

## **AERC Board of Directors Annual Convention**

March 9, 2017  
Grapevine, Texas

President Michael Campbell called the meeting to order at 7:01 p.m. CST.

Present at the meeting were Michael Campbell, Lisa Schneider, Susan Garlinghouse, Monica Chapman, Mollie Krumlaw-Smith, Sue Keith, Connie Caudill, Christoph Schork, Jan Stevens, Janet Tipton, Nick Kohut, Olin Balch, Paul Latiolais, John Parke, Andrew Gerhard, Jody Wyatt, Roger Taylor, Barbara Reinke, Duane Barnett, Susan Kasemeyer, Mike Maul, Terry Woolley-Howe.

Present as non-voting guests were newly elected Directors-at-Large Paul Sidio, Bob Marshall, DVM, and Heather Reynolds.

Excusals were requested for Steph Teeter, Carla Richardson, Tom Bache. Connie Caudill made a motion to excuse, Paul Latiolais seconded, motion passed.

Motion to accept agenda. It was noted that Jay Mero's presentation to the Board is moved to first item of new business as a courtesy to Dr. Mero's schedule; it was also noted that although the agenda has listed that AERC's affiliate agreement with USEF is under discussion, tonight's actual topic is an introduction and discussion with USEF's new CEO, Bill Maroney.

Membership Report - Kathleen Henkel

### **Business before the Board:**

**Motion - Veterinary Committee** - Jay Mero DVM, as Chair of the Veterinary Committee was present to discuss the motion to utilize funds from the Committee's reserve funds in order to increase drug testing during the 2017 season. Dr. Mero discussed the history of drug testing programs within the sport and industry, the development of AERC's current drug testing program, recent refinements in protocols and ride selection to better reflect a random cross-section of the entire field. The costs to AERC under the current contract with USEF is approximately \$312 per sample, with a 12 sample minimum per tested ride per our USEF contract. Dr. Mero commented that this is an excellent price provided to AERC by USEF, given the high standards of the analysis and services provided.

Dr. Mero further commented that after adjustments to the protocols to sample the entire entrant field, we have been receiving positive tests back from horses that completed the ride at the back of the pack and entered in the limited distance event. It was discussed that ERC will never attain testing 25% of the field as occurs in other equestrian disciplines, but the possibility of being tested provides a deterrent factor and thus provides a service in supporting the strict AERC drug rules.

In 2015, the Veterinary Committee forwarded a motion (passed) requesting for \$25,000 in funds from reserves to increase testing samples during the 2016 season. These funds were not entirely utilized during the 2016 due to numerous rain-related ride cancellations primarily in the Central region. One hundred sixteen samples were collected with no positives, but Dr. Mero commented that she had been advised by Dr. Schumacher of USEF to expect variable trends from year to year. We have received some positive tests for the 2017 season, currently being processed through normal channels.

The current motion under consideration will increase testing from one to two rides per region per year, plus both days of the National Championship and one additional 'wild card' test for random ride assignment. There was some discussion that eventually, funds for future increased testing will need to come from sources other than reserve funds. The suggestion was made to add as a line item to rider fees, as opposed to raising total entry fee, in order to specify to entrants the purpose of the additional fee. It was pointed out that current and proposed drug testing fees within AERC are still far less than every other mainstream equestrian discipline. There was some discussion by the board as to accounting and budgeting practices, and in regards to acceptable uses for reserve funds. Lisa Schneider made a motion

to vote on this motion tonight, seconded by Susan Garlinghouse. Motion to vote tonight passed. Coming from Veterinary Committee, the motion presented did not require a second. Motion passed.

**Motion - Technical Committee** - Mike Maul as Chair of the Technical Committee reviewed the status of the current projects of upgrading office/database software, improved members' page, and sanctioning software program. Despite best efforts, costs ran in excess of previous budget, asking to cover this \$9K additional expenses. Coming from Committee, the motion did not require a second. Motion passed.

**Rules Committee Report** - Lisa Schneider as Chair of Rules Committee discussed the three motions presented; improved communication to relevant directors in the event of formal protests filed; upgrade in language; and diversification of the Protest & Grievance Committee. There was a general discussion, including respecting the privacy of individuals; the extent to which the Board can and should be informed of pending protests; General discussion, transparency issues in reporting successful mediations to the Board. There were several suggestions and requests for refinement in proposed language. Motion is deferred until the Sunday meeting when an edited motion will be presented for review.

**Presentation by USEF** - Introduction of new USEF CEO Bill Maroney. Also representing USEF were Kristen Brett and Joe Mattingly. Mr. Maroney introduced himself, and described how he came to be CEO of USEF. He discussed his ambitions to change the USEF organization's ways to do things better, achieve better interactions with members and affiliates; enact a new strategic plan recently approved with new initiatives and to be more consumer-oriented. Mr. Maroney stated he was here tonight to discuss issues in the endurance riding sport and the relationship between USEF and AERC, including current challenges both within and outside the US. There was significant discussion as to the significant impact on how the public views endurance and equestrian sports. Mr. Maroney stated he wants better communication and more face-to-face collaboration with AERC; to raise awareness through better education, problem solving and communication, with no more "status quo".

Joe Mattingly discussed different aspects of USEF's newly approved Strategic Plan, and the needs of endurance to better promote the sport(s) through improved marketing programs.

Kristin Brett addressed the recommendations from the Strategic Plan group to improve FEI-level endurance and make it better. An annual sports forum is held in Barcelona, that will review and approve these recommendations. An international Endurance Forum will be held concurrently in Barcelona, USEF will also be attending to participate in asking FEI for improvements in areas of concern.

Joe Mattingly commented on problems in communicating effectively with FEI, stating that it can be difficult to ascertain where progress is and is not being made. The next WEG will be held in Tryon, North Carolina and AERC will have significant input to showcase the endurance event. : FEI not great communicators, hard to know where progress is being made and where needs improvement. next WEG will be Tryon, NC, AERC will have lots of input and influence to showcase endurance. Mr. Mattingly further discussed USEF's efforts in regards to catastrophic fractures during competition in the UAE, and the merits and/or futility of walking away vs. staying in ongoing negotiations, including the relative values of talking "with" instead of "to" associated parties.

There was discussion with all USEF reps as to changing the CoC in qualifying for WEG, and plans to focus on finishing teams, as opposed to individuals. The idea of placing restrictions on participation in future WEGs if a country is unable to finish a team at a current WEG was discussed, including this idea's successful integration in other equestrian disciplines. Questions and comments about how communications are handled between AERC and USEF.

There was extended discussion in regards to the pros and cons of excluding either ourselves or competitors from repeat offender regions from future FEI competition; damage control within US endurance, specifically secondary to the onus placed upon endurance in general by problems originating within Group 7; further discussion about presenting the concept of team completion and Bouthieb protocols to the attention of FEI governance; and questions about FEI's research and development group in developing adequate methodology for detecting prohibited substances. All of the USEF representatives were thanked for their attendance and willingness to answer questions from the Board.

There being no other business before the Board for today's agenda, Paul Latiolais made a motion to adjourn. Connie Caudill seconded. Motion passed.

The meeting was adjourned at 9:37 p.m. CST by President Michael Campbell.

### **MOTION PROPOSAL**

Motion Name : Consulting fee for UCD statistician to finish analysis of AERC 2016 Cooley Ranch Research data

Proposing Committee: Jerry Gillespie, Chair of *AERC Research Committee*

Date of Motion: 10 February 2017

Classification of Motion Request (new, change, add, delete, by-law, rule, policy): *New*

Proposed Motion (use exact wording): *It is moved that the AERC Board of Directors approve allocation of \$1500 from the AERC Research Account to be used exclusively for the payment of consulting fees for Dr. Aki Kanaka, Statistician, University of California, to complete the analysis of data collected during the AERC sponsored 2016 Cooley Ranch Research.*

I. Background, analysis and benefit (describe the problem this motion is solving): Following the review and approval of the AERC Research Committee, the AERC Board of Directors approved funding for the research grant proposal, "*Tracking Body Fluid Losses and Gains in Competing Horses During an Endurance Competition Period*,<sup>[1]</sup>" in the amount of \$15,815. The research as proposed was completed successfully at the 2016 Cooley Ranch ride, and the results of the study will be reported at the 2017 AERC Convention, March 2017 in Dallas to the AERC Veterinary Continuing Education Session, and separately to the AERC Membership and the AERC Research Committee. There is approximately \$1600 in the grant's account. In order to complete the statistical analysis the principal investigator, Jerry Gillespie, estimates that he will require \$1500 additional to pay for statistical analysis being done by Dr. Aki Tanaka, UCD, i.e., a total of \$3000 to pay for the outstanding and anticipated consultation.

The results from this study of dehydration in endurance horses during transport to the ride and during competition are new and will provide guidance for riders in managing their horses. Being able to analyze all the data with sound statistical techniques will add to the reliability and usefulness of the important results. In my judgment, this additional funding will assure that AERC membership will garner the greatest return from the Cooley Ranch Research.

Budget effect/impact (Attach spreadsheet if appropriate): There is approximately \$30,000 in the AERC research account. It is proposed that the requested \$1500 be withdrawn from this account.

Benefit and/or Impact to Membership and/or the AERC Organization: This new data will support the long tradition of AERC providing its membership high quality education by way of research, articles in *Endurance News*, seminars, and sessions at the annual convention.

Impact on AERC Office (Work load, budget): Almost no impact on AERC Office staff

Committees consulted and/or affected: Education, Veterinary, Membership and Research Committees will be positively affected by the completion of this data analysis.

Supporting materials (List of any other documents and/or spreadsheets): None

Supporting approvals (proposing committee, participating committees): None

1. <sup>[1]</sup> An Endurance Competition Period includes *six phases*; a. during travel to the race site, b. during rest at the race site prior to the competition (usually overnight), c. during each segment of

the competition, d. during rest at the race site after the competition and prior to transport home, e. during transport home, and f. during recovery-rest at home.

**AERC Board of Directors  
MOTION PROPOSAL**

Motion Name: Additional Funds for webpage upgrade, member page, and sanctioning program

Proposing Committee Technical Committee

Date of Motion (Date to be presented to BOD) 02/25/2017(Convention meeting – Sunday)

Classification of Motion Request: Addition to previous motion for Webpage upgrade

Proposed Motion: Additional Funds needed to cover webpage upgrade

Background, analysis and benefit (describe the problem this motion is solving)

Software development costs are difficult to estimate in advance in virtually all developments I've ever participated in or been aware of. The upgrade of the AERC website, the Members page, and the Sanctioning program is unfortunately no exception. The work is completed but with specification changes and debugging effort – the cost overrun is \$9,000. This motion is to cover that overrun.

Budget effect/impact (Attach spreadsheet if appropriate)

\$9,000 is needed to cover the 2016 additional amount.

Benefit and/or Impact to Membership and/or the AERC Organization

Adds \$9,000 to the cost of development for our website and impacts the actual cost in 2016.

Impact on AERC Office: No impact

Committees consulted and/or affected: Technical Committee

Implementation plan: Work completed

Supporting materials: Budget figures from MK-S and Invoices from the developer

Supporting approvals: Technical Committee

**AERC Board of Directors  
MOTION PROPOSAL**

Motion Name

Improve the Protest & Grievance process by:

- a) changing how protests are communicated to the Board of Directors when initially filed; and
- b) how the results are published and if the outcome of a protest ruling dictates whether the

protestor or respondent should be anonymous in AERC publications or the public domain.

Proposing Committee : Rules Committee

Date of Motion (Date to be presented to BOD): March 9, 2017 Convention Board Meeting

Classification of Motion Request (new, change, add, delete, by-law, rule, policy): Rule change and new policy

Proposed Motion (use exact wording): Given that several regions may be affected in a single protest, the AERC office has agreed to notify all affected Directors.

Rule 14.2.1 says:

*The AERC office shall also notify the ride manager and appropriate regional directors of the filing of the protest.*

Recommended language change:

*The AERC office shall also notify the ride manager and **all affected regional directors** of the filing of the protest.*

New policy: Rule 14 says protest decisions must be published twice in Endurance News. When a protest is granted, publish it with the names. When a protest is denied, give the Respondent the option of it being published with or without the names.

Background, analysis and benefit (describe the problem this motion is solving)

Keeping in mind that we need to allow the P&G Committee to do their job unhindered, the rules already specify the appropriate directors will be notified by the office at the time of the protest filing. This clarification is for the situations where multiple regions are affected by a single protest.

When a protest is denied, many people do not wish to have it made public in the interest of moving forward. This change gives Respondents the option of not publishing it or publishing it without names or other identifying information, i.e., ride name.

Budget effect/impact (Attach spreadsheet if appropriate): None

Benefit and/or Impact to Membership and/or the AERC Organization

Keep the affected Directors in the loop and give the Respondent the opportunity to move forward.

Impact on AERC Office (Work load, budget): None

Committees consulted and/or affected: P & G Chair Nicole Duarte was consulted and approved

Implementation plan (Schedule, resources, financial): Effective immediately

Supporting materials (List of any other documents and/or spreadsheets)

Rules Committee Report on the Protest and Grievance Process document – discussed at the February 2017 Board meeting.

Supporting approvals (proposing committee, participating committees) : Rules Committee & P & G Chair

**AERC Board of Directors  
MOTION PROPOSAL**

Motion Name

Improve the Protest & Grievance process by diversifying the membership of the P&G Committee.

Proposing Committee: Rules Committee

Date of Motion (Date to be presented to BOD): March 9, 2017 Convention Board Meeting

Classification of Motion Request (new, change, add, delete, by-law, rule, policy): New policy

Proposed Motion (use exact wording): The Protest & Grievance Committee should consist of a group with both geographical diversity and diversity of experience. The committee members should be scattered around the country and should include a ride manager, a vet, a lawyer, and a long-time/high mileage rider, all from different AERC regions. The optimal number of members is five people; an odd number is good for a tie-breaker. P&G Committee members should be approved by the Board of Directors and the Board should suggest people if the Chair can't find enough people to serve.

Background, analysis and benefit (describe the problem this motion is solving): The make-up of the P&G Committee has come under scrutiny for several reasons. One issue is adequate representation to ensure regional differences are taken into account. The other main issue is the type of experience required of the committee members for this difficult and complex task.

Budget effect/impact (Attach spreadsheet if appropriate): None

Benefit and/or Impact to Membership and/or the AERC Organization

Impact on AERC Office (Work load, budget): None

Committees consulted and/or affected: P&G Chair Nicole Duarte was consulted and approved.

Implementation plan (Schedule, resources, financial): Effective immediately.

Supporting materials (List of any other documents and/or spreadsheets)

Rules Committee Report on the Protest and Grievance Process document – discussed at the February

2017 Board meeting.

Supporting approvals (proposing committee, participating committees): Rules Committee, P&G Chair

**AERC Board of Directors  
MOTION PROPOSAL**

Motion Name

Improve the Protest & Grievance process by requiring mediation as the first step.

Proposing Committee: Rules Committee

Date of Motion (Date to be presented to BOD): March 9, 2017 Convention Board Meeting

Classification of Motion Request (new, change, add, delete, by-law, rule, policy)

Update to rules 14.1 and 14.3 and new policies for the mediation process.

Proposed Motion (use exact wording)

Mediation should be mandatory for anyone contemplating filing a protest. Mediation is always to be attempted first for all protests, including those testing positive for prohibited substances.

Rule 14.1 says, in part –

*Anyone contemplating a protest is encouraged to first attempt to resolve his or her complaint informally by discussing the alleged violation with the person committing the violation and/or the ride manager and/or appropriate regional director.*

Recommended language for updating rule 14.1 –

Change to “Anyone contemplating a protest **must first attempt** to resolve his or her complaint informally by discussing the alleged violation with the person committing the violation and/or the ride manager and/or appropriate regional director.”

*14.3 Mediation. The Chairman of the Committee may, if appropriate, refer the protest to non binding mediation to provide the protestor and respondent an opportunity to voluntarily settle the matters in dispute. The Chairman of the Committee shall select the time during the protest process to refer the protest to mediation. The mediation shall be conducted by a mediator from a panel of mediators approved by the AERC Board of Directors. The mediation shall be conducted telephonically unless the protestor and respondent make arrangements to meet personally with the mediator. The mediation will be conducted in confidence and no position taken or statement made by anyone at the mediation shall be submitted or considered as evidence in any following protest proceedings. Once a protest has been referred to mediation by the Chairman of the Committee, all time periods for filing written materials will*

*be suspended for 30 days to allow the mediation to occur. If a settlement is reached through the mediation, the protest shall be considered to have been withdrawn and the filing fee paid by the protestor shall be refunded by the AERC office. If the protest is not resolved through mediation, the protest proceeding shall resume after the termination of the 30 day suspension of proceedings.*

Recommended language for updating rule 14.3 --

Change the first line to read: The Chair of the Committee **shall first** refer the protest to non-binding mediation to provide the protestor and respondent an opportunity to voluntarily settle the matters in dispute.

There are three new supporting policies that are required. Thanks to Nicole Duarte for the following:

1. A list of mediators, approved by the Board of Directors, is to be developed and given to the P&G Committee.
2. The form of how the mediation occurs is to be clearly stated, i.e., email, telephone, or in person. A document titled Mediation Settlement Agreement is to be signed by both parties and the mediator and lists all the details of the agreement. It is to be kept in the protest file in the AERC office.
3. The P&G Committee retains jurisdiction over all mediation agreements in case of a breach of the agreement (which could result in re-instituting the protest) and continuing jurisdiction to enforce the agreement and penalize violations.

Background, analysis and benefit (describe the problem this motion is solving)

Mediation has been used successfully to resolve many disputes prior to becoming a formal protest and has also been used to resolve formal protests. In the recent past, the P&G Committee has either not been aware that they can use mediation or has chosen to not use it.

Rule 14.3 mentions a panel of mediators that the Board has approved from which the P&G chair can choose. That list should be developed and made available to the P&G Committee.

Budget effect/impact (Attach spreadsheet if appropriate): None

Benefit and/or Impact to Membership and/or the AERC Organization

If we strengthen the mediation process as the preliminary step to an official protest, there is a good chance of avoiding the whole protest process. People involved in protests often don't understand mediation, but once it starts, mediation often resolves the dispute.

Impact on AERC Office (Work load, budget): None

Committees consulted and/or affected: P&G Chair Nicole Duarte had significant input for the mediation process.

Implementation plan (Schedule, resources, financial): Effective immediately.

Supporting materials (List of any other documents and/or spreadsheets)



Rules Committee Report on the Protest and Grievance Process document – discussed at the February 2017 Board meeting.

Supporting approvals (proposing committee, participating committees): Rules Committee, P & G Chair