as professional advisor to the fleet. Selection of additional persons may be made by the SHAC.

C. Approved Expenditures. Monies from the B&G fund may be expended as follows:

1. "Fleet expenditures" are expenditures not charged to a ship. These are as follows:
 - a. Renewals of Texas Parks and Wildlife Registrations (TX numbers) for council-owned boats will be paid or refunded 100% from this fund, subject to accountability requirements.
 - b. Renewals of license tags for council-owned boat trailers used for the sole purpose of transporting council-owned boats will be paid or refunded 50% from this fund, subject to accountability requirements.
2. "Ship funds" will be used for the upgrading or major maintenance or repair of capital assets of the Fleet, or addition of qualifying (non-expendable) safety items, in the custody of specific ships.

D. Limitations on Expenditures. The following restrictions on use of available funds reflects the original intent of this fund: that it is for the expressed function of managing assets.

1. Only ships "in good standing" are eligible for funds.
2. Only SHAC property included in the inventory is included.
3. "Expendables" will not be purchased.
4. Ship operating expenses will not be funded.
5. Labor costs should not be funded, the exception being specialized technical assistance pre-approved by this committee.
6. Rent (on land) will not be paid except to sell a boat, slip fees will be severely limited.
7. Travel expenses will not be paid.
8. Only expenditures which meet the stated objective of this committee will be approved.

F. Request for Funds. Request for funds are to be made in writing on the SHAC Fleet Reimbursement Request (Form 8) before the monthly B&G Committee meeting. Requests are to be made in duplicate, to the Commodore and the B&G Committee Chairman. In urgent situations, fax or email the chairman, who will poll to committee.

10. Disposal of Assets

A. Boats which are judged not usable or suitable for the Sea Scouting program may be sold to fund improvement of the Fleet. The Boats and Gear committee shall consider actual program usage in selecting boats for sale.

B. Proceeds from sale of boats shall be classified for allocation of proceeds according to the following definitions:

1. *As is, where is* - boat is returned to Council custody from a ship; 100% of funds go to the B&G fund general usage.

2. *Fix-and-Sell* - a ship volunteers to take on the boat as a project, fix it, and sell it. Fifty percent (50%) of "net sale proceeds" will be credited to the ship in the in trust in the fleet maintenance fund. Does not apply to ship currently or recently having had custody of the boat.

3. *Acquire-for-sale* - a boat is accepted through donation for the expressed purpose of selling to raise funds. The B&G committee may elect to:

a. Sell the asset directly, with all proceeds going to the fleet maintenance fund.

b. Award a special allocation of no more than 10% to a ship for volunteering to handle the sale.

c. Reclassify as a *Fix-and-Sell* after a reasonable period of time.

4. We reimburse eBay seller fees, auction fees and advertising expenses incurred when selling boats. When the boat is sold, we collect from the buyer the taxes and transfer fees. B&G will then insure the title is transferred to the new owner and send it to them. We do this to prevent vessels showing up years later still titled to SHAC (as has occurred).

11. Forms

Forms used shall be approved by the B&G committee and included in the council forms file. On modification of any form, the new version shall be numbered and dated.

A. SHAC Sea Scout Forms.

1. [Current Inventory and Slip Assignments Excel Spread Sheet \(Available from the VC B&G as needed\)](#)

2. [Boat Inventory Form](#) (Form 6)

3. [Boat Loan Agreement](#) (Form 7)

4. [SHAC Fleet Reimbursement Request](#) (Form 8)

Additional forms are provided for optional use. These forms will allow you to track how much your boats are being used, and will reduce the amount of forgotten maintenance by writing it down. Put them in a 3-ring notebook in an obvious place in your boat. These forms are:

1. [Daily Operations Log](#) (Form 1)

2. [Annual Summary of Operations](#) (Form 2)
3. [Inspections and Recurring Maintenance Due](#) (Form 3)
4. [Daily Maintenance Discrepancies](#) (Form 4)
5. [Deck Log](#) (Form 5)

A PDF sample of a completed set of forms is available from B&G.

B. State Forms.

The **TPWD** web site at <http://www.tpwd.state.tx.us/fishboat/boat/forms/> has the following forms and many others available:

1. Vessel/Boat Application (PWD-143-A0900-8/04)
2. Vessel/Boat Records Maintenance (PWD 143M-A0900-9/05)
3. Outboard Motor Application (PWD 144-A0900-8/04)
4. Affidavit of Fact (PWD 314-A0900-8/03)
5. Limited Power of Attorney (PWD 1055), or Letter of Authorization (PWD 581)

The Texas Commission on Environmental Quality (**TCEQ**) requires registration for a marine sanitation device to operate a vessel over 26 feet or with an installed MSD on Clear Lake, Lake Conroe, Lake Houston, Lake Livingston, and many other lakes in Texas. The form is at cleanmarinas.org/MSD_CertificationApplication.pdf. Completing and filing the application and fee is the responsibility of the ship. Other information is available at the site.

1. Application to Certify Marine Sanitation Device (TCEQ 117, Rev. 8-18-03)

The **TxDOT** web page at dot.state.tx.us/vtr/vtrreginfo.htm?pg=form1 has the forms required to register trailers, especially:

1. Application for Texas Certificate of Title (130-U) (Rev. 4/2004)

12. Supporting Documents

Hurricane Preparedness & Contingencies – Each individual marina has its own hurricane preparedness plan. Get a copy of the specific plan for the marina(s) where your boat is berthed. If your boat is trailerable, we recommend you load it on a trailer and move it to higher ground, out of the 100 year flood plain. Whether or not you trailer your boat, take the following precautions: remove all biminis, lay the bimini frame down or remove it; remove all sail, tiller, and instrument covers; remove all sails from masts and booms; remove the radio, cushions, and anything of value that would be affected by sinking; take all removed items to safe storage; if still in the water, set crossed fore and aft mooring lines and set four spring lines, insuring that there is sufficient room for the boat to move vertically without moving much horizontally; set your fenders to protect your boat during vertical movement (but expect to lose some fenders). See the Boat US web site for additional hurricane precautions.