

## October 10, 2022 AERC Board meeting minutes

President Nick Kohut DVM called the meeting to order at 8:05 p.m. E.T.

Board members present were Olin Balch DVM, Connie Caudill, Jessica Cobbley, Monica Chapman, Gunnar Frank, Susan Garlinghouse DVM, Bridget Helms, Dawn Hilliard, Susan Kasemeyer, Mollie Krumlaw-Smith, Bob Marshall DVM, Mike Maul, John Parke, Maribel Paulson, Naomi Preston, Tami Rougeau, Lisa Schneider, Christoph Schork, Kelly Williams-Stehman, Jan Stevens, Vance Stine, Laurie Underwood, Tim Worden. Also present, Executive Director Kathleen Henkel and Legal Committee member, Barbara Baris.

Connie Caudill made a motion which was seconded by Vance Stine to excuse Stephanie Palmer-DuRoss due to a work conflict and to excuse Kelly Williams-Stehman who will be leaving the meeting early due to a scheduling conflict. Motion passed.

Linda Rudolphi was absent.

A motion to accept the revised agenda was made by Susan Kasemeyer, seconded by Christoph Schork. Motion passed.

Susan Kasemeyer moved to approve the minutes from the September 12, 2022 meeting. Monica Chapman seconded. Motion passed.

Kathleen Henkel provided the membership report.

Membership as of 10/8/2021	4677
Membership as of 10/7/2022	4515
Sanction fees 10/7/2021	\$11,195
Sanction fees 10/7/2022	\$12,240
Rider fees 10/7/2021	\$46,038
Rider fees 10/7/2022	\$44,581
New members as of 10/8/2021	665
New members as of 10/7/2022	596

Motion – Trails and Land Management Committee regarding Wayne National Forest/Elkins Creek Dawn Hilliard presented a motion from Trails and Land Management Committee regarding Wayne National Forest/Elkins Creek. The motion, as presented, was:

The Trails and Land Management Committee moves that AERC, using designated Trails Grants, assist in funding a portion of the Kimble Loop project in the Wayne National Forest, Ironton District (Elkins Creek, Ohio). Funds requested: Up to \$4,000.

This request is coming from OAATS (regional distance riding organization), Elkins Creek Horse Club

(trail maintenance organization), Elkins Creek Horse Camp (landowner), and the Wayne National Forest Ironton District land managers. The funds would off-set the cost of renting machinery as well as purchasing some minimal materials to repair a 3-mile section of trail damaged by illegal quad use. The cause of the damage has been resolved so trail repairs can be made now, allowing time for the work to settle over winter. Work to begin fall of 2022. These groups have already raised funds for \$10,000 in materials, which are in-hand.

This trail system hosts two long-standing AERC rides, including one with a 100-mile distance. This group hosted an AERC Trail Master class in 2016 and the project involves 4 AERC Trail Masters. The requesting organizations provided over 8,000 hours of volunteer work last year alone. The ride manager has a 5-year permit for her rides, showcasing her ongoing involvement with the local land managers.

Motion from committee passed with one abstention.

#### Motion – Rules and Bylaws Committee to Revise the Junior Emergency Sponsor Rules

Laurie Underwood presented a motion for discussion from the Rules and Bylaws Committee. The committee has received input from various committees and would like to receive further input from the Board before final revision and voting on this rule revision. The motion, as presented for discussion, was:

#### REVISED RULES 10, 10.4 and 10.1.4.2

10. All Junior riders must be accompanied by an adult (18 years or older) through the completion of the ride. The Junior and sponsor must ride together at all times, including entering and leaving all control checks at the same time; the only exception being that at the finish a Junior may finish within the same minute or within one minute on either side of the sponsor's finishing minute.

10.4 The sponsor must be an adult and must be duly entered as a competitor in the event and sponsorship must be documented on the Junior entry form complete with sponsor signature, at the time sponsorship begins.

10.4.1.2 In the event that the pre-registered sponsor of the Junior is pulled, and if the Junior is the last place rider and no other willing entered adult sponsors are available, the Junior may be sponsored by an un-entered adult rider through the completion of the ride with ride management and control judge approval. The Junior would receive last place junior points. The un-entered sponsor will receive no credit for mileage or points. The Junior may also be sponsored by an adult on foot with the approval of ride management.

As background, at a recent ride, a junior rider lost their sponsor in the middle of the ride with multiple loops left to complete. The junior was the last place junior rider but not the last place rider overall. The adults remaining in the ride declined to sponsor the junior. An interpretation of the current version of Rule 10.1.4.2 led multiple people associated with the ride to mean that the junior could be sponsored by an adult for the remainder of the ride due to their status as "the last place junior rider." The interpretation was informed in part by the last sentence of Rule 10.1.4.2 which currently reads "The Junior may also be sponsored by an adult on foot **from the last control check** with the approval of ride management." (Emphasis added.) The current rule does not include "from the last control check" when it speaks to a mounted sponsor. This rule requires refinement and clarification to clearly set forth what we now understand to be the original intent of the rule which was to not penalize the junior who was also the last place rider due to elimination of their sponsor.

After a lengthy discussion, several thoughts that were laid out, including the addition of a requirement, to ensure horse welfare, that the un-entered sponsor's horse be examined by a control judge as if the horse was competing in the ride, and reasons the Junior should receive a completion only. Nick Kohut DVM remanded the motion back to the Rules and Bylaws Committee for further clarification. Laurie Underwood stated the committee would work on further revisions and send it out to the various committees for comments. The Rules and Bylaws Committee will bring the revised rule to the Board for a vote in a future meeting.

#### Continuation of Trademark Discussion.

Mollie Krumlaw-Smith was asked how this expenditure fits into the budget. She stated that it was ultimately the Board's decision to spend the funds but felt if we could get it done for \$5,000 that it would be worth it. The cost was estimated to be between \$3,000 - \$5,000 but could increase depending on how many items are included in the application, or other issues that may arise. AERC's logo, name, acronym and the motto "To finish is to win" were all mentioned as items which would potentially be trademarked. If AERC were to trademark the brand nationally, it would be easier to defend against unauthorized use.

Connie Caudill made a motion to authorize up to \$5,000 to engage the law firm of Delfino Madden to apply for registration. The Board would be informed of additional amounts if necessary. Motion was seconded by Laurie Underwood. Motion passed with one abstention and one no vote.

#### Strategic Plan updates

Nick Kohut DVM, spoke for the Governance Group which has been meeting monthly. Kathleen Henkel will be putting together job requirements for each position in the office. The group also discussed the IT backup recovery disaster plan.

Monica Chapman spoke on behalf of the Trails Group. They were supposed to have the MOU with the forest service but it got bumped back by three weeks. They didn't feel it would be a problem with getting it completed. Monica plans on having the spreadsheet with the ride information completed by the end of next week.

#### Executive Session

John Parke moved to go into executive session at 8:52 p.m. to discuss a legal matter and office staff payroll. Seconded by Susan Kasemeyer. Motion passed.

Susan Kasemeyer made a motion which was seconded by Lisa Schneider to come out of executive session at 9:34 p.m. Motion passed.

#### Discussion Regarding Formation of Ethics Committee

Nick Kohut DVM, apologized for the lateness of bringing the idea of an Ethics Committee to the board and because of the short notice asked for discussion only on the idea of forming one. He is proposing the formation of an Ethics Committee which will have the charter below:

The purpose of the Ethics Committee is to accept and evaluate any complaints against AERC Board Members and/or Committee Chairs as pertains to ethics as specified in the AERC Board Ethics document. Any AERC member may file a complaint about an AERC Board Member or Committee Chair directly with the Ethics Committee. The Ethics Committee has the power to investigate the complaint as it sees fit. The Ethics

Committee may decide whether or not to engage the P&G Committee and/or the Legal Committee. The Ethics Committee will make recommendations to the board regarding the disposition of any such complaint.

The Ethics Committee shall be composed of 5 non-board/non-committee Chair AERC members appointed by the President of AERC and approved by the AERC Board of Directors. AERC Board members, committee chairs and their immediate family members are specifically excluded from membership on the Ethics Committee. The president will strive to include Ethics Committee members from a variety of AERC regions.

As per Bylaw 11.01, he would like to nominate Michael Campbell to chair this committee.

The discussion primarily involved three concerns:

1. The need for such a committee.
2. What types of matters the Committee might investigate, to include examples?
3. Should the chair be less familiar to the Board members?

No consensus was reached concerning the formation of the committee. The discussion will continue in a future meeting.

John Parke moved to adjourn at 9:49 p.m. Seconded by Susan Kasemeyer. Motion passed.

Respectfully submitted by Connie Caudill.