

Summary of Motions

March 9 and 30, 2022

ApHC Board of Directors

Regular Board ZOOM meeting

These motions are in draft form (unapproved) and will be finalized, published, and distributed in accordance with Article IV, Section 9 of the Bylaws of the Appaloosa Horse Club and ApHC Rule 70

Those Board members in attendance for all or part of the 2022 Board of Directors regular meeting March 9, 2022 were Deb Dyer, Leslie Foxvog, Daylene Williams, Ken Johnson, Ray Burchett, Sean Schembri, Kevin Griner, Alison Phillips, Dave Parlier, Luke Northway, Kama Urton, and Lori Wunderlich. ApHC officers and staff present in person for all or part of this meeting were Executive Secretary, Lynette Thompson; ApHC Marketing Department, Dee Dee Douglas; ApHC IT Department Dave O'Keefe and 10 ApHC members

Motion 01-03/09-2022

The 2022 ApHC Board of Directors moves add the Appaloosa Ranch Riding Association (ApRRA) as an approved affiliate organization of the ApHC and to recognize them as such in rule 402.

Motion made by Ray Burchett, seconded by Sean Schembri.

Motion passed unanimously. (Alison abstained as she is on the board of the ApRRA)

Motion 02-03/09-2022

The 2022 ApHC Board of Directors moves to publish the Appaloosa Journal quarterly beginning with the January-March 2022 and to re-access this decision in the fall of 2022.

Motion made by Ken Johnson, seconded by Sean Schembri.

Motion passed unanimously.

Motion 3-03/09-2022

The 2022 ApHC Board of Directors moves to approve the North Carolina Appaloosa Club as a regional club of the ApHC when they provide the office with their approved by laws and officers.

Motion made by Kevin Griner, seconded by Sean Schembri.

Motion passed unanimously.

Motion 4-03/09-2022

The 2022 ApHC Board of Directors moves hold the 2022 ApHC Board of Directors election beginning October 1, 2022 at 8 am Pacific time and continuing through October 31, 2022 at 8 pm Pacific time.

Motion made by Sean Schembri, Seconded by Alison Phillips

Motion passed unanimously.

Motion 5-03/09-2022

The 2022 ApHC Board of Directors moves to ask the Appaloosa Foundation and the Appaloosa Youth Association for a report from each that provides information on how they distribute the money donated to them and what their accounts hold.

Motion made by Ken Johnson, Seconded by Daylene Williams

Motion passed unanimously.

Motion 6-03/09-2022

The 2022 ApHC Board of Directors moves to continue this meeting until March 30, 2022 at 2 pm Pacific.

Motion made by Deb Dyer, seconded by Kama Urton.

Motion passed unanimously.

ApHC Board of Directors meeting reconvened March 30, 2022

Motion 7-03/30-2021

The 2022 ApHC Board of Directors moves approve Motion 5-12/22 2021. (New wording in blue highlight and strikeouts.)

Rule # 20. Disciplinary Procedures.

D. **COMPLAINT.** A complaint of possible or alleged violation(s) by a member or non-member of any bylaw, rule or regulation, decision or policy of the ApHC must be processed as follows:

1. A written complaint, which must be dated and signed, must be submitted by a member, ApHC director or ApHC employee, to the ApHC Executive Secretary and/or the ApHC President, and state the specific bylaw, rule or regulation, decision or policy alleged to have been violated and the person(s) allegedly responsible for such violation(s). Any member filing a complaint, except ApHC directors or employees acting in that capacity, shall be required to pay a filing fee of \$250 to defer costs of hearing.

2. **The Executive Secretary or President will refer the complaint to the Disciplinary Committee for review.** The complaint must set forth prima facie evidence in support of any allegation. The individual(s) filing the complaint will be required to present testimony and/or evidence at a hearing, if a hearing is deemed necessary by the ApHC, **Disciplinary Committee**, or the complaint may be dismissed by the Disciplinary Committee.

3. ~~The ApHC Executive Secretary and the ApHC President will have the authority, but are not required, to investigate the allegations of a complaint.~~ Full disclosure of the complaint will be made to the person(s) charged with such violation(s) prior to any disciplinary action. In the case of a complaint involving a youth member, either as complainant or person charged, an investigation must take place, and the evidence be reviewed by the ~~ApHC Executive Secretary, the ApHC President or the ApHC Vice President~~ **Disciplinary Committee.**

4. ~~A majority of the Executive Secretary, ApHC President, and ApHC Vice President~~ **The Disciplinary Committee**, with advice from ApHC legal counsel, shall determine if prima facie evidence has been presented in the complaint sufficient to warrant a hearing. ~~before the Disciplinary Committee.~~ If such prima facie evidence has not been so presented, the complaint will be dismissed. The ~~Executive Secretary, ApHC President, and the ApHC Vice President~~ **Disciplinary Committee** may agree to assess against the person filing the complaint costs, including attorney fees, incurred by the ApHC in reviewing any frivolous or unfounded complaint. Complainant will be so notified but shall have a right to resubmit

the complaint with new or additional evidence up to ninety (90) days from the date of the dismissal of the original complaint otherwise complainant will have no right to resubmit the complaint.

5. If it is determined that sufficient prima facie evidence has been presented, the Executive Secretary will cause notice of the hearing to be given to the charged member or nonmember as provided in rule 20.E.1. In such cases involving alleged violation(s) of any ApHC rule(s) pertaining to administration of a forbidden substance, notice of hearing shall be given and the hearing shall occur as close to 30 days after notice is given as is possible under the circumstances. Either the Disciplinary Committee or the Executive Secretary, upon instruction by the Disciplinary Committee, is authorized to issue the Disciplinary Committee's written decision by notice to the parties.

a. If two or more complaints are filed concerning the same incident, prima facie evidence presented by the complaining parties may be reviewed in order to determine the validity of any such complaints and the hearing(s) related to any such complaints may, at the ApHC's discretion, occur simultaneously.

6. The Executive Secretary, with approval from ~~the ApHC Executive Committee~~ **Disciplinary Committee**, shall have the authority of the Disciplinary Committee to enter into an appropriate agreement, including the imposition of sanctions and penalties called for under these rules, in the best interests of the ApHC settling and/or compromising and satisfying a complaint before any such complaint is heard by the Disciplinary Committee.

7. ~~The Executive Committee or~~ The Disciplinary Committee shall have authority to enter into an appropriate agreement at any stage of these proceedings, in the best interests of the ApHC, settling and/or compromising and satisfying the complaint. A complainant may withdraw a complaint at any time, forfeiting all fees and costs for the complaint, and may also be subject to assessment of the costs of hearing the complaint, including attorney fees in reviewing any frivolous or unfounded complaint.

8. Any agreement entered into under Rules 20.D.6. & 20.D.7. shall not be binding and effective until executed by Executive Secretary, ~~the ApHC President~~ on behalf of the ~~Executive Committee~~ **Disciplinary Committee**, and all affected parties.

E. HEARING PROCEDURES

1. Written notice of the date, time and location of a hearing, together with a description of the violation charged and accompanying statement of evidence shall be mailed to the charged member or nonmember not less than thirty (30) days prior to the hearing.

2. All disciplinary hearings will be held at the offices of the ApHC in Moscow, Idaho or as specified by the Disciplinary Committee. Any person participating in a hearing, including Disciplinary Committee members, persons charged, counsel and witnesses may appear at the hearing in person by way of teleconferencing. Any person appearing by teleconferencing shall notify the Executive Secretary in writing at least ten (10) days before the hearing and include a telephone number at which they can be reached at the time set for hearing.

3. Any interested person may submit a written, verified statement to the Disciplinary Committee prior to the hearing that shall be made part of the hearing record.

4. No continuance will be granted unless requested in writing and received in the ApHC office at least ten (10) days before the hearing and good cause is shown. A continuance will be granted or denied at the sole discretion of the ~~President~~ **Disciplinary Committee**.

8. The decision of the Disciplinary Committee will be final. (added under Motion 11/12/22)

Motion made by Kevin Griner, seconded by Ken Johnson.

Roll call:

Kama Urton-- YES
Leslie Foxvog—YES
Daylene Williams--Absent
Ken Johnson--YES
Ray Burchett--NO
Alison Phillips--YES
Sean Schembri--YES

Kevin Griner--YES
Christina Ottersbach--Absent
Dave Parlier--YES
Luke Northway--YES
Deb Dyer--YES
Lori Wunderlich—YES

Motion passes

Motion 8-3/30-2022

The 2022 ApHC Board of Directors moves use rule 70 to approve **Motion 7-03/30-2021** immediately.

Motion made by Kevin Griner, seconded by Ken Johnson.

Roll call:

Kama Urton-- YES
Leslie Foxvog—YES
Daylene Williams--Absent
Ken Johnson--YES
Ray Burchett--NO
Alison Phillips--YES
Sean Schembri—NO

Kevin Griner--YES
Christina Ottersbach--Absent
Dave Parlier--YES
Luke Northway--YES
Deb Dyer--YES
Lori Wunderlich—YES

Motion passes

Motion 9-03/30-2022

The 2022 ApHC Board of Directors moves to approve the following change to rule 601G

to allow two (2) separate regional clubs to hold an event hosting four (4) judges at the same facility, provided that those events are held consecutively at the same venue and do not hold any classes concurrently.

Motion made by Sean, seconded by Dave Parlier.

Roll call:

Kama Urton-- YES
Leslie Foxvog—NO
Daylene Williams--Absent
Ken Johnson--NO
Ray Burchett--NO
Alison Phillips--NO
Sean Schembri—YES

Kevin Griner--YES
Christina Ottersbach--Absent
Dave Parlier--YES
Luke Northway--NO
Deb Dyer--YES
Lori Wunderlich—YES

Motion passes

Motion 10-03/30-2022

The 2022 ApHC Board of Directors moves to approve **Motion 9-03/30-2022** immediately.

Motion made by Kevin Griner, seconded by Sean Schembri.

Roll call:

Kama Urton-- NO
Leslie Foxvog—NO
Daylene Williams--Absent
Ken Johnson--NO
Ray Burchett--NO
Alison Phillips--NO
Sean Schembri—YES

Kevin Griner--YES
Christina Ottersbach--Absent
Dave Parlier--YES
Luke Northway--NO
Deb Dyer--YES
Lori Wunderlich—YES

Motion failed

(Motion sent to Rules committee for rewording)

Motion 11-03/30-2022

The 2022 ApHC Board of Directors moves not to grant the request from Sweden to allow horses to be shown at their ApHC via video.

Motion made by Ken Johnson, seconded by Dave Parlier

Motion passed unanimously

Motion 12-03/30-2022

The 2022 ApHC Board of Directors moves give seed money of \$750 to Alison Phillips for the virtual horse show she is going to hold.

Motion made by Kevin Griner, seconded by Kama Urton

Motion passed unanimously

Motion 13-03/30-2022

The 2022 ApHC Board of Directors moves to enter into a contract with Intelliscan to oversee the 2022 ApHC Board of Directors election.

Motion made by Ken Johnson, seconded by Dave Parlier

Motion passed unanimously

Next ApHC board meeting scheduled for April 11, 2022 2 pm Pacific

Motion 14-03/30-2022

The 2022 ApHC Board of Directors moves to adjourn at 12:45 pm Pacific.

Motion made by Ray Burchett, Seconded by Sean Schembri

Motion passed unanimously.