

## December 11, 2023 AERC Board meeting minutes

President Nick Kohut DVM called the meeting to order at 8:02 p.m. EST.

Board members present were Connie Caudill, Monica Chapman, Gunnar Frank, Maureen Fehrs DVM, Susan Garlinghouse DVM, Dawn Hilliard, Bridget Helms, Susan Kasemeyer, Eric Rueter, Nick Kohut DVM, Mollie Krumlaw-Smith, Bob Marshall DVM, Mike Maul, Jessica Cobbley, Naomi Preston, Olin Balch DVM, Maribel Paulson, Lisa Schneider, John Parke, Kelly Williams-Stehman, Vance Stine, Jan Stevens, Laurie Underwood, and Tim Worden. Also present were Troy Smith and Legal Committee members Dee McDonald and Barbara Baris.

Connie Caudill made a motion to accept the revised agenda, Lisa Schneider seconded. Motion passed unanimously.

Susan Garlinghouse DVM moved to approve the November 13, 2023, minutes, seconded by Susan Kasemeyer. Motion passed with three abstentions due to those Board members being absent at the meeting.

Susan Garlinghouse DVM made a motion to excuse Olin Balch DVM meeting (family emergency) and Melissa Ribley DVM (out of the country) from the November 2023 meeting. The motion was seconded by Lisa Schneider and passed unanimously.

Stephanie Palmer-DuRoss was absent.

Nick Kohut DVM announced the regional director election results for the Pacific South and Central regions. In the Central region - Bruce Burton and Khristin Seymore-Norsworthy, and in the Pacific South region - Marci Cunningham and John Parke were elected.. Nick Kohut DVM also advised the Board that Central region director Monica Chapman and Northwest region director Jessica Cobbley did not seek re-election but Regina Rose has stepped up to that position.. Nick Kohut DVM thanked Gunnar Frank, Lisa Schneider, Jessica Cobbley and Monica Chapman for their services and expressed his desire that they continue to work on committees even though they will not be on the Board.

Kathleen Henkel will provide the Board with the December 2023 statistical report at a later date.

### Motion from the Horse Welfare Committee to Suspend the Membership of Solstice Pecile

Nick Kohut DVM presented the motion of the Horse Welfare Committee to suspend the membership of Solstice Pecile. The motion reads as follows:

The Horse Welfare Committee moves to suspend the membership of Solstice Pecile and to bar her from entering or participating in any capacity in any AERC event during the term of the suspension. We are informed that the Ontario Competitive Trail Riding Association (OCTRA) has suspended Pecile from participating in their events for a period of 5 years in accordance with the court's sentence. We recommend that AERC suspend Pecile's membership for 5 years in accordance with the sentence of the court.

Article 5.10 of the Amended Bylaws and the full Code of Conduct are attached as supporting materials to this motion.

### Background

This motion is to suspend the membership of AERC member Solstice Pecile in accordance with the provisions of Article 5.10(b) of the Amended Bylaws of AERC dated June 21, 2021, for violation of Article 5.10(a)(5) of the Amended Bylaws and for violation of the multiple provisions of the Code of Conduct.

In November 2022, AERC received multiple complaints of animal abuse against NE region member Solstice Pecile (then of Petersborough, Ontario, Canada) after a YouTube video of a horse being dragged behind a motorized vehicle, along with video of the horse standing with its hind feet wrapped and in pools of blood while being scolded by an unseen person was posted to social media. Neither video showed the person dragging the horse. Canadian authorities investigated the complaint and ultimately charged Solstice Pecile with “causing distress to an animal under Section 15 (1) of the Provincial Animal Welfare Services Act.”

A court proceeding was held on September 15, 2023, in the Canadian courts. Ms. Pecile did not attend the hearing, but her attorney entered a guilty plea on her behalf to “causing distress to an animal under the Provincial Welfare Services (PAWS) Act”. The court found Ms. Pecile guilty, fined her \$2,500, placed her on probation under the PAWS Act and forbade her from having “custody, care or control of any horse in Ontario for a five-year period.” Further, Ms. Pecile is “also not permitted to participate in any operation or business involving horses such as breeding, sales, rescue, fostering and more.”

The notice of the motion was sent to Ms. Pecile by first class mail with receipted delivery and by email. Ms. Pecile acknowledged receipt of the notice, waived her right to appear and stated that she would accept whatever penalty the AERC Board decided.

Motion passed with two abstentions.

### 2023 Budget Review and 2024 Budget Presentation

Mollie Krumlaw-Smith reviewed AERC’s financial statements for fiscal 2023. AERC made \$14,000 from operations, though final numbers from 2023 are not yet booked. This was significantly favorable to budget due to savings on the production of Endurance News, cash donations of \$11,000, only having two staff members for part of the summer, and the profitability of the convention. AERC’s overall net income was \$239,000. Mollie Krumlaw-Smith emphasized this was directly related to our receipt of \$182,000 in trail donations and reminded us that all donations must be recorded as income. \$165,000 of the amounts received for trails donations were received from the Estate of Julie Jackson and are restricted to trail work done specifically in the Midwest region. Other recorded income was from other donations and the timing of drug testing fees and insurance fees.

Mollie Krumlaw-Smith also reviewed the budget for 2024 and showed line items we continue to work to improve to get to a break-even basis for 2024.

### Executive Session

John Parke made a motion at 8:40 p.m. to go into executive session for discussion of office staff pay increases, seconded by Mollie Krumlaw-Smith. Motion passed.

Vance Stine moved to come out of executive session at 8:54 p.m., seconded by Monica Chapman. Motion passed.

### Budget Motion

John Parke made a motion to approve the budget, excluding office staff pay increases, (which will be discussed in the January meeting) seconded by Vance Stine. Motion passed unanimously.

#### Strategic Plan updates

Mollie Krumlaw-Smith stated the AERC Legacy Foundation (ALF) will send out statements next week. Alf currently has \$26,172.05 in its savings account. The funds will start investing once they reach \$40,000. Bank fees have been negotiated and were waived.

#### Action items

1. Kathleen Henkel to send the AERC logo, AERC's motto "To Finish is to Win" and Endurance News to attorneys for trademark investigation. Update on 6/14/2023 - The attorney is currently researching. Update 11/13/2023 – Everything is in the hands of the attorneys.
2. John Parke will write a more expansive Conflict of Interest policy. Update 12/11/2023 – pending.
3. John Parke will write a revised policy that limits the authority of the executive committee and Executive Director to enter into contracts. Update 12/11/2023 – pending.
4. Diane Rowley will work with the office on revising the protest submission form. Update on 11/13/2023 - Kathleen Henkel and Diane Rowley will work on this. Update 12/11/2023 - Completed

Susan Kasemeyer made a motion to adjourn at 9:06 p.m. which was seconded by Laurie Underwood. Motion passed.

Respectfully submitted by Connie Caudill

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