


# THE *work* HORSE

OFFICIAL NEWSLETTER OF THE KENTUCKY EQUINE  EDUCATION PROJECT

**Horses  
work  
for Kentucky.**

## “HORSES WORK FOR KENTUCKY” NOW A FACEBOOK GROUP

The age of Internet communication is upon us. There are more ways to keep in touch and share information than ever. For those of you not familiar with FACEBOOK, it is “an online social utility that connects people with friends and others who work, study and live around them. ... Facebook helps you connect and share with the people in your life.” Facebook is a free service that is extremely fun to use.

According to ComScore, Facebook is the leading social networking site based on monthly unique visitors, having overtaken main competitor MySpace in April 2008. ComScore reports that Facebook attracted 132.1 million unique visitors in June 2008, compared to MySpace, which attracted 117.6 million.

KEEP has joined this interactive community. The Facebook Group “Horses work for Kentucky” is a group for KEEP members, or those interested in Kentucky’s Horse industry, to communicate and get information. Visit [www.facebook.com](http://www.facebook.com) and look for our group and join. In Facebook groups you can write on the “wall,” share photos, take part in the discussion board and look at upcoming events.

In addition, KEEP will soon be launching a youth council Facebook group as well as one for their County Team Leaders.

This is an opportunity for the KEEP Community to join together and communicate in a whole new way on the world wide web.

facebook

&

**Horses  
work  
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KENTUCKY EQUINE  EDUCATION PROJECT

# BESHEAR PRESENTS AGRICULTURAL FUNDING TO WKU

Gov. Steve Beshear recently, presented Western Kentucky University officials with funding for research into a product that could be used to protect horses and livestock from serious disease.

Beshear was on WKU's campus to present a ceremonial check for the WKU Research Foundation in the amount of \$26,257 in Kentucky Agricultural Development Funds. The funds will support research conducted on the effects of using a surplus dairy product, Re-borne, to protect horses and other livestock from diseases that negatively impact mortality rates.

The product is being developed by Simpsonville-based Re-borne Inc.

"Research and development is a very important component to increasing the productivity in our agriculture industry," said Gov. Beshear. "I commend my fellow members of the Kentucky Agricultural Development Board for their decision to fund this forward-thinking project. The research collaboration between WKU and Re-borne Inc. will have the potential to enhance all livestock production and provide additional revenue for dairy producers."

Re-borne is being used as a test product across the United States as an equine supplement, primarily for the thoroughbred racing industry.

Re-borne Inc. will be working with dairy producers across the state to access the waste from animals – called colostrum - which will then be processed into a product that is intended to protect horses, cattle and swine from disease, stimulate growth and improve mortality rates.

Sen. Joey Pendleton said this effort in a great opportunity for animal agriculture in Kentucky.

"Our state will be a leader in colostrum-based products due to the extensive research and development taking place," Pendleton said.

Dairy farmers use colostrum to provide immunity and growth support for their own calves because it is rich in antibodies, natural growth factors and nutrients. Re-Borne Inc. will process surplus colostrum and provide it with a long shelf life. It is stored in a refrigerated state and is intended to improve the overall health and production of equine, cattle and swine.

WKU's Agriculture Department will be conducting additional studies on how to make the Re-borne product more viable for consumers. Dr. Jenks Britt will lead two separate research projects designed to test the effectiveness of Re-borne in bolstering the immune system and dramatically improving weight gain of calves and swine in the early and finishing stages of production.

Dr. Blaine Ferrell, dean of WKU's Ogden College of Science and Engineering said, "We are very pleased that the Kentucky Agricultural Development Board and Re-Borne, Inc., will be using Dr. Jenks Britt's expertise to test this product at our Cattle Evaluation Facility.

"WKU takes seriously the statewide strategy for economic development that calls on universities to serve as research and development catalysts for start-up companies, and Dr. Britt is excited to help Re-Borne test its product and develop its company in Kentucky."



## WHAT'S HAPPENING AT THE HORSE PARK



### Kentucky Unbridled Spirit Gift Cards



Here is the perfect gift for any occasion. Gift cards are used just like credit cards at the Kentucky Horse Park, the Kentucky Artisan Center and all the Kentucky State Parks. It offers a unique way to give the gift of great history, great champions, great arts and crafts and great getaways in the state of Kentucky. They can be used year-round. You can re-deposit money in your gift card account at any time so your gift card can be used repeatedly. Purchase yours from the KHP Gift Shop by stopping by, or calling 877-711-2110 or on-line at [www.kygiftshop.com](http://www.kygiftshop.com).

### “Museum Walk Through” of New Arabian Horse Galleries Now Online

A complete Online Museum walk through for the new Arabian Horse Galleries, a two-level, 8,000 square foot interactive museum dedicated to the Arabian horse being constructed in the International Museum of the Horse at the KHP, can be seen on [www.ArabianHorseGalleries.com](http://www.ArabianHorseGalleries.com).

This narrative offers visitors an in-depth peak at the museum storyline and evolving possibilities for the dazzling encounters, both historic and interactive, that visitors of all ages will enjoy in the future Arabian Horse Galleries. The Online Museum Walkthrough allows visitors to virtually “walk through” over 30 different exhibits by creating pictures with words, and includes comprehensive descriptions of each Theme Area, exhibits, history and kids attractions. While this online experience is a working document nearing the end of its completion by museum designers, key leaders in the Arabian Horse Galleries project desired to release it as public information to share a taste of the sensory experience the Arabian Horse Galleries creates. The Arabian Horse Galleries is expected to open in the summer of 2009.



### Professional Horseman's Course

The KHP's Education Department is offering a unique educational opportunity unequalled by other equine schools. In the Professional Horseman's Course, Jan 12-Apr 30, students will have the opportunity to study and work with more than 30 breeds of horses at the KHP while acquiring the knowledge and skills to launch productive careers in the equine industry. This not only challenges the students with a wide variety of activities but also broadens their overall level of equine understanding.

Classes in stable management and grooming, anatomy and health science, employee skills and attitudes, and skills unique to the worlds of competitive carriage driving, the disciplines of the 2010 Alltech FEI World Equestrian Games and the Thoroughbred and Standardbred racing and breeding industries will be presented.



Through a comprehensive curriculum, the students will learn the theory behind their skills. Starting with the first day, they will work closely with professionals of the industry as well as the horses in order to become aware of what will be expected of them after graduation. Exposure to all areas of the horse industry will be provided through field trips, guest lectures, with a diversified and qualified staff of instructors and through part-time work opportunities.

Tuition for the 3 ½-month course is \$2000. Space is limited so early registration is encouraged. For more information, contact Laurie Brown at 859-259-4290 or [lbrown@kyhorsepark.com](mailto:lbrown@kyhorsepark.com).

## Test Events Scheduled For Alltech FEI World Equestrian Games

The World Games 2010 Foundation today announced it will hold a series of test competitions to prepare for the world championships coming to the Kentucky Horse Park in 2010 at the Alltech FEI World Equestrian Games.

The competitions, each named "The Kentucky Cup," will begin in 2009 and run through the 2010 Rolex Three-Day Event. All events will be held at the Kentucky Horse Park. The schedule is as follows:

DATE	DISCIPLINE	COMPETITION LEVEL
July 15-20, 2009	Reining	CRI****
July 28-August 2, 2009	Vaulting	CVI*/**
September 28-30, 2009	Endurance	100K CEI**/**
October 1-4, 2009	Driving	CAI-A
April 20-25, 2010	Eventing, Jumping, Dressage	CCI****, CSI, CDI**

The final test event for the 2010 Alltech FEI World Equestrian Games will be held in conjunction with the Rolex Kentucky CCI\*\*\*\*. This event will combine tests for the Dressage, Eventing and Jumping competitions of the Games. The Rolex Kentucky CCI\*\*\*\* will be the cornerstone of the combined event, which will be flanked by Dressage and Jumping test events in the days leading up to and the evenings during the Rolex event.

These Kentucky Cup competitions will allow us to test each of our competition facilities well in advance of the 2010 Games, and will give us the opportunity to make modifications and adjustments in our planning based on these tests," said Competition Director Kate Jackson.

During the Kentucky Cup events, the Foundation will test many aspects of the Games planning, including but not limited to ticketing, transporta-

tion and hospitality. Sport-related planning will also be tested, including the Entry and Timing, Scoring and Results systems as well as competition volunteers' and officials' duties.

Further information about each Kentucky Cup event will be released as it becomes available.

The Alltech FEI World Equestrian Games, to be held at the Kentucky Horse Park September 25-October 10, 2010, are the world championships of the eight equestrian disciplines recognized by the Fédération Equestre Internationale (FEI), and are held every four years. The Games have never before been held outside of Europe; nor have all eight disciplines competed at a single site-both firsts that will be achieved at the Kentucky Horse Park.

The Games will be broadcast on NBC Sports, which has marked the largest commitment to network coverage of equestrian sport in U.S. television history. The 2010 Games are expected to have a statewide economic impact of \$150 million, and current sponsors include Rolex, Ariat International, Inc. and an unprecedented \$10 million title sponsor, Alltech.

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For more information on the

2010 Alltech FEI World Equestrian Games

visit [www.feigames2010.org](http://www.feigames2010.org)



## COLOSTRUM- LIQUID GOLD THE EQUINE'S MOST VALUABLE COMMODITY

LAURIE L. METCALFE, DVM  
ROOD AND RIDDLE EQUINE HOSPITAL



Laurie Metcalfe,  
DVM

Believe it or not, it is November-time to start thinking about foals and all of their associated promises as well as problems. We know that one of the most important factors determining a newborn foal's immediate welfare is colostrum ingestion, but why? What is colostrum and why are we so concerned about our foals getting it?

Colostrum is the first milk produced by the dam. It is a complex of electrolytes, carbohydrates, fats and proteins that contain high levels of immunoglobulins, or antibodies, essential to the newborn foal in fighting disease. It is produced in the mammary gland during the last weeks of gestation, and is the primary source of immunoglobulin in the neonatal foal.

Maternal antibodies are not transferred to the foal in utero as they are in humans and other animals due to the type of placenta. The result is a foal that enters the world unprepared to mount any immune response, leaving it extremely susceptible to pathogens in the environment and subsequent infection. Knowing this helps us understand how vital it is for the newborn foal to receive an adequate amount of high quality colostrum in a timely manner.

The process of ingesting these immunoglobulins (mainly IgG) and their absorption into the foal's bloodstream is called passive transfer. Failure of the foal to ingest or absorb sufficient quantities of colostrum antibodies is called failure of passive transfer (FPT). This is easily the most common immunodeficiency in foals. By definition, a foal with FPT has a serum IgG concentration of <400 mg/dL at 24 hours of age. This is measured by simply drawing blood from the foal.

As horse owners and managers, there are factors to be aware of that may lead to higher risk of FPT. Colostrum quality can be affected by the

age of the mare (maiden mares and those >15 years may have lower antibody concentration). In addition, certain breeds (e.g. Standardbreds) are known to produce lower quality. Overall health of the mare is also important. A lower volume of colostrum available is another factor. Mares that drip milk before foaling will have lower IgG levels in their colostrum. A mare may have produced an adequate amount, however if the foal does not consume it due to weakness, prematurity or injury, FPT may still result. Some of these compromised foals will not absorb the colostrum well enough. This has occurred when we know that the foal has ingested an adequate amount of good quality colostrum and still has FPT.

Normal foals will suckle within the first three hours of life, and antibodies from the mare are detectable in the foal's blood within 6 hours. On average, a 110 lb foal should receive .5-2 L of colostrum, depending on the quality. The foal's gastrointestinal tract absorbs antibodies most efficiently immediately after birth, with absorption declining rapidly by 12 hours to almost nothing by 24 hrs. This makes the timing of events crucial.

FPT is a major risk factor for infections of the blood, umbilical infections, pneumonia, enteritis, and septic arthritis. However, foals with FPT as their only issue in the first few days of life, do not exhibit any specific signs. Unless owners and managers take measures to identify these foals early, a problem may not be evident until the foal becomes sick.

There are several ways horse owners and managers can attempt to prevent FPT. The antibody level in the colostrum can be tested in the field using a colostrometer or a handheld refractometer. The refractometer requires just a small sample that gives results by simply grading colostrum quality excellent to poor. A subjective assessment can be made based on appearance as well. Good colostrum is thick, yellow and sticky, while white, almost milk-like colostrum is almost

*Continued on next page...*

surely of poor quality.

All foals should be examined by a veterinarian and blood samples drawn to determine success of passive transfer by 18 to 48 hours of age. Foals considered to be at high risk should be tested as early as 6-12 hours. A serum IgG concentration of >800 mg/dL is ideal to provide optimum immunity, and some insurance companies even require this. If FPT is identified early enough (e.g. <12 hours) foals can still be supplemented orally via nasogastric tube by your veterinarian or bottle fed. Bottle feeding should be performed with caution due to the possibility of aspiration into the lungs, particularly with compromised foals. If the foal is >12 hours old, antibodies must be supplemented intravenously, using equine plasma. Plasma transfusion is more time consuming, expensive, and associated with more risk than oral methods of increasing antibody levels, therefore early detection of FPT is optimal.

In Kentucky, horse owners and managers are fortunate to have a resource that provides foals with a high quality colostrum supply. The Kentucky Farm Manager's Club Colostrum Bank collects donated colostrum (many mares produce much more than what the foal requires) that can be purchased to use on foals with high risk of FPT. Colostrum is tested and stored at three clinics near Lexington- Hagyard Equine Medical, Rood and Riddle Equine Hospital, and Woodford Equine Clinic. Demand is frequently higher than supply, demonstrating the vital importance of the program.

So, remember at that first foaling of the season as you watch your newborn desperately search for its first meal, there is a lot at stake in that first few hours. Realizing the importance of good quality colostrum will hopefully prevent problems in the upcoming foaling season.



ROOD & RIDDLE  
EQUINE HOSPITAL



### **BENEFITS OF A KEEP MEMBERSHIP**

- Receive all KEEP newsletters, press releases and updates
- Free admission to Kentucky Pari-mutuel Race Tracks (excluding the Kentucky Derby, Kentucky Oaks and the Breeders' Cup) through December 2009
- Free admission to the Kentucky Horse Park through December 2009 and 15% discount at the Horse Park Gift Shop

### **THE KEEP MISSION**

The Kentucky Equine Education Project (KEEP) was formed to build broad-based education and grassroots initiatives to increase awareness of the benefits of Kentucky's horse economy, including all breeds, and to promote and preserve jobs and economic opportunities within the equine industry for Kentuckians throughout the Commonwealth.

### **HAVE A STORY IDEA?**

If you have an idea for a story in The Work Horse, contact Cara Stewart at [cstewart@horseswork.com](mailto:cstewart@horseswork.com).

### **HOW TO BECOME A MEMBER**

- Join online by visiting [www.horseswork.com](http://www.horseswork.com)
- Call our office toll free at 866-771-KEEP

### **HAVE A CHANGE OF INFORMATION?**

If your address, email or phone number changes, contact Jayson at [jpage@horseswork.com](mailto:jpage@horseswork.com) or 866-771-5337

# Inside Track: Haven Helper

By Kristin Bednarski

Photo by: Angela Doyle

reprinted from [www.bloodhorse.com](http://www.bloodhorse.com)

When Thoroughbred horse trainer and former Louisville police officer Jay Wilkinson retired from the service, he did not picture himself volunteering for a job that would teach kids a whole new career. But upon retiring, Wilkinson became involved with Boys Haven in Louisville. He used his experience as a trainer to create a unique after school program that helps foster kids learn about horses.

“I thought we could get them involved in the industry because it seemed like a really good fit,” said Wilkinson. “I presented the idea to the committee and it took a few months but we got it started. We built a barn, one thing led to another, and now we have 39 kids in the program.”

The six-month long program is open to applicants who have previously been unemployed or are not going to pursue post-secondary studies. The rationale behind it is post graduation students should have the training they need to get a job.

A typical day for students begins at 5:30 a.m. when they arrive at Churchill Downs to help groom, walk, and tack up horses in training. After chores are done around 10 a.m., the group heads back to the barn on Boys Haven’s campus for class and more hands-on work.

As students progress through the program, Wilkinson watches them change in many ways. They develop the skills they need to handle horses, and they get to watch their hard work pay off when the horses run. Students who work especially hard get to travel with the horses to out-of-state races, and when the horses win, they get a percentage of the earnings.

“It gives the kids an opportunity to see new places,” said Wilkinson. “And it is a reward to go and watch these horses race, and a motivational tool for us to get them to come out every day and develop that work ethic.”

The program currently has 17 horses for students to work with, eight of which are actively racing and are owned by individuals or partnerships. At the barn there are also five retired racehorses that were donated for the students to work with and ride. The students develop a unique relationship with the horses along the way, something Wilkinson feels they would not get from other programs.



“We catch them all the time talking to the horses,” said Wilkinson. “Steds Pirate is the nastiest, meanest horse I’ve seen in my life, and the kids gravitate toward him. I think it is because they see a lot of themselves in him.”

The equine program has gone above and beyond Wilkinson’s expectations. Several students have graduated and gone on to

work in the industry, and several horses in the program have also had their share of success, including Antrim County who won the Aug. 2 Claiming Crown at Canterbury Park.

“This is the last stop for some of these kids. They have a short time to get their act together, and I don’t believe there is another program to get them ready like this one does.” said Wilkinson.

Wilkinson hopes to see the program grow in the next few years. With more donations and owners to contribute horses, the program could expand to neighboring cities, such as Lexington. But right now, Wilkinson takes in the program’s success one race at a time.

“Before, when I was watching one of my horses run, I would always concentrate on the horse,” said Wilkinson. “Now I’m watching the horse and the kids when the horse comes down the stretch. It’s so good to watch them and how excited they get.”

*NOTE: KEEP is a proud supporter of this educational program at Boys Haven.*

*Come See The 15th Annual*

# Southern Lights



*The Driving Tour  
Features New Displays  
and All Your Favorites!*

November 21~December 31, 2008  
5:30PM ~ 10:00PM  
at the Kentucky Horse Park

**(Indoor attractions will be closed  
Thanksgiving Night & December 24 - 31)**

**Exotic Petting Zoo  
Model Railway  
Santa Claus • Crafts  
Mini Express Train  
Intl. Museum of the Horse  
Ky Horse Park Gift Shop**

**Pony rides & Refreshments available  
at additional cost**

*Southern Lights is a Fundraiser for  
The Kentucky Horse Park Foundation*

# THE RACE FOR EDUCATION SCHOLARSHIP APPLICATIONS NOW AVAILABLE

**T**he Race For Education (RFE) is now accepting scholarship applications for its Horsemen and Thoroughbred Scholarships and the Kentucky Horse Council and the Kentucky Equine Education Project scholarships. Applications are now available online.

The Horsemen's Scholarship provides up to \$6000 per year for college tuition to children of equine industry workers. This scholarship is open to any field of study.

The Thoroughbred Scholarship provides up to \$6000 per year for college tuition to young people who are pursuing a career in an equine- or agricultural-related industry.

For the above two scholarships, applicants must be 24 years old or younger as of September 1, 2009, have a 2.85 cumulative grade point average and an annual household income of \$50,000 or less. Deadline is February 28th.

The Kentucky Equine Education Project provides five scholarships of \$1000 to exceptional KEEP members enrolled in one of Kentucky's Colleges or Universities Equine program. Deadline is May 1st.

The Kentucky Horse Council awards eight scholarships of \$1500 to an outstanding student enrolled in a Kentucky college or university. Deadlines are May 1st and Oct. 1st.

RFE also has several other scholarships available including the Youbet/NTWA Journalism, Florida Resident/Gulfstream Park, Fleet Indian and Racing Officials Accreditation Program scholarships. For more information, contact The Race For Education at (859) 252-8648 or visit [www.racingscholarships.com](http://www.racingscholarships.com).

## KEEP YOUTH COUNCIL MEETING NOTICE

**The next meeting of the KEEP Youth Council will be held on December 13th at the Taylor County Extension Office. The meeting will begin at 10:00 am and end approximately at 3:00 pm. We're going to be getting creative at this meeting, making mop ponies, ornaments, etc. to give as Christmas gifts for a local childrens' home. We'll also have games to play and plenty of food to eat. Lunch will be potluck, so bring your favorite dish! Please contact Jessi if you'd like to attend or if you have any questions, at 859-259-0007 or 859-699-7075. You can also email at [jwilliams@horseswork.com](mailto:jwilliams@horseswork.com). Hope to see you there!**



## UNDERSTANDING YOUR LITIGATION RISKS AND HOW TO MINIMIZE THEM

By: Douglas L. McSwain &  
G. Thomas Barker

Owners and operators of equine facilities clearly understand that horses present safety risks to riders, handlers and passersby, as well as liabilities if a boarded horse is injured on the farm property. Horses can be unpredictable, and if an inexperienced rider or novice horseman is allowed on your property and around horses, sometimes, unfortunate accidents can happen.

This month we would like to address a question regarding liabilities that horsemen and horsewomen may face in their business operations.

**QUESTION 1:** *I have looked at getting liability insurance but it boggles my mind. How much should I get if I am just operating a boarding facility? What if I decide to give lessons? How much more do I need and should I have legal waivers for this to guard against injuries and lawsuits?*

Understanding insurance and the multitude of coverages and exclusions can certainly be mind boggling! We strongly encourage you to consult with an experienced insurance agent that specializes in equine insurance to address your specific questions about policies and pricing. But, before speaking with an agent, it is helpful to understand the basic liabilities associated with operating a boarding facility or giving riding lessons.

First, many boarding farm owners board their own horses on their farm and need insurance coverage for the risk of injury to their horse, injury to another person caused by the horse, or for property damage caused by the horse.

Second, there is a risk that one of the farm's client's horses may become injured or causes injury or property damage while in the farm's care, custody and control.

Third, a public boarding facility is like any other business in today's climate; subject to lawsuits by disgruntled clients for claims that may include negligent care or maintenance of their horse. Fourth, farm owners will likely carry insurance on the farm property to cover risks of damage to the farm buildings and improvements, and any injuries to persons on the farm property. Fifth, most boarding facilities should carry workers' compensation coverage for some, if not all, of their employees. You may need to consult with your attorney or insurance agent as to which employees must be covered.

Of these various risks to which your business or farm may face, coverage for injury to a client's horse and the resulting potential for litigation may be the most easily overlooked risk by owners of boarding facilities. Public boarding facilities should strongly consider asking their insurance agent about acquiring an insurance policy, typically known as a "Care,

Custody & Control" policy that will provide coverage for claims of negligence by the farm's clients, and importantly, provide for the legal costs of defending the lawsuit.

Often the cost to defend a lawsuit filed by farm's client, including attorney's fees and other litigation expenses, can far exceed the value of an allegedly injured horse. Also, the financial budgets of most boarding facilities

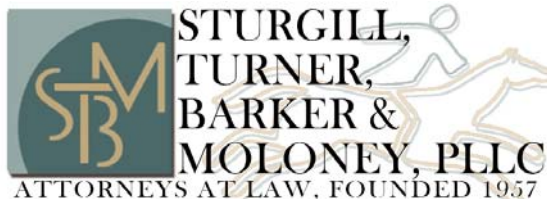
generally do not allow for a large "legal" expense line item, and so many farms are unprepared to shoulder protracted litigation costs. As a result, insurance may be the best and only method for managing this risk and prevent losing your farm assets due to litigation defense costs, even though you ultimately may be able to prevail against a negligence claim at trial.

Riding lessons present another liability concern. The Kentucky General Assembly, in KRS 247.401, et. seq., passed a series of statutes concerning the liability of farm owners, professional horsemen, sponsors and participants in "farm animal activities." "Farm animal activities" is defined by these statutes to include riding lessons, as well as a wide range of equine related activities, which include boarding, riding, training, grooming, exhibiting, showing, farm tours, veterinary and farrier care.

These statutes recognize the inherent risks in working with, exhibiting and using horses, and define the areas of responsibility that farm owners, professional horsemen and participants in farm activities shall incur for injuries that may occur in connection with the farm animal activity. KRS 247.402 states that a farm animal activity sponsor, which includes individuals, groups, partnerships, corporations and other organizations that allow, organize, sponsor or provide facilities for the farm animal activity, has the duty to reasonably warn participants of the risks of the activity.

The farm animal activity sponsor or professional horseman does not, however, have the duty to reduce or eliminate these risks. Further, a participant who has been reasonably warned of the risks shall not bring or maintain a claim against a farm activity sponsor or any other person for any injury, loss, damage or death resulting from any of the inherent risks of the farm animal activity which the participant has voluntarily chosen to assume.

This limitation of liability does not apply, however, if



Thomas Barker



Douglas McSwain

the farm animal activity sponsor or other equine professional knew or should have known that equipment or tack provided to the participant for use was faulty; failed to make reasonable and prudent efforts to determine the ability of the participant to safely engage in the farm activity and to safely manage the activity based on the participant's expressed ability; owns or has control of land or facilities upon which the participant sustained injuries because of a dangerous hidden condition, which was known or should have been known, by the owner and warning signs were not conspicuously posted; commits an act or omission that constitutes willful or wanton disregard for the safety of the participant; or negligently or wrongfully injures the participant. These exceptions to the Kentucky Statute's limitation of liability are large, and leave a lot of room for potential litigation risk against which insurance is only prudent to carry.

Additionally, adherence by a farm activity sponsor or professional horseman to the standards of care within the profession creates a rebuttable presumption that their conduct was not negligent. However, this presumption can be set aside if other evidence shows that, for example, the riding lessons provider acted with negligence and such negligence caused the injury or damages.

Further, every farm animal activity sponsor and professional horseman who allows individuals on their property shall post and maintain signs which warn people of the risks associated with the horses. Also, this warning must appear in every written contract offered by a professional horseman or by a farm activity sponsor for professional equine services, instruction or rental of equipment, tack, or a farm animal. The statute provides the particular warning language that must be posted or included in a contract:

#### WARNING

Under Kentucky law, a farm animal activity sponsor, farm animal professional, or other person does not have the duty to eliminate all risks of injury of participation in farm animal activities. There are inherent risks of injury

that you voluntarily accept if you participate in farm animal activities.

Failure to post this warning shall prevent the farm animal activity sponsor or professional horseman from invoking the protections provided in these statutes. However, KRS 247.4027(5) states that these "farm activity" statutes do not create a duty to warn a participant engaged in an activity with his own animal, or to a participant known to reasonably possess knowledge of or experience with the inherent risk of equine activities, or who has represented that he possesses reasonable knowledge or experience with equine activities.

Operators of public boarding facilities and riding lessons should consult with their equine insurance agent regarding a comprehensive commercial liability insurance policy, specifically to include "Care, Custody & Control" insurance. The agent can advise you regarding the dollar amount of coverage necessary. Additionally, Kentucky's "Farm Animal Activity" statutes do provide a limited degree of security for those who give riding lessons. However, written liability waivers should be used, and importantly, we strongly encourage that the proposed waiver, along with the farm's other policies and procedures be carefully reviewed to ensure compliance with the Farm Animal Activity statutes.

*If you have questions you would like to be answered in the Legal Workhorse, send them to [info@horseswork.com](mailto:info@horseswork.com), attention Legal Workhorse. Your questions will remain anonymous.*

**EDITOR'S NOTE:** This new section of The Work Horse Newsletter, which we call, *The LEGAL Work Horses*, will address legal questions that arise in the equine industry. The authors are practicing attorneys in the law firm of Sturgill, Turner, Barker & Moloney, PLLC, [www.sturgill-turner.com](http://www.sturgill-turner.com). The authors have agreed to address questions of a legal nature and to highlight interesting or developing legal issues facing equine businesses including farm, breeding, training and riding operations as well as the equine show, sport and racing industries. The authors cannot give legal advice. Legal advice varies with specific factual situations. The authors practice equine, racing and entertainment law, representing horse farms and breeding operations as well as horse owners and trainers.

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## THE SOUTHEASTERN EQUESTRIAN TRAILS CONFERENCE 2008

By Larry Jeffers,  
BCH of East Tennessee

*Reprinted with permission from  
Back Country Horsemen of America Fall 2008 Newsletter*

This year's Southeastern Equestrian Trails Conference (SETC) hosted by South Carolina's Horsemen's Council was a very informative, well-organized and energizing event. The theme for the event was "Yesterday, Today, Tomorrow, Providing for the Future Equestrians." The event included many excellent speakers and while each spoke on different subjects, they all delivered a common message: the horse community must unite as one voice; we all must do our part to preserve and grow our community. A common phrase used during the event was "If you play then you must pay."

Brian Bourne, a Trail Specialist for the Shawnee National Forest began the conference. Brian was and remains a key leader in developing and maintaining 223 miles of equestrian and hiking trails in the Shawnee National Forest. Brian pointed out the fact that there are 9.2 million horses in the US and of those approximately 4 million are used for recreation. However, he and others pointed out that while the horse community is large in number our voice is very weak. Basically we are a silent bunch. Perhaps it is the personality of the horseman or horsewoman that leads to our silence. After all history most always depicts the cowboy (or woman) as the strong but silent type. The image of a person all alone in the wilderness with their horse, with not a care in the world is an image that many of us desire for ourselves. If we could, most of us would love nothing more than to set out on a trail with our horse, leaving all of our responsibilities behind. That is a great dream but to ensure this dream continues for others, we must focus on maintaining the trails we have and securing new trails for the future.

The BCHA has made great accomplishments in creating and improving trails. They have donated 1.5 million hours of volunteer service to maintaining and building new trails. Yet much of this load has been carried by a few and there is much left to do. Brian encouraged us to become more proactive, more educated, more visible, more unified, and more political.

Brian shared with us a quote given by Jack Ward, former chief of the USFS: "If you are looking for a helping hand look at the end of your own wrist." We indeed are a mighty force. We are powerful in number but, we will go unnoticed if we do not act. We must seize the moment. We must realize our potential and work together to ensure there is not only a future for the trail rider but a future for all horse lovers.

Another great speaker was Tom Seay, the executive producer and host of "Best of America by Horseback", which airs on RFDTV. Tom started by educating us to the fact that trail riding is a one billion dollar industry; and we all

know that money talks. Tom also pointed out the fact that the Cowboy (or girl) is a powerful American icon. So not only do we have support among horse owners we have the support of everyone who idealizes the cowboy. Our membership and our popularity are very powerful instruments. Yet, we are not using the power that we have. Tom encouraged us to unite with all trail users and all equine enthusiast. Tom stated that at 9.2 million strong, there are 3 times as many horse owners as they are members of the NRA. Think about it, if we unite as one voice the equine community could be heard above the NRA. The NRA is one of the most powerful lobbying groups in Washington. Tom declared, "Is time to Sit-Up, Stand-Up and be noticed". We must become compassionate about preserving the future of our trails for the next generation. We are under attack and silence is our worst enemy. You can't wish trails camping facilities and other equine amenities into existence. We have to work together to make it happen. We must combine our forces, and, when we do things will begin to happen. By developing a plan and focusing our energy on a common goal we will be successful. We must work as a team at the local level, the regional level and the national level.

Tom and others encouraged us to invite government leaders not only to speak at our meetings but also to invite them on trail rides or other equine events. We were also encouraged to develop questionnaires which ask positive questions such as, "The horse community would like to know if you are supporting our interest?" The completed questionnaires could then serve as evidence, that they promised their support. Therefore, if needed, the questionnaires could then be used as a reminder in the future. But again we were cautioned not to work independently but as a team focusing on common goals.

This is a good time to mention Ben Pendergrass, Legislative Director of the American Horse Council. Ben stressed the need to write your congress and he stressed the need for every member to write individually. Ben can be our voice in Washington but we have to supply him with the necessary ammunition. In this case the ammunition is copies of every letter we send to Washington. During Ben's presentation it became very clear that he is not hearing from us. Well at least not to the degree required encouraging congress to side with our desires and concerns.

A member of the audience questioned Ben's support concerning the Horse Slaughter Prevention Act. It was quite obvious that a number of individuals in the room felt that passing the bill, which resulted in closing the equine slaughter houses in the US was the wrong thing to do. Yet, Ben explained that a great percent of the feedback or letters he

had received from the horse community supported closing the slaughter houses. This statement greatly irritated those who were against closing the slaughter houses.

However this scenario in my opinion proved a point. The point that was made so evident was, we cannot remain silent on any issue. Not only is this true concerning the equine community but all facets of US government. Let's face it folks, the people who are holding the keys have forgotten who the owners are and we have been charged with the responsibility to remind them. So, we must get out of our chairs and get busy or we aren't going to have a chair to sit in or a trail to ride on.

On a lighter note, I would not be doing the meeting justice if I did not mention, poop management. That's right, horse poop, horse crap, horse s\*%#!, or whatever you want to call it. "It" was addressed on several occasions by a variety of speakers and attendees. At first I was taken back a bit at the fact that I had driven 350 miles to hear some lady from California discuss horse poop. But since I was trapped and couldn't get out of the room without being noticed, I listened with an open mind. Well, just as I had decided that this was a California issue and that nobody in the South would care if there was some poop in the woods, my friends from the South spoke up and reminded me that other people are using the trails and they didn't appreciate stepping in and then tracking horse poop into their cars. I still wasn't convinced that this was a problem and in my mind I was thinking, "Get over it. What's wrong with you people?" Then I remembered what earlier speakers had stressed. All trail users must unite as one.

So, here is what was advised. Don't allow your horse to stop when pooping. If they do not stop then the poop will be spread over a larger area. This will result in the poop breaking down much faster, and as the other horses travel through they will break the poop up. It was also suggested that you ride your horse in and walk back out singing and kicking poop along the way.

Concerning poop in the parking lots of campgrounds: Please do not clean your trailer out in these areas. Take your poop home with you if possible. If you cannot, make sure to discard it at least 100 feet from the camp or a water source. Some areas have built muck pits to contain the poop until it has decomposed.

One of the best presentations was a talk by Ian Barlow, Wilderness Ranger for the USFS in the Nez Perce National Forest. Ian's topic "Building Bridges with Bridges...Connecting Partnerships Through Innovation and Change." Ian is a very special person in that he is one of a handful of experts in high lines and rigging. Transporting or moving massive logs and boulders out of the trail is no problem for Ian and his teams. In addition to his innovative construction skills, Ian is a superior planner and leader. Ian has built bridges spanning more than 200 feet with no power tools or heavy equipment. But the true miracle of these accomplishments is that he does this using volunteer, mostly children and young adults. His work is truly amazing. Ian's message was to involve the youth in creating and maintain-

ing the trails today and they will preserve them in the future.

There were many other wonderful speakers. There were no bad speakers. I even grew to appreciate the lady from California (Bonnie Davis). Turns out she was pretty neat. She stated she hated computers and she considers herself road kill on the internet highway. She had some great ideas concerning the local press and making your organization's voice heard. As it turns out, she is also a reporter for one of my favorite magazines, Trail Rider. Gotta love her.

There is no way this report could capture all the great information that was shared at the conference but frankly I am getting tired of typing. So, I will mention one last thing. One key assignment that was given to each equine organization was to select a representative or two to represent that group on a newly formed equine committee. The committee will be responsible for developing a plan of action required to ensure that the equine community has a voice in government; a voice as great as the NRA.

To borrow the words of a former President of the United States: Ask not what the Equine Community can do for you but what you can do for the Equine Community.

*Back Country Horsemen of America's Mission Statement*

- 1. To perpetuate the common sense use and enjoyment of horses in America's back country and wilderness*
- 2. To work to ensure that public land remains open to recreational stock use*
- 3. To assist various government and private agencies in their maintenance and management of said resources*
- 4. To educate, encourage, and solicit active participation in the wise and sustaining use of the back country resources by horseman and the general public*
- 5. To foster and encourage the information of new state backcountry horsemen organizations*

*To learn more about BCHA go to their website:  
[www.backcountryhorsemen.com](http://www.backcountryhorsemen.com)*

# KHP Wins the 2008 Partnership in Safety Award

According to the Certified Horsemanship Association, the Partnership in Safety Award is given to “an outstanding organization that has demonstrated excellent commitment to safety in equestrian endeavors. The KHP won this honor due to its desire to continue safe practices in all that it does.” CHA accredited the park during its annual conference held here this year, and in late November the KY Horse Park is certifying its full-time horse staff through CHA.

“We are so pleased to have our offices in the National Horse Center at the Kentucky Horse Park and



to be working so closely with the horse staff of this fantastic site,” says Christy Landwehr CEO of CHA. “The Kentucky Horse Park is striving for excellence in all that it currently does while it is achieving the same goal as it prepares for the 2010 World Equestrian Games.”

The purpose of CHA is to promote excellence in safety and education for the benefit of the horse industry. CHA certifies instructors and trail guides, accredits equestrian facilities, publishes educational manuals and hosts regional and interna-

tional conferences. For more information on the Certified Horsemanship Association, please visit [www.CHAinstructors.com](http://www.CHAinstructors.com) or [www.CHA-ahse.org](http://www.CHA-ahse.org).

## KTO HONORS FORMER KY GOV. JONES

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Former Kentucky Gov. Brereton C. Jones, a prominent Thoroughbred owner and breeder, and a spokesman for the state’s horse industry, has been named as the recipient of this year’s Warner L. Jones Jr. Horseman of the Year Award, which is presented annually by the Kentucky Thoroughbred Owners.

Jones received the award Nov. 15 during the KTO’s 20th annual dinner at the Kentucky Derby Museum.

Since 1989, the KTO has presented the award to a member of the racing industry who displays the spirit and passion for the sport exhibited by the late Warner L. Jones Jr., the famed Kentucky Thoroughbred breeder and owner and chairman of the board of Churchill Downs for whom the award is named.

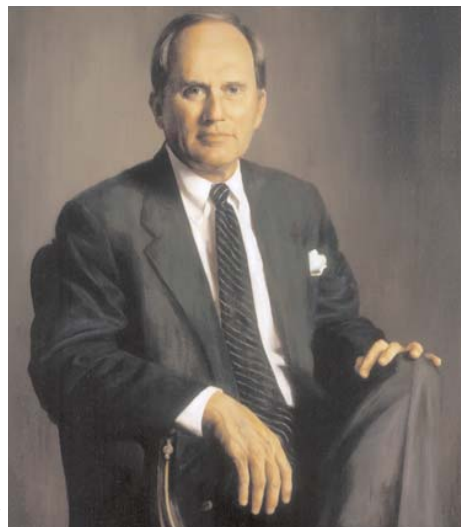
Jones, a native of Point Pleasant, W. Va. and his wife, Libby, established Airdrie Stud near Midway, Ky. in 1972. The farm is now home to some 200 broodmares and 15 stallions. More than 130 stakes winners have been bred, either alone or in partnership, by Airdrie Stud. Among the most notable are Proud Spell, winner of this year’s Kentucky Oaks (gr. I) and Alabama Stakes (gr. I); and Caressing, winner of the 2000 Breeders’ Cup Juvenile Fillies (gr. I) en route to

being named that year’s champion 2-year-old filly.

Jones served as a Republican member of the West Virginia House of Delegates from 1965-1969 and became politically active

as a Democrat in Kentucky. He served as governor of the Commonwealth from 1991-95 and lieutenant governor from 1987-91.

Jones has continued his leadership role in the horse industry as a founding member and chairman of the Kentucky Equine Education Project, an organization launched in 2004 to promote the state’s signature industry.



# KEEP CALENDAR OF EVENTS

## NOVEMBER

- Oct 26 - Nov. 29th 2008 Fall Meet at Churchill Downs.  
21st - Dec. 31st Southern Lights at the Kentucky Horse Park, 5:30pm - 10:00 pm  
21st - 23rd TREK Fall Trail Ride, Red Hill Horse Camp, contact Brenda Hancock at 502-775-4149  
22nd KEEP 2nd Annual Team Leader Training. Hyatt Regency Hotel, Downtown, Lexington.  
Must be a KEEP team leader to attend. For more information contact Cara Stewart 859-699-7886 or [cstewart@horseswork.com](mailto:cstewart@horseswork.com)  
27th & 28th KEEP Office Closed for Thanksgiving Holiday  
30th - Dec. 21st Turfway Park Holiday Meet

## DECEMBER

- 6th KyQHA Annual Convention and Banquet, Campbell House Inn. visit [www.kyqha.com](http://www.kyqha.com)  
6th Gatewood Riding Club Horse Show, Gatewood Arena, Dry Ridge, contact Paula Gatewood at 502-484-5625  
6th Kentucky Girls and Mens Barrel Racing, Shepherdsville, contact Melissa Metcalfe 270-537-4900  
13th KEEP Youth Council Meeting, Taylor County Extension Office, contact Jessica Williams at 8590259-0007 or [jwilliams@horseswork.com](mailto:jwilliams@horseswork.com)  
17th KEEP Board of Directors Speakers Bureau at Pikeville Rotary Club, Landmark Inn- Top of the Inn .Pikeville.  
24th & 25th KEEP Office Closed for Christmas Holiday  
31st & Jan 1st KEEP Office Closed for New Year's Holiday

*\*All times are local. For a complete listing visit [WWW.HORSESWORK.COM/events](http://WWW.HORSESWORK.COM/events)*

### **Southern Lights Information:**

KHP Foundation  
859-255-5727 or  
click on [www.kyhorsepark.com](http://www.kyhorsepark.com)

### **Admission:**

Personal Vehicle - \$15  
Extended Van - \$30  
Limousine - \$30  
Mini Bus - \$50  
School Bus - \$75  
Motor coach - \$125  
(call 259-4280 to schedule  
motor coaches)





Kentucky Equine Education Project  
4037 Ironworks Pkwy, Ste. 130  
Lexington, KY 40511  
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