

7/20/19 Midyear Minutes

President Monica Chapman called the meeting to order at 8:05 am. AERC Board members who were present were: Monica Chapman, Michael Campbell, Connie Caudill, Angie Orr-Mikkelson, Jan Stevens, Tonya Stroud-Oaks, Dawn Hilliard, Nick Kohut DVM, Naomi Preston, Lisa Schneider, Susan Kasemeyer, Vance Stine, Troy Eckard, Marcia Hefker-Miles, Olin Balch DVM, Mollie Krumlaw-Smith, Mike Maul, Christoph Schork, and Tim Worden. Also present were Legal Committee representative Barbara Baris and AERC office staff member Kyra DeMartini.

Troy Eckard made a motion to accept the agenda with Monica Chapman's following changes: addition of the action items and the Sanctioning Committee has withdrawn their motion on reporting of incorrect mileage. Seconded by Lisa Schneider. Motion passed

Troy Eckard made a motion to approve the minutes from the June 17, 2019 AERC Board meeting and to accept the committee reports. Seconded by Nick Kohut. Motion passed.

Susan Kasemeyer made a motion to excuse Board member Bob Marshall for a family conflict; Gordie Cowan for a medical issue; John Parke, Shawn Bowling, and Heather Reynolds for employment conflicts; and Jessica Cobbley and Andrew Gerhard for ride manager duties. Seconded by Vance Stine. Motion passed. No other Board members were absent.

Marcia Hefker-Miles made a motion to approve Andrew Gerhard as the new Education Committee chair. Seconded by Tim Worden. Motion passed.

Monica Chapman welcomed everyone to the Midyear Board meeting. She stated that she realizes we may have differences of opinions but that we all should realize that everyone is here for the good of AERC and we will be working together for the betterment of the organization.

Kyra DeMartini gave the statistical report:

Membership as of 7/18/18 4641

Membership as of 7/18/19 4487

Sanction fees as of 7/18/18 \$14,420.00

Sanction fees as of 7/18/19 \$13,900.00

Rider fees as of 7/18/18 \$36,545.00

Rider fees as of 7/18/19 \$34,057.00

New members as of 7/18/18 469

New members as of 7/18/19 451\

AERC Treasurer Mollie Krumlaw-Smith presented the financial report. She explained to the Board members that she put together a very conservative budget and we are currently running \$64,000 ahead. She noted that some items are not always paid at the same time each year. Comparing last year to this year, our membership dues and rider fees are down by about \$12,000. Some of this downward shift can be blamed on the cancelation of many rides due to flooding/weather conditions. Also, membership is still slightly down, and membership numbers are related to ride starts. The Convention made a profit of \$6,000, which is the most it has made in the past six years. One reason we are so ahead of our budget is that we set aside some funds for legal fees which were not used. We will be earmarking those funds for SafeSport training. Mollie Krumlaw-Smith explained that these financials are only a guideline to see how we are tracking. She answered several questions during discussion concerning the financials.

Lisa Schneider presented a motion from the Sanctioning Committee for approval of a new Pioneer ride, the Coso Junction ride, to be held December 6-8, 2019 in the PS region. This is a long-established 2-day ride that is adding a third day. Ride manager is Ann Nicholson. Motion passed.

Lisa Schneider presented another motion for approval from the Sanctioning Committee for another new Pioneer ride. The Laurel Mountain Ride, in the PS region, which is a long-established 2-day ride is adding a third day. Dates will be January 31-February 2, 2020. Ride manager is Ann Nicholson. Motion passed.

Jan Stevens presented the SafeSport Motion on behalf of the SafeSport Task Force.

Proposed Motion: To bring forth a policy for AERC to comply with the SafeSport Act by developing a policy for who is trained, how to report a violation, and best practices in adult/minor interaction as it refers to SafeSport.

Background, analysis and benefit: To bring AERC in compliance with the Protecting Young Victims from Sexual Abuse and SafeSport Authorization Act of 2017. Budget effect/impact: The motion is proposing that AERC pay for all AERC Officers and Directors (26), employees of AERC, and one ride manager from each ride (approximately 200), to take the US Center for SafeSport Training. The training costs \$20 per person. AERC members who are also USEF members can take the training for free through USEF. A maximum expected outflow would be \$4600 per year from the AERC General Fund. This would be a yearly expense due to required annual follow-up training.

Benefit and/or Impact to Membership and/or the AERC Organization: The training will keep AERC in compliance with the Federal Law.

Impact on AERC Office (Workload, budget): The AERC Office will be responsible for developing a way to track which AERC members have taken the SafeSport Training and record it on the AERC website. The AERC Executive Director will also be the liaison between AERC and the US Center for SafeSport. Lisa Schneider commented that the Rules Committee and Sanctioning Committee need to consider the implications on the sanctioning of rides and confirming that a member of the ride management team has completed the SafeSport training.

Implementation plan (Schedule, resources, financial): SafeSport Training for all AERC BOD members and Office Staff is mandatory before the 2020 ride season begins. It's also mandatory that at least one member of each ride management team takes the training before their ride in the 2020 calendar year.

Jan Stevens explained that all amateur sport organizations that have interstate competitions will need to comply with the SafeSport federal law. Board members, ride managers, or Office Staff should be aware when they see something that may be inappropriate. SafeSport was signed into law following the gymnastics scandal. Cyberbullying and bullying are also included in the law.

Barbara Baris commented that there is no set minimum standard. The SafeSport law is evolving and is very vague, but each organization is responsible for putting a policy in place. AERC, through the Center for SafeSport, will be training particular members to recognize inappropriate actions. This policy gives AERC an opportunity to comply with the law. Reporting is mandatory and ignorance of the law is no excuse. Monica Chapman said AERC has a statement that AERC recognizes Safe Sport and has developed a policy. The SafeSport training is a government-run online program that takes three hours to complete.

Lisa Schneider made a motion to amend the motion: The Board will set an example by completing the SafeSport training by 2020. The education plan is to include articles in Endurance News, on the AERC Facebook page and on the AERC website. All new Board members will be required to have successfully completed the SafeSport training prior to being sworn in. Michael Campbell seconded the amendment.

Discussion was held. Tonya Stroud-Oaks called the question, Troy Eckard seconded. Motion passed.

Troy Eckard made a motion for a Roll Call vote on the amendment. Motion failed due to not having a second.

The amendment to the motion passed with a unanimous vote.

Lisa Schneider made a motion to amend the motion: SafeSport training for all AERC Board members and office staff is mandatory before the 2020 ride season begins. It's also mandatory that one member of each ride management team completes the training prior to their ride in the 2020 ride season. Marcia Hefker-Miles seconded. Motion passed.

Amended Motion- AERC establishes a policy on who is trained, how to report a violation and best practices in adult/minor interaction as it refers to SafeSport. AERC will pay for all AERC Board members, employees of AERC, and one member of the ride management team from each ride, to take the US Center for SafeSport online training. The training currently costs \$20 per person. SafeSport training for all AERC Board members and office staff is mandatory before the 2020 ride season begins. It is mandatory that one member of each ride management team completes the training prior to their ride in the 2020 ride season. The education plan includes articles in Endurance News, on the AERC Facebook page and on the AERC website. All new Board members will be required to have successfully completed the SafeSport training prior to being sworn in.

Troy Eckard made a motion for a roll call vote on the SafeSport amended motion. Vance Stine seconded. Motion passed.

A Roll Call vote was taken on the amended motion. The motion passed unanimously.

Troy Eckard presented a motion from the Competitions Committee.

Proposed Motion: Adopting the policy that EN and the AERC website list the regional point standings of the top horse/rider teams regardless of whether they have completed the minimum number of mile requirements. The title would be "Regional Point Standings." The blurb underneath would include that riders are only eligible for year-end awards after completing 200 (senior), and 150 (junior) miles. The EN that lists the final year-end award winners would be called "Regional Points Champions" for that issue.

The website could have a line added under the current title of "awards championships, and point standings for the 2019 season" that states riders are eligible for year-end awards after <so many> miles.

Lisa Schneider made a motion to amend to change the word "horse" to "equine". Nick Kohut DVM seconded the motion. Motion passed.

Michael Campbell made a motion to amend the wording at the beginning of the motion to- "AERC adopts". Nick Kohut DVM seconded. Motion passed.

Mike Maul was concerned that there would be many names listed as ties in the first couple of issues each year in the Endurance News. Troy Eckard felt the AERC office could manage by perhaps putting it on the website if there wasn't room in EN.

Connie Caudill made a motion to amend the motion by removing Endurance News from the motion and to state the AERC website would list the standings. Lisa Schneider seconded. Motion passed.

The Board voted on the amended motion: AERC adopts the policy that the AERC website lists the regional standings of the top equine/rider teams regardless of whether they have completed the minimum number of mile requirements. The motion passed unanimously.

Troy Eckard presented a motion on behalf of the Competitions Committee. Proposed Motion: Rule 5 currently reads: "The ride must provide a specific amount of time (total competition time) which will include all stops and holds, and within which competitors must complete the ride to qualify for placing or completion."

The Motion would change the wording in Rule 5 and Appendix A referenced in Rule 5.2 to reflect that total competition time will exclude all stops and holds and granting competitors an additional maximum time of 2 minutes for each sanctioned mile added to the competition time to complete the course.

Monica Chapman read the feedback from the different committees, it was noted that both the Vet Committee and the Welfare of the Horse Committee opposed this motion. Discussion was held.

Tim Worden made a motion to amend the motion by replacing the word “will” to “may” exclude hold times. Troy Eckard seconded the motion.

More discussion was held then Vance Stine called the question, and Marcia Hefker-Miles seconded. Motion passed.

The vote was taken on the amendment. 6 Yes, 11 No and 1 Abstention. Amendment to the motion failed.

After further discussion on the original motion, Troy Eckard made a motion to postpone the vote on the motion until after the 40-45-mile motion was discussed and taken later during the meeting. Vance Stine seconded the motion. Motion passed unanimously.

Vance Stine and Troy Eckard presented another motion from the Competitions Committee. Proposed Motion: Adjusting the minimum requirement from 200 LD miles to 105 LD miles for a horse/rider team to be eligible for a regional LD award and to be listed in the standings in Endurance News and on the AERC website.

The Competitions Committee noted that awards for LD riders only represent a fraction of the awards. Overall LD starts make up 48% of the rider starts but they receive only 17% of the regional awards. Mollie Krumlaw-Smith said the Finance Committee felt with declining membership that we should be restructuring/streamlining the entire awards program. Many on the Board agreed but also felt with the participation being so high within the LD members that the awards should be better balanced. Some of the Board members felt four rides were not enough to warrant an award but it was pointed out that Endurance also had a four-ride minimum requirement.

Lisa Schneider made a motion to amend the motion. “AERC adjust the minimum requirement from 200 LD miles to 130 LD miles” and to also change the word “horse” to “equine”. Michael Campbell seconded. During the discussion, Naomi Preston made a motion to amend the amendment. To reduce the mileage to “100 LD miles”. Mike Maul seconded. Vote to amend the amendment passed with 12 Yes, 6 No.

Vote was held on the amended amendment to the motion which passed with 15 Yes, 2 No, 1 Abstention.

Troy Eckard made a motion to hold a Roll Call vote on the amended motion. Seconded by Marcia Hefker-Miles. Motion failed.

Amended motion: AERC adjust the minimum requirement from 200 LD miles to 100 LD miles for an equine/rider team to be eligible for a regional LD award and to be listed in the standings in Endurance News and on the AERC website. Passed with 14 Yes, 4 No.

With there being no objection, Monica Chapman rearranged the order of the agenda due to time constraints.

Vance Stine presented the Insurance motion on behalf of the AERC office. Proposed Motion: Increase current insurance limits.

Current limits are \$1 million per each occurrence, the new limits option would be the same. Current limits on the General Aggregate is \$2 million, and the new limit would be increased to \$3 million. The current limits on the Products/Completed Ops is \$2 million, which would increase under the new limits to \$3 million. Current limits on Personal & Advertising Injury is \$1 million and under the new limits would remain the same. Other limits would not change.

The increase of current limits has been recommended by AERC’s insurance carrier and the Executive Committee to cover potential losses in the future. The increase in premium is \$2,190.69, which will give additional protection for AERC. The current policy renews on 12/1/19. If we were to raise the coverage at this time to cover AERC until December 1, the premium would be \$1983. Vance Stine went on the explain that the new policy still caps each ride

at \$1 million but gives \$3 million overall coverage for AERC. Vance Stine answered several questions, one being can AERC increase each ride coverage to \$3 million? Vance Stine said the premium would be significant and currently only a couple rides have land management requirements for more than a \$1 million policy. Vance Stine was asked about losses and since he didn't have the information with him said he would bring the Board up to date at another time. Motion to increase the current limits passed unanimously.

Discussion was held concerning an email that the Board had received concerning adding the ride photographers on to the AERC insurance policy. Equisure's response was if the photographers have their own organization then they will need their own insurance. AERC's policy doesn't cover professionals such as farriers, vets, vendors, etc and it would not be in the best interest of AERC to cover them. AERC appreciates the photographers and encourages respect toward them. AERC encourages the ride managers to show them professional courtesy.

The ADA Policy discussion was conducted by Barbara Baris. The Americans with Disability Act was drafted to protect people with disabilities and to ensure individuals with disabilities are more fully included in society. The ADA applies to AERC because ride sites are places of exercise and/or recreation and as such are Places of Public Accommodations under the ADA. The ADA can be avoided if accommodation poses a significant threat to the health and safety of others, or if the accommodation would fundamentally alter the nature of the sport of endurance riding. Having an ADA policy is a good start, but we still need a procedure to enact it. If it is known in advance that a person with a disability is coming to your ride, then accommodations would need to be made on an individual basis.

There was a long discussion on the ADA and AERC's policy. A suggestion was made by Barbara Baris that the website may have a link where a rider could alert the ride manager that he or she will be attending their ride and need accommodation. The rider would have to give advance notice and a reasonable amount of time so ride management could prepare and make appropriate accommodations. We all need to be aware of how the ADA affects us.

Non-Discrimination Policy

The AERC does not discriminate on the basis of race, color, religion (creed), gender, gender expression, age, national origin (ancestry), disability, marital status, sexual orientation, or military status, in any of its activities or operations. We are committed to providing an inclusive and welcoming environment for all members and volunteers. Please contact the Executive Director of AERC if you need to discuss this policy any further.

Monica Chapman thanked Barbara Baris for attending the Midyear Board meeting and all the work that the Legal Committee has been doing.

Troy Eckard presented a motion from the Competitions Committee. Proposed motion: Establishing a Long Ride category for sanctioning 40- and 45-mile rides.

This motion is being made by the Competitions Committee to create a new category called Long Rides –sanctioned as 40 and 45 miles. The 40-mile Long Ride would be a minimum of 40 miles up to 47.4 miles. The Long Rides would have placings and would point-combine with the Endurance category so no new awards would need to be established, but with points prorated according to the mileage. This new category of rides would allow the sanctioning of 40 and 45-mile rides in areas where 50 miles are not practical, or 50 miles of trail are not available. This new category would increase and preserve trails that would otherwise not be used for rides. This category of rides would provide more options for Ride Managers to put on rides that are attractive to the membership. The committee felt that AERC and the membership will benefit as this motion will reduce the controversy and potentially allow for more rides at different distances.

The establishment of these Long Rides would require a bylaw change, but the establishment of this new category would help to eliminate the short 50-mile rides. The Board may want to consider allowing pioneer rides to have a

3-day minimum of 125 miles. This may possibly create more pioneer rides since some ride managers would consider doing more if they knew they did not have to find 50-mile courses.

Monica Chapman thanked the Competitions Committee, which she tasked with this issue. She stated that she didn't expect the Board to vote on this motion today but would like the Board to come up with ideas and solutions to discuss with our members and this motion starts the discussion. The Board and the membership need to understand the situation better, but we may all need to compromise. Monica Chapman reviewed feedback from the other committees. Mike Maul made a graph that showed average times of rides over the past 9 years are taking a little longer to complete. He felt that with the use of GPS's that many ride managers are responding by lengthening their rides. A thorough, lengthy discussion was held by the Board members on the merits of this solution for allowing rides with less mileage.

Marcia Hefker-Miles said she would like to see articles on this subject in the next three issues of Endurance News. She would like to see a survey put in the magazine where interested members could fill it out and send it in. She would like honest discussion on the possibility of awarding mileage (points) for whatever the distance may be. Naomi Preston felt communication is the key and the Board could come together to work through this to come up with solutions to discuss with our members. Most Board members felt that actual miles would be better solution than a separate category. Either way a bylaw change would be required and need approval by the members. Troy Eckard said there are many issues to be considered, such as regional differences, historical viewpoints come into play, as well as the bylaw change. He felt it would take time to make changes, but we need to start somewhere. The motion is not perfect but is a framework that is a start in dealing with the issue.

Monica Chapman would like the Competitions Committee to write a series of articles starting in September. The articles would need to review the history and why are we looking at making changes. Discuss the pros and cons, include surveys to get more input from our members.

Connie Caudill made a motion to send the motion back to the Competitions Committee to develop a framework to be brought back to the Board and membership. Tim Worden seconded. Motion passed.

Troy Eckard will send the Board an outline of this discussion from this meeting.

Troy Eckard made a motion to send the earlier postponed motion to exclude hold times from rides times back to the Competitions Committee to bring back in conjunction with the 40-45-mile motion. Seconded by Vance Stine. Motion passed.

Marcia Hefker-Miles presented the motion from the Education Committee. Proposed Motion: New Vision of AERC International Riding.

This resolution proposes that the AERC as an organization advocates and supports a profoundly different version of international endurance riding that is more consistent with the AERC mission and vision statements, much more horse welfare centric, motivating foreign riders to ride in AERC distances, and encouraging AERC members to endurance ride overseas. This new vision does not advocate a new international endurance organization, however. This new vision begins with the AERC, via a committee, serving as sort of a "clearing house." This motion specifically does not allocate funds to subsidize individual AERC members to ride endurance overseas or individual foreign riders to ride AERC rides.

Olin Balch DVM stated that they would create a list of contact names of riders wanting to have exchanges with other countries, this would be just a clearing house. Christoph Schork said that we can learn from other countries even though endurance riding started here.

Monica Chapman reviewed the comments from the other committees. Most thought this should have be referred to the International Committee. Jan Stevens read the report from the International Committee.

Connie Caudill made a motion to send the motion to the International Committee to work on and have them bring it back to the Board. Lisa Schneider seconded the motion. Discussion took place.

Marcia Hefker-Miles said it would be good to have the two committees come together and work on these ideas and to also include the two authors of the motion, Christoph Schork and Olin Balch DVM.

Marcia Hefker-Miles made a motion to amend the amendment: The Education Committee along with Olin Balch DVM and Christoph Schork will work with the International Committee on the motion. Christoph Schork seconded. Amendment passed.

Amended motion: The Education Committee, Olin Balch DVM, and Christoph Schork will work with the International Committee on this motion to bring back to the Board. Motion passed.

Mike Maul gave a PowerPoint presentation on rider starts so far this year. It showed that the Central Region has lost a lot of starting riders. Some of this was due to the weather. The MW Region was up in starting riders. Compared to last year, the NW has gained some starting riders. The SE remained steady but some were concerned with the break from USEF if starting riders decreases next year. Susan Kasemeyer felt it may only affect the 75- and 100-mile distances but she is hopeful it won't. We have had more cancellations with the fires, floods, trail conditions and weather in general. Kyra DeMartini will research the number of rides that have been canceled to date and report back to the Board. Monica Chapman asked the directors to analyze their region to find out if there is something they can do to help. The PS Region has two new rides sanctioned.

Monica Chapman led a discussion on several Governance issues. Nick Kohut DVM reviewed the policy on Board response to members' emails sent to the entire Board. The current President or the Executive Director will respond with a unified response. This doesn't prevent each Board member from responding but they need to clearly state that the response is from them and not from the Board.

Also discussed was Board member attendance at AERC meetings. AERC bylaws state that with two unexcused absences, the director may be removed from the Board. Monica Chapman asked how we want to proceed? It was agreed that when the Board member has missed three meetings that a letter be sent, saying something like, it has come to our attention that you have missed three AERC Board meetings. It was also agreed that absent members be recorded by name in the meeting minutes, even the unexcused. Directors have a duty to attend the meetings and it is expected from the membership. Monica Chapman asked if we want to continue having the face-to-face Midyear Board meetings, and should we look at the size and structure of the Board? The Midyear meeting costs AERC approximately \$3,500. It was suggested that if a Board member doesn't attend both Midyear and Convention meetings, then that person would receive only half of the stipend. The sense of the Board was all were in favor of continuing with both the Midyear and Convention meetings. Some new members felt it would be time wasted that could be conducted on Zoom just as well but after this meeting, they saw that some good robust discussions were held that couldn't be done over the phone.

Nick Kohut DVM read the report on drug testing from the Vet Committee. Monica Chapman read an email that Jay Mero DVM had sent to share with the Board. USEF and AERC Legal Committees have had discussion on the ending date of the current USEF drug testing program. Monica Chapman contacted USEF to ask them to alert AERC as to when the testing is to end. Currently there is no definitive answer. The Board had a lengthy discussion on the drug testing plan that was presented from the Vet Committee. The Board will need a detailed motion from the Vet Committee, which will need review from the Legal and Finance Committees before coming to the Board. The following are some things the Board discussed for the drug testing plan.

1. To prevent the perception of conflict of interest, the line vets or treatment vet should not be used for testing. (AERC vets not working the ride could be hired for testing.)
2. The Board approves the idea of not having a contract with the lab.
3. Keep the current selection policy in place: First place tested in at least one distance when possible and nondirected method of testing on all others.

4. Include the chain of custody in the motion.
5. Would like to see a testing kit from the lab.

Troy Eckard would like to see the written plans for using our own AERC vets and also for using third party vets. Monica Chapman thanked Jay Mero DVM and the Vet Committee for all the work that has been done on the drug testing program. She will take the Board's concerns to Jay Mero DVM and ask her to bring a Drug Testing Plan in the form of a motion to the Board.

Monica reviewed the action items from previous meetings.

Monica Chapman directed the Strategic Planning groups to hold a break-out session to further discuss and complete their implementation and metric plan. This session lasted an hour.

Monica Chapman thanked everyone for a productive day.

At 8:55 pm, Susan Kasemeyer made a motion to adjourn, seconded by Lisa Schneider. Motion passed.

Respectfully submitted by Connie Caudill