

AERC Board meeting minutes 6/11/18

President Paul Latiolais called the meeting to order at 9:05pm

Vance Stine made a motion to accept the agenda, Susan Kasemeyer second the motion. Motion passed

Steph Teeter made a motion to approve the 4/9/18 AERC Board meeting minutes, Troy Eckard second the motion. Motion passed

Roll call by Kathleen Henkel. AERC Board members present for the meeting were Paul Latiolais, Michael Campbell, Monica Chapman, Connie Caudill, Angie Mikkelson, Tonya Stroud-Oaks, Jan Stevens, Nick Kohut DMV, Mollie Krumlaw-Smith, Lisa Schneider, Vance Stine, Susan Kasemeyer, Steph Teeter, Troy Eckard, Marcia Hefker-Miles, Olin Balch DVM, Robert Marshall DVM, Mike Maul, Heather Reynolds, Christoph Schork, Terry Woolley-Howe and Paul Sidio. Also on the call was AERC Youth Representative Lily Turaski.

Susan Kasemeyer made a motion to excuse Mary Howell. Nick Kohut second. Motion passed

Statistical membership report from Kathleen Henkel:

Membership as of 6/5/17	4561
Membership as of 6/8/18	4520
Sanction fees as of 6/8/17	\$15,218
Sanction fees as of 6/8/18	\$12,820
Rider fees as of 6/8/17	\$34,856
Rider fees as of 6/8/18	\$31,438
New members as of 6/5/17	392
New members as of 6/8/18	418

Susan Kasemeyer presented a motion for Board approval of the Meadow Creek Mingle Pioneer Ride. Dates are Oct. 18-20, 2018. The ride to be held in the SE Region with the ride manager Charlesey Charlton McCallister/alternate Rachael Pelkey. Susan Kasemeyer and the Sanctioning Committee have approved the ride. Motion passed.

Monica Chapman presented a motion for the Trails and Land Management Committee.

A Trail Grant request from the Southern Kettle Moraine Horse Trail Association in the amount of \$7,055. Total cost for the project estimated at \$13,288. Other funding coming from private donations, the Wisconsin Horse Council, UMECRA and Southern Kettle Moraine Horse Trail Association.

Project involves the purchase and installation of materials necessary, including footing for site preparation, to construct (two) 12' x 12' steel horse corrals at each of (eight) initial campsites, (with additional pens to be added as future funding is received) in the Kettle Moraine State Forest- Southern Unit. The corrals will be safe, durable, and low maintenance using 16-gauge steel powder coated Priefert Premier Horse Panels.

This campground typically hosts 3 – 4 rides per year and more than any other location in Midwest Region. Annual rides include: Glacier Trails, ApDra, Bone Crusher and DRAWARAMA. Motion passed

Monica Chapman presented a second motion from the Trail and Land Management Committee.

A Trail grant request from the Northern Kettle Moraine Horse Trail Association in the amount of \$3,125.

Proposed project is to renovate several areas of horse trail in the Kettle Moraine State Forest Northern Unit with varying lengths of trail that will need to be addressed for a sustainable trail surface. Reconstruct approximately 600 yards of horse trail in environmentally sensitive areas adjacent wetlands near the headwaters of the Milwaukee River. Install geotextile fabric that will allow proper draining of precipitation while still maintaining a solid base. Pit run or similar material will be used to not only keep the fabric in place but to build up the trail surface. This technique has been used in the past on numerous other rehabilitation projects such as this one. This forest has over 40 miles of equestrian trail. This trail is used for the Colorama Endurance Ride which is the oldest continual ride in the MW Region (51 years) and the Kettles' Bits Endurance Ride. The request is for \$3,125. Motion Passed.

Paul Latiolais re-presented a motion that had been previously presented by Jay Mero and the Veterinary Committee at the Convention meeting. (Motion details can be found and read in the 3/8/18 convention minutes).

Motion to fund the AERC Drug Testing Program - For 2018 use \$27,000 from the Drug Testing Reserves to maintain drug testing at the current level for the ride year 2018- outside of CA. For 2019 increase per rider start drug testing fee from \$3 to \$6 outside of CA to begin on December 1, 2018.

Some of the AERC Board members were in favor of the increase in order to stay on top of horse welfare issues, the integrity of the sport and felt it was an important educational tool as well as a deterrent of drug usage. Others were opposed to raising drug fees at this time and have had members in their region tell them that they were opposed to any raise in fees. One member thought AERC should find another source to fund the increase to keep from passing the fees onto the riders. One member suggested that we just raise the rider fees and use the amount needed for drug testing but not separate the fees. Another suggestion was to test less rides but each region would never know if they would be tested more than once or twice. Many of the AERC Board members felt AERC needed a more defined drug rule before making any decision on raising the fees. They stated that AERC should have a faster turn around on the drug testing results. Two to three months is not acceptable so would like to add in the contract a faster time frame. The USEF contract for drug testing has recently been sent to the Legal Committee as well as the Veterinary Committee for review and input. Kathleen Henkel will be working on gathering estimates from other laboratories.

After a lengthy discussion, Connie Caudill made a motion to postpone the vote on the motion until the AERC Midyear Board meeting in order for the AERC Board to review the revised drug rule before voting. The wording on the rule will be sent to the Legal and Veterinary Committees for review. Second by Christoph Schork. Motion passed with one opposed. Paul Latiolais stated that he will send the revised drug rule to the Legal and Veterinary Committees.

Mollie Krulaw Smith updated the Board on the ADA compliance issue. She had a conversation with AERC Legal Committee member, Barbara Baris, who is in the process of contacting ADA attorneys and will come up with a policy for the AERC Board to review sometime this summer.

Paul Latiolais asked all Board members to read Mary Howell's Membership Committee report which she sent to the Board earlier in the week.

Jan Stevens will be sending a letter updating the Board members on the USEF/FEI meeting that was held this spring in the UAE and Switzerland. The report is from Valerie Kanavy who attended the meetings. She asked that everyone read the report. If anyone has any questions she would be happy to pass them onto Valerie Kanavy for a response.

Legal Committee chair, Lianne Dorion, sent a report from the committee to the Executive Committee stating they have been working on a committee charter which she was asked to update. She expects to have it completed by the midyear meeting. Paul Latiolais will invite Lianne Dorion to attend the Midyear Board meeting.

Paul Latiolais would like all committee chairs to write a report on how their committees are fulfilling the AERC Strategic Plan for the Midyear meeting.

Vance Stine made a motion to go into Executive Session at 9:45 pm to discuss a legal issue. Marcia Hefker-Miles second the motion. Motion passed. Lily Turaski was asked to leave the meeting. The AERC Board came out of Executive session at 9:50 pm.

Paul Latiolais stated that John Parke will discuss the Supporting Organization progress in next month's AERC Board meeting.

Jan Stevens made a motion to adjourn the meeting at 9:55 pm. Marcia Hefler-Miles second the motion. Motion passed.

Submitted by Connie Caudill

Motion re Fund the Drug Testing Program outside of California - * below**

Motion Name – Motion to Fund the Drug Testing Program (outside of CA)

Proposing Committee – Veterinary Committee, Research Committee, Legal Counsel

Date of Motion – March 8, 2018

Classification of Motion Request – New – Policy Change per rider drug testing fee increase outside of CA for ride year 2019

Ongoing – continue use of Drug Testing Reserve funds to fund current ride year 2018

Proposed Motion – Motion to fund the AERC Drug Testing Program -

For 2018 use \$27,000 from the Drug Testing Reserves to maintain drug testing at the current level for the ride year 2018– outside of CA

For 2019 increase per rider start drug testing fee from \$3 to \$6 outside of CA to begin on December 1, 2018..

Background, analysis and benefit –

In 2013 the AERC Veterinary and Legal Committees completed an extensive overhaul of the AERC Drug Testing Program. This resulted in improved testing protocols and a better interface with the United States Equestrian Federation (USEF), the agency that carries out the actual drug testing at AERC rides. The improved testing procedures has greatly elevated the presence of the drug testing program, by testing widely and completely through most distances sampled. This broader sample collection, along with testing even some of the most remote and smallest rides, has improved the desired deterrence factor the drug testing program is supposed to foster. During 2014 and 2015 AERC only tested one ride per region, plus the two days of the National Championships, with one additional ride chosen at random from all regions. In 2016 and 2017 the BOD approved the use of drug testing reserve funds to increase testing numbers, with a target of two rides per region, plus one additional testing day, plus both days of the National Championships, for a projected 19 total sample days. In 2016 there was a total of 168 samples taken, with no positives. In 2017, we nearly reached our target testing level with 211 samples taken, over 18 ride days tested, with 3 positives. At 211 samples out of approximately 13,000 ride starts outside of CA, the AERC is testing 1.6% of rider starts, as compared to the CA EMMP drug testing program which test 3.1% of endurance starts in CA. AERC contracts with USEF at a sample rate of \$315 per sample as long as there are twelve samples collected per testing day. Riders are charged \$3 drug fee per entry, for rides outside of California, with an average annual

budget of approximately \$39,000 based on ride starts outside of CA. There is approximately \$67,000 currently in the Drug Testing Reserves, with not all of the 2017 testing year paid for as of yet. By end of the current ride year 2018, the Drug Testing Reserve Fund will fall below the recommended \$50,000 baseline reserve number, both legal counsel and the Treasurer of AERC recommend we maintain.

At the AERC BOD Midyear 2015 meeting the BOD was asked to increase the rider drug fee from \$3 to \$5 to increase the testing presence throughout the country and to keep pace with increased laboratory fees. The BOD declined the motion to increase rider fees, at that time, as it was determined an increase in testing should first be obtained by using drug testing reserve funds. In 2017 with 18 testing days and 211 samples we operated with a testing budget of \$66,465. In 2018 we will once again need to use drug testing reserve funds to reach our targeted testing level of 19 days and 228 samples, with a required budget of \$71,820. At the conclusion of the 2018 ride year, (if the BOD once again approves the use of drug testing reserve funds), we will have exhausted the excess drug testing reserve funds the BOD directed we utilize first to provide for adequate drug testing.

Without the use of drug testing reserve funds in 2018, followed by a corresponding increase in the drug testing rider fee, to continue maintaining the program at its current levels of the past two years, AERC would have to go back to a testing budget of only \$39,000, which would only allow us to have 10 testing days, or only one ride per region, plus the National Championship rides, *which would essentially halve the testing presence of the last two years.* By comparison, in 2017 the CA drug testing program (EMMP) obtained 80 samples out of 2596 endurance rider starts in CA, for a testing level of 3.1%, to our 1.6% sampling level. In addition the CA EMMP committee voted in increase the drug testing fee from their current level of \$5 per sample to \$8 per sample, to also commence as soon as their drug testing reserve fund has sufficiently been worked down. USEF also charges \$8 per entry for drug testing, with other organizations charging anywhere from \$8-\$36 per entry. A \$3 drug testing fee such as AERC charges is woefully inadequate given the current state of lab testing fees, which will certainly only rise in the future. Interestingly, all other disciplines double charge for drug testing fees in the state of CA, with competitors having to pay both the CA EMMP fee, and their organization or discipline fee. In 2015 the BOD was asked for a \$5 per rider start drug testing fee, however that was based on projected rider starts averaging 14,000 outside of CA, when we have in fact fallen to an average of 13,000 rider starts outside of CA. This drop in rider starts requires us to ask for an increase to \$6 as a drug testing fee, just to bring in enough funds to run the program at the desired current level. It should be noted however, that this increase to \$6 is still significantly lower than all other testing fees for all other equine disciplines.

Given the multiple positive samples that have been obtained since 2014, both by USEF testers and the CA EMMP system, there clearly is a need for as large and robust a drug testing presence as AERC can afford to provide. We will never be able to test at the level recommended by both USEF for the disciplines it tests for, or the CA system – both which target 3-5% testing rates per discipline, simply due to financial constraints. But our policy of sending testers to the most remote, out of the way rides, and testing all the way through rides from the winners to the last place finishers – relies on a strategy of the deterrence based on the fear of anyone can be tested, in any placing, at any ride.

Budget effect/impact - A per rider start drug testing fee increase from \$3 to \$6 would raise the drug testing budget from a projected \$39,000 to \$78,000 per 13,000 rider starts outside of CA. A budget of \$71,820 is needed to maintain testing levels at 19 testing days of 12 samples day. The potential small excess that could be obtained yearly should be used to pay back the drug testing reserve fund up to its desired minimum \$50,000, with any excess above \$50,000 to be used as a safe guard against presumptive lab fee increases in years to come.

Benefit and/or Impact to Membership and/or the AERC Organization - The increase in testing in the 2016 and 2017 seasons, had a significant beneficial effect on the AERC Drug Testing Program by allowing us to test up to every region twice, plus the National Championships. It has been thought in the past that AERC endurance is a clean sport, with minimal or non-existent prevalence of prohibited performance-enhancing drugs during competition. However, with the recently improved testing methodology, and positive results identified from relatively small sample populations, this thinking may have been overly optimistic, indicating

the prudence of providing deterrence through an adequate testing program. An increased testing presence, by having drug testers show up at even the smallest, most remote rides, and testing occurring from the fastest finishers to the final completions - supports our stance of integrity within our sport by providing an increased and visible disincentive to those who might be tempted to gain an unfair advantage through the use of prohibited substances. An increased drug testing program will contribute towards providing a more level playing field amongst all competitors, whether they are front runners or 'turtles'. Most importantly, an increased and consistent testing presence, and thus an increased deterrent factor, helps to protect the welfare of the horses under our care which might otherwise be put at increased risk of significant harm through the use of illegal substances during competition. This strong stance of promoting the welfare of the horse is vital to our organization, particularly in this era of challenges we face with public concerns over the welfare of the endurance worldwide.

Impact on AERC Office - None

Committees consulted and/or affected - Legal, Veterinary, Research and Ride Managers

Implementation plan (Schedule, resources, financial) – To start with ride year 2018 and ride year 2019

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

Supporting approvals (proposing committee, participating committees)