

In the Matter Of:

INDIANA HORSE RACING COMMISSION MEETING

Meeting

December 06, 2017

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3	INDIANA HORSE RACING COMMISSION MEETING
4	HELD ON
5	DECEMBER 6, 2017
6	10:00 A.M.
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8	INDIANA STATE LIBRARY
9	315 W. OHIO STREET
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2	Philip Borst, Chairman	
3	Greg Schenkel	
4	George Pillow	
5	Susie Lightle	
6	William McCarty	
7	Mike Smith, Executive Director	
8	Lea Ellingwood, Esq.	
9	Holly Newell, Esq.	
10	INDIANA HORSE RACING COMMISSION	
11	1302 North Meridian Street, Suite 175	
12	Indianapolis, IN 46202	
13	AGENDA	
14	1. Hearing on 2018 Renewal Application of Indiana HBPA for approval as a registered horsemen's association	4
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1	CHAIRMAN BORST: I think we will call this meeting of the Indiana Horse Racing Commission to order. Welcome everybody. Thank you for attending.	Page 4
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3		
4		
5	The first item of business is to swear in Robin, our reporter.	
6		
7	(At this time the oath was administered to the court reporter by Chairman Borst.)	
8		
9	CHAIRMAN BORST: Next on the agenda is the approval of the minutes. Do I have a motion?	
10		
11	COMMISSIONER SCHENKEL: Move approval.	
12	COMMISSIONER LIGHTLE: Second.	
13	CHAIRMAN BORST: Been moved and seconded. Any conversation?	
14		
15	All those in favor say "aye."	
16	THE COMMISSION: "Aye."	
17	CHAIRMAN BORST: Opposed?	
18	(No response.)	
19	CHAIRMAN BORST: The "ayes" have it.	
20	The next part of our agenda is we are moving to the hearing. I would like at this point for everybody who intends to testify on these next four hearing items to stand up and be sworn in.	
21		
22		
23		
24	(At this time the oath was administered to all witnesses by Chairman Borst.)	
25		

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1 CHAIRMAN BORST: Is that legal enough? I
 2 trust them. They look honest.
 3 Hearing number one. We will do these
 4 individually and vote on them individually.
 5 Hearing on 2018 renewal application of the
 6 Indiana Horsemen's Benevolence and Protective
 7 Association, approval as a registered horsemen's
 8 association pursuant to all the Indiana codes.
 9 I think you all know, and I will mention, you
 10 get an opening statement, you get an oral
 11 presentation, testimony by the Commission Staff,
 12 interested persons who would like to speak on the
 13 hearing proposal, and then, obviously, Commission
 14 members can ask questions and so forth.
 15 MS. ELLINGWOOD: Chairman, if I may, there are
 16 a couple of housekeeping items I would like to go
 17 through real quickly that will apply to all the
 18 hearings we will be holding today with respect to
 19 the horsemen's associations.
 20 For those of you who do not know, pursuant to
 21 Indiana Code 4-35-7-12, each year the Commission
 22 considers applications from horsemen's associations
 23 to be recognized to receive a portion of the slot
 24 funds that are distributed under the distribution
 25 agreement which was originally entered into between

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1 the track and the association in 2013.
 2 To be considered, an applicant must submit an
 3 application to the Commission no later than
 4 September 1st. Upon receipt, the application is
 5 reviewed to ensure it's complete, and the
 6 Commission reviews it to determine if the approval
 7 of the applicant is in the best interest of horse
 8 racing in Indiana.
 9 This year the applicants for recognition are
 10 the HBPA, ITOBA, QHRAI, and the ISA. Each
 11 association has submitted a complete application.
 12 And pursuant to a prehearing order issued to them,
 13 each association has, as the Chairman said, 15
 14 minutes for oral presentation explaining why it's
 15 in the best interest of horse racing in Indiana for
 16 the association to continue to receive slot funds.
 17 Because we have a pretty tight agenda, I'm
 18 going to keep track of time so I'll give you a
 19 signal, Mike, if you go too long. We will begin
 20 today with the HBPA. Before we get started, there
 21 are a few other things I want to cover.
 22 First, there is a sign-up sheet here on this
 23 table if you want to provide testimony either in
 24 favor or against an application. Please make sure
 25 you put your name down and the name of the

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1 association for which you want to testify so we
 2 give you the opportunity to do so.
 3 Second, pursuant to the prehearing orders that
 4 were issued, the Commission is offering any
 5 applications and any timely submitted supplements
 6 to the applications into evidence for your
 7 consideration.
 8 And, finally, pursuant to the prehearing
 9 order, the Commission is taking official notice of
 10 any record of prior related hearings involving the
 11 applicant, including prior application hearings.
 12 As the Chairman mentioned, we will proceed
 13 with testimony at which point after the conclusion,
 14 the Commission will deliberate. The Commissioners
 15 may ask a question of any person at any time. Feel
 16 free to do that should the desire arise.
 17 Once you have finished deliberating, you'll
 18 either make a motion to approve or to deny the
 19 applicant's application. You're on.
 20 CHAIRMAN BORST: Okay. That's the legal
 21 stuff. Now let's go.
 22 MIKE BROWN: I will try to curry favor by
 23 making my remarks short. Mr. Chairman,
 24 Commissioners, members of staff, good morning. My
 25 name is Michael Brown. I'm the executive director

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1 of the Indiana HBPA.
 2 I would like to talk to you for a few minutes,
 3 hopefully just a few, about my organization. I
 4 would like to talk about what we do, all of which
 5 is contained in our application. We represent all
 6 Thoroughbred owners and trainers who enter races in
 7 Indiana and the horse men and women who work for
 8 them. We consider ourselves lucky to have that
 9 opportunity.
 10 We work on their behalf with our track
 11 partners. I use the word work, but in truth
 12 interacting with people of Centaur and Indiana
 13 Grand is not hard work. They've been and continue
 14 to be wonderful partners working for the good of
 15 racing and breeding in Indiana. We mean no
 16 disrespect to any future partners, but we'll miss
 17 Centaur's enthusiastic support and active
 18 leadership in the industry. We surely would not be
 19 here without them.
 20 In addition, we represent our members before
 21 this commission. When needed, we are their voice.
 22 We try to make sure that voice contributes to
 23 policies and building a successful and productive
 24 racing program in the state.
 25 Also, we work to educate the members of the

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1 Indiana General Assembly, the executive branch of
 2 state government about this industry. By statute,
 3 the industry receives funds dedicated to specific
 4 areas of concern, in addition to monies directed to
 5 purse support. We would like to talk about what we
 6 do with a couple of those dedicated revenue
 7 streams.

8 Under the area of equine welfare and
 9 promotion, the Indiana General Assembly was wise
 10 when they dedicated a portion of slot revenues to
 11 racing through equine welfare and promotion.
 12 Horsemen have the responsibility to help build this
 13 industry in partnership with the track. In
 14 addition, we must ensure the safety of our equine
 15 athletes, both during their racing careers and
 16 after.

17 In recent years, we've participated with
 18 Quarter horses and the track to resurface areas of
 19 the receiving barn. We have also participated with
 20 same partners to bring in a new trailer for horses
 21 injured on the track. In 2017, we made our final
 22 payment of our share for the installation of the
 23 Trakus simulcasting system at the track. In
 24 addition, we've helped pay for special promotions
 25 through TVG to promote our Thoroughbred broadcasts.

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1 This year, we worked with our track partners
 2 to try to build attendance in appreciation of
 3 Thoroughbred racing through several programs. We
 4 listed some of those activities in our application
 5 so I won't spend a lot of time reiterating the
 6 details.

7 We are particularly proud of the Grand
 8 Mornings At The Track program, which has grown at
 9 our last meeting up to 50 participants in the two
 10 years we've put on the program. The bottom line is
 11 simple, if we can get people out to the track,
 12 they'll understand the beauty and excitement that
 13 is Thoroughbred racing, as we do.

14 While our horses are racing, it's important
 15 they're treated in accordance with the very best
 16 practices established by solid research and
 17 well-supported medication and exercise regimens.
 18 When their racing careers are over, it's
 19 everybody's responsibility to see that our horses
 20 have a place to go in some cases for retraining in
 21 a second career, and in other cases for adoption
 22 and retirement. We take our responsibility very
 23 seriously.

24 In 2017, we've appropriated and written checks
 25 for grants totaling \$80,000, including a grant to

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1 the Thoroughbred Retirement Foundation Project at
 2 Putnamville. This commitment follows 98,000 in
 3 2016; 65,000 in 2015; 90,000 in 2014; and 87,000 in
 4 2013. We listed the recipients of our grants in
 5 our 2018 application. In the interest of brevity,
 6 I'm already violating that, I won't repeat those
 7 descriptions.

8 Our support included national, regional, and
 9 state-based organizations. If we are fortunate
 10 enough to receive 2018 recognition in funding, we
 11 will continue this work.

12 In previous applications, the Indiana HBPA
 13 requested the Commission to approve using funds
 14 allocated for backside benevolence for the purposes
 15 of equine welfare. We are not making that request
 16 this year.

17 In the area of benevolence, our program has
 18 grown exponentially. I'm proud of it with good
 19 reason. We have two trailers on the backside of
 20 the track through which we deliver health care in
 21 the form of an on-site clinic with a visiting
 22 physician and staff from Major Hospital in
 23 Shelbyville.

24 We deliver also spiritual and recreational
 25 care for our members and the many horsemen who work

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1 for them. When they're away from the track, they
 2 can also access these services. We provide
 3 chaplaincy services, recreational activities,
 4 educational programs, translation services, and
 5 events throughout the racing meet. In addition, we
 6 provide daycare through a working arrangement with
 7 facilities in Shelbyville. We also provide access
 8 to substance abuse counseling, treatment, mental
 9 health counseling when appropriate.

10 In the course of the racing season, we hold
 11 multiple backside meetings and recreational and
 12 social events for the horsemen, including two
 13 picnics, a welcome back event before the meet gets
 14 going, and at least four additional days. In
 15 addition this year, we staged a horsemen's day at
 16 the State Fair so the people on the backside of the
 17 track would get the opportunity to go to the State
 18 Fair.

19 We make it a focus of our efforts to make sure
 20 our members are informed about the programs and
 21 what's going on at the track. We include
 22 informational pages, newsletters, and programs we
 23 distribute at the trailer, not just about
 24 benevolence but whatever is going on at the track
 25 at a given time. We put HBPA news into the

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1 national publication, the Horsemen's Journal.
 2 This year we hired an outside person to keep
 3 the Indiana HBPA Facebook current to update our web
 4 page and to use Twitter to get our news out to the
 5 horse men and women.
 6 In 2016, we hired Ailsa Calderon to lead our
 7 chaplaincy efforts. With the concentration of
 8 Hispanic workers at our track, Ailsa has been, no
 9 pun intended, a God send. She holds chaplain
 10 services every Monday night in addition to
 11 shuttling those interested in attending services at
 12 the church that she and her husband have in
 13 Indianapolis.
 14 She has an AA program on Tuesday nights in
 15 Spanish. She leads English as a second language
 16 course on Thursday evenings. She has regular
 17 office hours for people for counseling or
 18 conversation. She walks the barns. She's built a
 19 good connection with our workers, and we're glad
 20 she's there.
 21 We've always had a part-time Hispanic
 22 coordinator to help with translation and
 23 immigration issues. He continues to work with us
 24 on weekends. In addition, we've hired a bilingual
 25 office staff, and we maintain our food and

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1 hospitality services at the trailer. Having
 2 linguistic and cultural touchstone at the track
 3 every day is making an important difference in the
 4 lives of our people.
 5 The HBPA benevolence program is governed by
 6 our ten person Board of Directors in accordance
 7 with established rules and guidelines. Those rules
 8 are available in translation and are posted online,
 9 as is the benevolence application paperwork.
 10 In 2017, we expanded cost of service cap from
 11 6,000 per eligible member to 7,500 to try to
 12 address the rising costs of health care. In
 13 addition, we increased our allowable cap for
 14 daycare and funeral assistance.
 15 As of December 5th, we've delivered 17,067
 16 payments for benevolence services this year to 216
 17 recipients totaling \$672,888. Since 2009, we've
 18 handled more than 19,000 transactions distributing
 19 more than 5.95 million for the health care portion
 20 of our benevolence lens program.
 21 We believe in our motto: Horsemen helping
 22 horsemen.
 23 So to close, the Indiana HBPA has followed all
 24 directives from the Commission. We've lived up to
 25 all the promises that we made to the Commission.

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1 We recognize the responsibility and privilege of
 2 administering funds dedicated to Thoroughbred
 3 racing.
 4 We ask that you approve our application to do
 5 so again for 2018. Before I'm seated, I would be,
 6 we'll say happy to attempt to answer any questions
 7 you might have.
 8 CHAIRMAN BORST: Thank you, Mr. Brown. Any
 9 Commission members have any questions? The
 10 applications certainly are long. That's for sure,
 11 but we tried reading through them all and picking
 12 out all the important parts.
 13 MIKE SMITH: Thanks, Mike. I just had one
 14 question, something that just popped into my mind.
 15 You were talking about the \$7,500 in the
 16 benevolence for those that qualify. Could you kind
 17 of just touch on what you have to do to qualify for
 18 the benevolence so everybody has kind of an
 19 understanding, like, how many starts you have to
 20 have or who does qualify.
 21 MIKE BROWN: If you're an in-state owner or
 22 trainer or work for an eligible owner or trainer,
 23 you have to have five starts. If you're an
 24 out-of-state owner or trainer, you have to have
 25 ten. You have to be a member of the HBPA. You

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1 have to establish that your income is within our
 2 guidelines, \$50,000 for a single person or 100,000
 3 for a couple.
 4 You have to fill out an application with all
 5 your information on it. It has to be processed
 6 through our benevolence administrator, Lisa
 7 Stephens, then through me to be ultimately approved
 8 by the board, and then you're eligible.
 9 MIKE SMITH: So are there charges that accrue
 10 to that for your services that are rendered right
 11 there at the track or is that strictly off the
 12 track? Like, you were talking about the medical
 13 services that are provided at the track. Does that
 14 \$7,500 per person go toward that or is that
 15 provided in addition to the \$7,500?
 16 MIKE BROWN: We pay for the physician and
 17 assistants to come out to the track. Our members
 18 pay for the services they receive. That applies
 19 both to away from the track and at the track.
 20 MIKE SMITH: One more question. So if you
 21 have multiple breeds, is there a difference in what
 22 you can qualify for? Like say if I have
 23 Thoroughbreds, Quarter Horses, and I may have a
 24 Standardbred or two, does that make a difference on
 25 the amount of benevolence I can receive?

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1 MIKE BROWN: They can pay -- I'm sorry.
 2 They're eligible to receive an appropriate
 3 percentage compared to their makeup of their
 4 stable. In other words, if they have eight
 5 Thoroughbreds and two Quarter Horses, they can
 6 receive 80 percent of the benefit from
 7 Thoroughbreds.
 8 CHAIRMAN BORST: Any other Commission members
 9 questions, comments? Any more staff comments? Are
 10 there any interested parties that would like to
 11 speak to this hearing to this proposal?
 12 Seeing none, any Commission members have a
 13 motion to make?
 14 COMMISSIONER SCHENKEL: I move approval of
 15 this application.
 16 COMMISSIONER MCCARTY: Second.
 17 CHAIRMAN BORST: Been moved and seconded. Any
 18 further discussion?
 19 Seeing none, all those in favor say "aye."
 20 THE COMMISSION: "Aye."
 21 CHAIRMAN BORST: Opposed?
 22 (No response.)
 23 CHAIRMAN BORST: The "ayes" have it. Thank
 24 you. Very important work you do.
 25 Next is the hearing on the 2018 renewal

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1 application of Quarter Horse Racing Association of
 2 Indiana for approval as a registered horsemen's
 3 association pursuant to all the Indiana codes.
 4 PAUL MARTIN: I'll say good morning to the
 5 Commission, Executive Director, Staff. My name is
 6 Paul Martin. I'm president of the Quarter Horse
 7 Racing Association of Indiana. Well, it's a great
 8 day, and I did cut my eight pages down to three so
 9 I think you will like that.
 10 I want to thank you again for hearing our
 11 presentation for the application to be considered
 12 for 2018. At the outset of all of our
 13 presentations, we like to recite our mission
 14 statement because it pretty much tells what we do.
 15 To promote Quarter Horse racing in Indiana and
 16 ownership in the state of Indiana. To promote
 17 youth involvement in Quarter Horse racing and
 18 educate youth in the proper husbandry as it relates
 19 to the racing Quarter Horse. To foster humane
 20 treatment of the racing Quarter Horse. That's very
 21 important. To promote a better understanding of
 22 Quarter Horse racing by the general public. This
 23 is what we do as an organization, who we are as an
 24 organization, and what we focus on as our
 25 organization.

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1 Quick look on 2017. We capped off a really
 2 great racing season. Along with continuing
 3 improvements around the Quarter Horse barn, green
 4 areas, and other parts of the backside, Indiana
 5 Grand stands out once again as the finest racing
 6 facility in our industry.
 7 For the first time in Quarter Horse racing in
 8 pari-mutuel racing history in Indiana, the ability
 9 to use flipping halters in the gates became a
 10 reality this year. Not only was this a major step
 11 in safety concerns for our jockeys and starters, it
 12 also enhanced a more fair position for the betting
 13 public. These types of improvements and changes
 14 are only possible in the fact that Centaur and
 15 Indiana Grand continue to provide first class
 16 equipment for all of racing in Indiana.
 17 As for the 2017 race program, we ran 188 races
 18 for a total purse structure of \$3,716,000.
 19 Although our total number of races was down, we
 20 actually increased our average handle per race to
 21 \$81,521 per race. I don't really know where that
 22 stands or ranks nationally, but I would have to go
 23 out on a limb and say it's one of the top in the
 24 country. When I took a step back while preparing
 25 my opening remarks, I just asked myself who

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1 wouldn't want to race a Quarter Horse in Indiana.
 2 As a leader of our organization, I want to say
 3 that we count it a privilege to race at Indiana
 4 Grand and certainly not a right. Another highlight
 5 of our program continues to be the youth racing
 6 experience. A program that is chaired by our
 7 vice-president Miss Vickie Duke. There were
 8 several youth day experiences in 2017, as well as
 9 interaction with other youth programs like St. Mary
 10 of the Woods College equine program. They helped
 11 out at some of our events. We attended events to
 12 promote job responsibilities within the racing
 13 industry. The youth racing experience continues to
 14 grow under Vickie and will continue to be part of
 15 our focus in light of our mission statement.
 16 I have a couple of brochures I want to pass
 17 out before I start the next section. Each year I
 18 like to showcase a success story our organization
 19 has impacted. Last year it was a locally owned and
 20 bred very successful racehorse. This year I want
 21 to present something. It's a program using horses
 22 that perform an even more important function. That
 23 is to provide therapy using equine interaction for
 24 the abused, mentally challenged, and handicapped
 25 people of our communities.

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1 I present to you on the brochures Strides To
 2 Success located in Plainfield, Indiana, a
 3 not-for-profit organization, a recipient of our
 4 benevolence program and in line, again, with our
 5 mission statement that was read earlier. I thought
 6 there might be someone here today that might be
 7 interested.

8 Strides To Success is a facility and
 9 organization that serves as a resource for
 10 individuals, families, and organizations through
 11 mental health professionals. These authentic
 12 learning experiences use horses to foster positive
 13 character improvement, as well as equine physical
 14 therapy for the handicapped. I can say this
 15 personally because I have a handicapped grandson
 16 who has benefited from therapies like this.

17 They are committed to have a positive impact
 18 on the emotional, behavioral, and mental challenges
 19 of children and adults in need of special services.
 20 I think they would tell you that their challenge is
 21 funding these worthwhile services.

22 What was attractive to the QHRAI was the fact
 23 they used horses, some racehorses, young, old, or
 24 retired to ride these therapies. Again, another
 25 life or afterlife of a horse off the racetrack.

Page 22

1 After listening to their presentation, the
 2 QHRAI unanimously voted to provide financial
 3 support to this worthy organization through our
 4 benevolence program. This is racing reaching out
 5 beyond our borders to give back to the community
 6 while at the same time supporting the welfare of
 7 retired racehorses. It's truly rewarding to be
 8 able to give back to worthwhile programs impacting
 9 change in the lives of these people.

10 In closing, I would like to bring something
 11 that's just real fresh within the last two weeks.
 12 Centaur and Hoosier Park recently hosted the
 13 Breeders Crown. It was a world class display of
 14 the Standardbred horse. I attended, and it was a
 15 great function.

16 The American Quarter Horse Association
 17 Executive Director of Racing has reached out to our
 18 association seeking approval to host the AQHA
 19 Challenge Races race finals in 2019 at Indiana
 20 Grand. This has many similarities to the Breeders
 21 Crown and is one of the crown jewels of Quarter
 22 Horse racing.

23 This request is unprecedented in Quarter Horse
 24 racing history in Indiana. Again, it's a tribute
 25 to the world class facility that Centaur has

Page 23

1 provided. The race card will feature graded stake
 2 races and the best of the best Quarter Horses from
 3 all over the country. Of course, with opportunity
 4 comes challenges with the budget and other things,
 5 but the possibility of this happening here has
 6 never been more real. These are very exciting
 7 times.

8 2018 racing is just around the corner. And we
 9 cannot wait to compete for another four million
 10 dollars.

11 The last thing I want to say here today is we
 12 want to wish everyone a Merry Christmas and the
 13 best New Year in 2018. Thank you.

14 CHAIRMAN BORST: Thank you, Mr. Martin.
 15 Commission Staff, any questions, testimony?
 16 Commission members? Greg.

17 COMMISSIONER SCHENKEL: I would just be
 18 interested to hear you expound on that 2019 event.
 19 Is that something that you say is national in scope
 20 and is in comparison to the Breeders Crown. Is it
 21 a multi-day event type?

22 PAUL MARTIN: Actually, it would be one day of
 23 finals, but it would be the best of the best
 24 Quarter Horses. We would hope there would be some
 25 Indiana horses that would run in that.

Page 24

1 But, quite frankly, the horses that ran in
 2 Iowa last year, they were open bred horses from
 3 everywhere, California, Texas. It would be very
 4 similar to the Breeders Crown. It's just a high
 5 class of horse racing that's never been considered
 6 to come this way. I think it would, the national
 7 exposure would be tremendous. We're willing to
 8 partner to make it happen.

9 CHAIRMAN BORST: Thank you. Any other
 10 interested people here to testify to this
 11 application? I guess not.

12 PAUL MARTIN: Thank you very much.

13 CHAIRMAN BORST: Thank you. Glad to see the
 14 national is taking a look at Indiana, and your
 15 horse therapy is being used for so many things.
 16 It's very valuable.

17 Any further questions, Commissioners? How
 18 about a motion and a second?

19 COMMISSIONER SCHENKEL: Move acceptance of the
 20 application.

21 COMMISSIONER MCCARTY: Second.

22 CHAIRMAN BORST: Been moved and seconded. Any
 23 further discussion? All those in favor say "aye."
 24 THE COMMISSION: "Aye."
 25 CHAIRMAN BORST: Opposed?

Page 25

1 (No response.)

2 CHAIRMAN BORST: The "ayes" have it. Thank

3 you very much.

4 We will now move to the hearing on 2018

5 renewal application of the Indiana Thoroughbred

6 Owners and Breeders Association for the approval of

7 the registered horsemen's association pursuant to

8 Indiana code.

9 PETE SACOPULOS: Morning, members of the

10 Commission, legal staff, Mr. Smith. My name is

11 Pete Sacopulos. I'm here today on behalf of ITOBA.

12 And it's my opportunity and pleasure to be able to

13 present our application for funding for 2018.

14 I too think it's important that we start with

15 the mission statement of ITOBA.

16 MS. NEWELL: I don't mean to interrupt, but

17 your mike went out.

18 PETE SACOPULOS: Is that better?

19 MS. NEWELL: Yes.

20 PETE SACOPULOS: We represent the Indiana

21 breeders and owners of Thoroughbred horses. Our

22 purpose is to promote and encourage the growth of

23 the Thoroughbred industry here in Indiana. To

24 strive to improve the Thoroughbred horse industry

25 in Indiana by promoting and encouraging breeder,

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1 ownership, and participation in our Indiana-bred

2 program and investment and participation in

3 Indiana's equine and agribusiness industry.

4 We have had a great year of racing here in

5 Indiana. I thought perhaps I would go through just

6 a few statistics for you. It starts by the number

7 of mares that have been registered here, which

8 indicates the strength of our breeding program, our

9 Indiana program over all.

10 It was up to 665 for 2017. It looks like

11 we're going to have an increase in the number of

12 foals. We certainly have an increase in the number

13 of stallions. Overall, I think our program is

14 quite strong. We most recently had an Indiana-bred

15 horse that did exceptionally well in the Breeders'

16 Cup, all of which the Indiana Thoroughbred owners

17 and breeders are quite proud of.

18 The Indiana Thoroughbred Owners and Breeders

19 meets monthly. We have an 11-member board, all of

20 whom are volunteers. We have one executive

21 director who is with us today, Leon Hopper, who

22 keeps us all on track. And our programs are quite

23 similar, at least overall, to what the HBPA does in

24 terms of general categories. We do a few different

25 things.

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1 One thing that we do do differently is we

2 provide a live auction for our members and for

3 those participating in the Indiana program. We had

4 an auction here last month. It was a horse of all

5 age auction. We had 65 head of horse in that

6 auction. And the total proceeds from the sale were

7 over \$214,000. The average amount paid per horse

8 was just under \$5,000. That is a service that we

9 provide for our members and for those participating

10 in our program here in Indiana.

11 We also provide information in the form of a

12 newsletter and column that appears in the American

13 Racehorse, which is a national publication that

14 comes out monthly. And there is always a report on

15 Indiana racing in that magazine and featuring

16 things that are going on at the track here at

17 Indiana Grand, and what is going on by way of

18 ITOBA, as well as the HBPA.

19 We provide educational programs. In fact, we

20 partner with the national group, the Thoroughbred

21 Owners and Breeders Association, TOBA, for an

22 educational program that was conducted on the

23 morning of the Indiana Derby here at the track.

24 And we do other programs for our members throughout

25 the year. Some of the type of programs that we

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1 sponsor are programs that help people understand

2 what features are needed to prepare a horse for

3 auction, what kind of health-related issues for

4 horses, veterinarians that are asked to provide

5 information to our members, those types of things.

6 We also have a stallion auction each year.

7 People register Indiana-bred stallions or Indiana

8 stallions, registered stallions. If you do so,

9 then you're qualified for a race, a stakes race

10 that we sponsor. We've had a great deal of success

11 with the Indiana stallion program and the Indiana

12 stallion race. That was run in September this

13 year.

14 ITOBA has a website we try to keep that

15 updated with current information about our

16 organization, about the Indiana program. And we

17 have participated and continue to participate in

18 second chances for Thoroughbreds that come off the

19 track and retirement opportunities for

20 Thoroughbreds.

21 And as a personal story, I will tell you I

22 think it's important to lead by example. In that

23 regard, I had a horse that I bred and brought to

24 the track. It turned out to be not such a hot

25 prospect at the track. And I will also tell you

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1 that wasn't the first time that happened to me. So
 2 the horse had gone back to my farm for a short
 3 period of time to see if, perhaps, it could be
 4 rehabilitated to make a trip back to the track. It
 5 had been gate carded so it was ready to go.
 6 During that period of time, I think all of us
 7 as horsemen have had opportunities where we thought
 8 we were going to make a big recovery or a big
 9 investment in a horse and have it come through. I
 10 thought this filly was going to be the answer. It
 11 turned out not to be.
 12 But my daughter took the horse. And the horse
 13 has participated with the Purdue equestrian women's
 14 team. So the horse, although did not race around
 15 the track at Indiana Grand, it has raced around
 16 tracks at Michigan State and throughout the Big Ten
 17 representing a Thoroughbred as an Indiana bred with
 18 a second chance. I think that is more or less a
 19 repurposing for a second chance, a second career,
 20 which is something our organization continues to
 21 try to promote as well as retirement for these
 22 horses.
 23 In terms of the application, I'm glad to
 24 answer any questions you would like for me to. We
 25 continue to try to actively market the Indiana-bred

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1 program for our owners and breeders. Most recently
 2 working with the Indiana Thoroughbred Breed
 3 Development Committee, we have produced, they had
 4 produced a really excellent flyer. I don't know if
 5 you have copies, but Jessica would be glad to give
 6 you a copy. I think it is really well done. It's
 7 something that we should look at and use. I have
 8 distributed a good deal of those.
 9 In terms of any questions you have on our
 10 application, I do want to thank all the members of
 11 the board. It was a collective effort in putting
 12 this together. I drew the short stick in terms of
 13 making the presentation, but everybody put in a
 14 great deal of time and effort in putting this
 15 together. Any questions you have, I will be glad
 16 to try to answer.
 17 CHAIRMAN BORST: Thank you. Any Commission
 18 Staff questions? Any Commission members, any
 19 questions, comments? Any interested public
 20 questions, comments? See, you did a thorough job.
 21 You had it all done.
 22 PETE SACOPULOS: Thank you.
 23 CHAIRMAN BORST: Seeing no further testimony,
 24 we will accept a motion.
 25 COMMISSIONER MCCARTY: I move for approval of

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1 the application of the Indiana Thoroughbred Owners
 2 and Breeders for 2018.
 3 COMMISSIONER LIGHTLE: Second.
 4 CHAIRMAN BORST: Been moved and seconded. Any
 5 further discussion?
 6 Seeing none, all those in favor say "aye."
 7 THE COMMISSION: "Aye."
 8 CHAIRMAN BORST: The "ayes" have it. Thank
 9 you.
 10 Next is the hearing for 2018 renewal
 11 application Indiana Standardbred Association for
 12 approval as a registered horsemen's association
 13 pursuant to the Indiana code.
 14 JACK KIENINGER: Good morning. Good morning,
 15 Commissioners. My name is Jack Kieninger. I'm
 16 president of the Indiana Standardbred Association.
 17 This is our application. You guys probably
 18 all saw this. I'm not going to go through this
 19 whole thing. I will tell you the high points. We
 20 have 1168 members in our organization, paying
 21 members.
 22 Our big thing this last year was, of course,
 23 the Breeders Crown. I don't know if you made it
 24 out there or not, but it was an excellent show.
 25 Hoosier Park and Centaur wanted to make a

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1 statement, and I guarantee they made that
 2 statement. It's the talk of the industry all over
 3 the United States, all over the world.
 4 We've had requests for our special edition
 5 magazine for the Breeders Crown that we had this
 6 year. We've had requests to have those sent all
 7 over the country as a commemorative magazine.
 8 We continue to do all the things we've done in
 9 the past. We represent the horsemen, of course,
 10 and the retirement of the horsemen. We have
 11 therapeutic riding stables that we fund.
 12 We have benevolence at the racetrack. We have
 13 a clinic. We did have two trailers, but the new
 14 building that Hoosier Park put up, they graciously
 15 gave us office space in there so our clinic is in
 16 the new building along with the chaplain.
 17 We focused very heavily on the Breeders Crown
 18 this year. We supported Hoosier Park as much as we
 19 could and Centaur Gaming to bring that to
 20 completion. It was a great success. Like I said,
 21 it's the talk of the industry.
 22 We continue to work with Hoosier Park with the
 23 simulcasting and all the other things that we've
 24 done in the past.
 25 So our application is pretty much the same.

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1 We have 15 board members on our board. They're all
 2 really great guys. I think we probably have the
 3 best board of any of the horsemen's associations,
 4 not to slight any of those guys. Anything that I
 5 ask of them, you know, if I can make the case for
 6 it, they step up and do it.

7 I'm very pleased with the board. I'm very
 8 pleased with the organization. And I hope that you
 9 would continue to recognize us as an organization
 10 representing the Standardbred horsemen.

11 CHAIRMAN BORST: Thank you. Very good signs.
 12 I'm glad you didn't go through all that because it
 13 took a long time.

14 JACK KIENINGER: I did want to mention one
 15 thing. The sales this year, we averaged 19
 16 thousand five for the sale at Indianapolis. We had
 17 a two-day sale there. And then this fall, they had
 18 a two-day sale in Shippshewana. It was a mixed sale
 19 the first day and yearlings the second day. The
 20 yearlings at Shippshewana last month averaged
 21 \$8,500.

22 So our sales is up. Our breeding is up. Our
 23 program is up. This year we're going to have an
 24 Indiana-bred national horse of the year Hamelore
 25 Hanover. We're very thrilled, very pleased with

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1 the progress that we've made in Indiana. And we
 2 hope that you continue to recognize us.

3 CHAIRMAN BORST: Thank you. Questions?

4 COMMISSIONER SCHENKEL: Just one question,
 5 Jack, just curiosity. Everything has been on the
 6 upswing it seems like, but your membership was down
 7 100 or 150 people. I'm just curious, is that just
 8 a combination?

9 JACK KIENINGER: It's so tough over here. We
 10 have a lot of people that come over and race from
 11 other states. Racing in Indiana is as tough as
 12 anyplace in the country. And a lot of people will
 13 come over. They see how tough it is, and they go
 14 back.

15 And if they come more than once, we usually
 16 have a chance to get them, do you want insurance,
 17 do you want to use our clinic, do you want to do
 18 that. If they come one time and say, you know, I
 19 can't make any money, I'm going to go to Ohio or
 20 Illinois or whatever, we don't get that chance.

21 COMMISSIONER SCHENKEL: I didn't necessarily
 22 see it as negative. I was just curious as to why
 23 everything else seemed to be on the upswing, and it
 24 dropped. Okay. Thanks.

25 CHAIRMAN BORST: Commission Staff, Mr. Smith?

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1 MIKE SMITH: Thank you, Mr. Chairman. I would
 2 like to make a comment about the cooperation and
 3 collaboration that the Standardbred association had
 4 on the Breeders Crown, and the commitment that the
 5 horsemen made taking a half million dollars out of
 6 their purse account so this could happen on a
 7 worldwide stage and put together a program that in
 8 my opinion was second to none. In fact, the last
 9 day, I was told there wasn't a single complaint by
 10 a horseman that came here to race in the Breeders
 11 Crown. Kudos to the association for that. Their
 12 participation is unprecedented.

13 JACK KIENINGER: Thank you, Mike.

14 CHAIRMAN BORST: Any Commission questions?
 15 Any interested public? Not sure what they meant,
 16 but I guess you're done. Out of time.

17 I will accept a motion on the application.

18 COMMISSIONER MCCARTY: I will move for
 19 approval of the application of the Indiana
 20 Standardbred Association for 2018.

21 COMMISSIONER PILLOW: Second.

22 CHAIRMAN BORST: Moved and seconded. Any
 23 further discussion?

24 Seeing none, all those in favor say "aye."
 25 THE COMMISSION: "Aye."

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1 CHAIRMAN BORST: Those opposed?
 2 (No response.)

3 CHAIRMAN BORST: The "ayes" have it.

4 JACK KIENINGER: Thank you.

5 CHAIRMAN BORST: At some point, we do need to
 6 talk about the Breeders Crown. That was
 7 tremendous. The effort that was put on, especially
 8 by Hoosier Park and Centaur and the horsemen and
 9 the Commission, was just amazing. The people I
 10 talked to didn't know who I was. Anyway, it was
 11 amazing all the great comments from around the
 12 country. That's something for Indiana to show back
 13 in October.

14 Okay. Next is the consideration of the
 15 settlement agreement in the matter of Joe Davis
 16 versus IHRC Staff. Holly.

17 MS. NEWELL: Yes, thank you, Chairman. You
 18 have in your packet the settlement agreement that
 19 was executed in September between Commission Staff
 20 and Mr. Davis. The settlement agreement narrowly
 21 focuses on an issue related to a summary suspension
 22 of Mr. Davis.

23 Due to some additional pending litigation with
 24 Mr. Davis, I don't want to go into what the
 25 underlying factors were in that summary suspension.

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1 So this is another one of those things where you
 2 don't get all the details you want, but you might
 3 get them in a year or so. So enjoy that wait.
 4 Mr. Davis and Commission Staff agreed to lift
 5 his summary suspension while Mr. Davis agreed to
 6 basically not participate in racing in Indiana in
 7 2017 and 2018. Hopefully, we will be able to wrap
 8 up the other litigation in that time period.
 9 So what we need you to do is take a look at
 10 the settlement agreement and vote to approve it if
 11 that is what you think is appropriate. I'm happy
 12 to take any questions with the caveat I'm somewhat
 13 limited as to what I can say.
 14 CHAIRMAN BORST: Any questions from Commission
 15 members that we can legally ask? Seeing none, is
 16 there a motion on the approval of the settlement?
 17 COMMISSIONER SCHENKEL: Move to approve this
 18 settlement.
 19 COMMISSIONER LIGHTLE: Second.
 20 CHAIRMAN BORST: Been moved and seconded. Any
 21 further Commission discussion?
 22 Seeing none, all those in favor say "aye."
 23 THE COMMISSION: "Aye."
 24 CHAIRMAN BORST: Opposed?
 25 (No response.)

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1 CHAIRMAN BORST: The "ayes" have it.
 2 Next is the consideration of the settlement
 3 agreement in the matter of the IHRC Staff versus
 4 Roy Moore.
 5 MS. NEWELL: Thank you, Chairman. You may
 6 recall this was on the agenda last meeting, and it
 7 was removed from the agenda last minute because we
 8 were working toward a settlement agreement with Mr.
 9 Moore. What you have before you are the terms of
 10 that settlement. Mr. Moore, after having a
 11 positive on one of his horses, has agreed to a
 12 90-day suspension with 30 days of that stayed.
 13 Mr. Moore was exceptionally cooperative with
 14 Commission Staff in our discussions after we had
 15 reached a certain point in litigation. The
 16 executive director and I felt this was a fair
 17 agreement in light of the circumstances of
 18 Mr. Moore's positive.
 19 CHAIRMAN BORST: Any Commission comments?
 20 Motion?
 21 COMMISSIONER SCHENKEL: Move approval of this
 22 settlement.
 23 COMMISSIONER PILLOW: Second.
 24 CHAIRMAN BORST: Been moved and seconded. Any
 25 further discussion?

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1 Seeing none, all those in favor say "aye."
 2 THE COMMISSION: "Aye."
 3 CHAIRMAN BORST: Opposed?
 4 (No response.)
 5 CHAIRMAN BORST: The "ayes" have it.
 6 Moving on now, item 7 is review of Indiana
 7 Grand's (Centaur acquisition LLC) permit renewal
 8 application and consideration of pari-mutuel permit
 9 for 2018 in accordance with Indiana code and
 10 consideration of Indiana Grand's request for live
 11 racing dates for 2018, again pursuant to Indiana
 12 code. I guess Mr. Keeler is probably the point
 13 person.
 14 MS. ELLINGWOOD: Before Mr. Keeler addresses
 15 that, I want to make clear that you will need to
 16 vote on each of the next four separate items. Mr.
 17 Keeler will be addressing all four of those. I
 18 don't know, John, if you want to do it all at once,
 19 but just want to make sure that each of those
 20 agenda items needs a motion and vote.
 21 MR. KEELER: Thank you, Mr. Chairman, Members
 22 of the Commission. My name is John Keeler, general
 23 counsel Centaur. You know once you get the
 24 microphone, you can highjack it. And I just want
 25 to take the opportunity to thank the Commission and

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1 the Commission Staff for all the cooperation with
 2 regard to the Breeders Crown. I can't tell how
 3 many times what we anticipated would happen, the
 4 unknown arose. And because of the discretion that
 5 you gave the staff, Mike, Deena, Holly, everybody,
 6 Jessica, on and on had the ability to work with us
 7 and fashion remedies that made it quite a success.
 8 So I can't thank you enough on behalf of the
 9 company.
 10 Now, with regard to item seven with the lead
 11 of Chair, I will try to discuss items seven through
 12 ten together. And basically there is nothing new
 13 here. These are just the renewals of the permits
 14 of Indiana Grand and Hoosier Park, as well as the
 15 licenses for their three satellite facility
 16 locations.
 17 The highlights for the Indiana Grand permit or
 18 meet permit renewal are that there will be 120 days
 19 of Thoroughbred and Quarter Horse racing beginning
 20 on April 17th and ending on November 7th of
 21 2018. And at Hoosier Park, there will be 160 days
 22 of Standardbred racing commencing on
 23 March 30th and ending on November 10th of 2018.
 24 There is really not much more to it than that.
 25 CHAIRMAN BORST: Do we have any Commission

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1 member questions, comments? Is this one for public
 2 comment too?
 3 MS. ELLINGWOOD: If you would like it to be,
 4 sure.
 5 CHAIRMAN BORST: Is there anybody in the
 6 public who would like to speak to all the renewals?
 7 Okay.
 8 Then let's do this, why don't we take them one
 9 at a time. Make a motion for number seven and then
 10 just do eight, nine, ten one at a time.
 11 COMMISSIONER SCHENKEL: Seven is?
 12 CHAIRMAN BORST: That's renewal for Indiana
 13 Grand.
 14 COMMISSIONER SCHENKEL: I move approval for
 15 the dates for Indiana Grand for 2018.
 16 COMMISSIONER LIGHTLE: Second.
 17 CHAIRMAN BORST: Been moved and seconded. Any
 18 further discussion?
 19 Seeing none, all those in favor say "aye."
 20 THE COMMISSION: "Aye."
 21 CHAIRMAN BORST: Opposed?
 22 MS. ELLINGWOOD: Mr. Chairman, just before you
 23 move on, I just want to make sure that motion also
 24 includes the renewal of their permit in addition to
 25 the approval of race dates. Is that the

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1 Commission's intention?
 2 COMMISSIONER SCHENKEL: Yes, that would be
 3 my -- I'm sorry, I didn't read the full. Yes, it
 4 would be both. That's my intent.
 5 CHAIRMAN BORST: Number eight is approval of
 6 renewal of Indiana Grand satellite facility
 7 licensing in Clarksville for 2018. Do we have a
 8 motion?
 9 COMMISSIONER SCHENKEL: Can I ask a question
 10 before we?
 11 CHAIRMAN BORST: Yes.
 12 COMMISSIONER SCHENKEL: John, this is
 13 Clarksville. What about the other satellite
 14 facilities?
 15 MR. KEELER: This is Indiana Grand's satellite
 16 facility, and then Hoosier Park's comes up on other
 17 items.
 18 COMMISSIONER SCHENKEL: That's the separation.
 19 I wanted to make sure I understood that.
 20 CHAIRMAN BORST: Do I have a motion for the
 21 satellite facility in Clarksville?
 22 COMMISSIONER SCHENKEL: I would so move that
 23 we approve the Clarksville satellite facility and
 24 their request for renewal and approval of dates for
 25 2018.

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1 COMMISSIONER MCCARTY: Second.
 2 CHAIRMAN BORST: All those in favor of the
 3 Clarksville license renewal say "aye."
 4 THE COMMISSION: "Aye."
 5 CHAIRMAN BORST: Opposed?
 6 (No response.)
 7 CHAIRMAN BORST: The "ayes" have it.
 8 Number nine is renewal of Hoosier Park's
 9 permit renewal application and consideration of
 10 pari-mutuel permits for 2018, as well as
 11 consideration and request for live racing dates of
 12 2018. Do we have a motion?
 13 COMMISSIONER MCCARTY: Mr. Chairman, I move
 14 for approval of the annual permit and approval of
 15 the race dates as included in the amended race
 16 dates that were submitted to us this morning. So
 17 in place of the one in the binder, Exhibit 80
 18 should be the one that was distributed to us today.
 19 So the motion is to approve the permit and to
 20 approve the race dates as submitted in the amended.
 21 COMMISSIONER SCHENKEL: I will second that.
 22 CHAIRMAN BORST: Thank you for the update on
 23 the race dates. Any further discussion from
 24 Commission members?
 25 Seeing none, all those in favor signify by

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1 saying "aye."
 2 THE COMMISSION: "Aye."
 3 CHAIRMAN BORST: Opposed?
 4 (No response.)
 5 CHAIRMAN BORST: The "ayes" have it.
 6 Then number ten is approval renewal of
 7 satellite facility licenses in New Haven and
 8 Indianapolis. I don't think there is any update to
 9 that.
 10 COMMISSIONER SCHENKEL: I would so move that
 11 we approve the request for renewal of license and
 12 those simulcast facilities and the approval of the
 13 simulcast dates for 2018.
 14 COMMISSIONER LIGHTLE: Second.
 15 CHAIRMAN BORST: Been moved and seconded. Any
 16 further discussion?
 17 COMMISSIONER PILLOW: I have one thing. How
 18 is the New Haven facility doing? I know you moved
 19 that last year or year before last.
 20 MR. KEELER: Commissioner Pillow, it's doing
 21 much better. We've acquired a VooDoo Barbecue
 22 franchise that operates inside there.
 23 COMMISSIONER PILLOW: Does that help it out?
 24 MR. KEELER: It does. Right there in New
 25 Haven. Yeah, it's doing better. Still not a

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1 profit center, but it's doing better.

2 CHAIRMAN BORST: Any further questions,

3 Commission members? I forget. Is there a motion

4 and second?

5 COMMISSIONER SCHENKEL: Yes.

6 CHAIRMAN BORST: All those in favor of the

7 approval of the petition for application renewal,

8 signify by saying "aye."

9 THE COMMISSION: "Aye."

10 CHAIRMAN BORST: Opposed?

11 (No response.)

12 CHAIRMAN BORST: The "ayes" have it.

13 MR. KEELER: Mr. Chairman, before we leave

14 this topic, if I may make one brief suggestion, in

15 light of the early dates with which the 2018 meets

16 will start, there are several functions that the

17 Commission normally accomplishes prior to those

18 meets, such as approving the contracts between the

19 horsemen's associations, approving the post times,

20 approving the racing officials. Those are things

21 that need to be accomplished prior to the meet

22 starting.

23 And in light of the uncertainty of when your

24 next meeting might be, I respectfully ask you to

25 consider delegating that authority to the executive

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1 director so we could accomplish those things in a

2 timely fashion.

3 MS. ELLINGWOOD: Mr. Chairman, just for

4 clarification, the list of items Mr. Keeler is

5 requesting be delegated to the executive director

6 include the approval of Hoosier Park's 2018

7 Standardbred racing official list, the approval of

8 Indiana Grand's racing official list, consideration

9 of the 2018 agreement between Hoosier Park and the

10 Indiana Standardbred Association, consideration of

11 the 2018 agreement between Centaur Acquisitions and

12 Indiana Grand and the HBPA, consideration of the

13 2018 agreement between Indiana Grand and the

14 Quarter Horse Association. And I think that's it,

15 John. Have I missed anything?

16 MR. KEELER: If we could also delegate the

17 flexibility to approve varying post times just in

18 case that becomes a marketing issue.

19 MS. ELLINGWOOD: Right. So we've dotted our

20 Is and crossed our Ts with respect to what's being

21 delegated to the executive director.

22 COMMISSIONER SCHENKEL: And those would be

23 delegated to the executive director, and he and the

24 staff would notify us.

25 CHAIRMAN BORST: Is that something you need to

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1 vote on?

2 MS. ELLINGWOOD: Yes.

3 CHAIRMAN BORST: Once that's done, later on,

4 do we confirm it?

5 MS. ELLINGWOOD: Yes, the executive director

6 will make the appropriate approvals and bring that

7 to the Commission so you understand what's going

8 on, and you're up to speed.

9 CHAIRMAN BORST: If anybody would like to make

10 a motion, I would like to have a list of all those

11 things in the motion.

12 COMMISSIONER SCHENKEL: I move that we approve

13 the executive director having that authority to

14 that list of things that Mr. Keeler outlined.

15 MR. KEELER: Thank you.

16 COMMISSIONER PILLOW: And Lea.

17 COMMISSIONER SCHENKEL: And Lea. Thank you.

18 COMMISSIONER LIGHTLE: Second.

19 CHAIRMAN BORST: We have a motion and a

20 second. It will be in the minutes too so we'll

21 have it. Any further discussion?

22 Seeing none, all those in favor say "aye."

23 THE COMMISSION: "Aye."

24 CHAIRMAN BORST: Opposed?

25 (No response.)

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1 CHAIRMAN BORST: The "ayes" have it.

2 Next is the review of Commission rulings.

3 Holly.

4 MS. NEWELL: You don't have to vote on this

5 one. You just need to take a look at it and let us

6 know if you have any questions. It's a fair number

7 of rulings because we are or were in the heart of

8 the race meet and didn't have a meeting for a

9 while. Quite a few to take a look at, and I'm

10 happy to take any questions.

11 CHAIRMAN BORST: Any questions from Commission

12 members? Seeing none, we move onto No. 12,

13 consideration of Notice of Fourth Subsequent Term

14 pertaining to the Initial Distribution Agreement.

15 Lea, are you doing that one?

16 MS. ELLINGWOOD: Actually, I'm going to defer

17 to Mr. Keeler since he has done such an eloquent

18 job of covering those other items.

19 MR. KEELER: Thank, Mr. Chairman, Members of

20 the Commission. My name is John Keeler. I guess

21 I'm here in my capacity as chairman and secretary

22 of the Senate Ruled Act 609 committee, which to

23 refresh your recollection is the committee of

24 horsemen and the tracks that come together and

25 negotiate what percentage of slot revenues will be

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1 allocated to the horse racing industry. That
 2 agreement was negotiated four years ago. It has a
 3 provision in it that if no party objects, that it
 4 will automatically renew for a subsequent year.
 5 That's exactly what happens commencing on
 6 January 1 of 2018. The agreement will be in effect
 7 for one more year, and the horse industry will
 8 receive 12 percent of the racinos adjusted gross
 9 receipts.
 10 CHAIRMAN BORST: Thank you. Any Commission
 11 member questions? I think we need a motion on this
 12 one also.
 13 COMMISSIONER SCHENKEL: I would move approval
 14 of the continuation of this agreement.
 15 COMMISSIONER MCCARTY: Second.
 16 CHAIRMAN BORST: Thank you. It's been moved
 17 and seconded.
 18 COMMISSIONER SCHENKEL: I would make a comment
 19 it's amazing how important this is, and it seems
 20 like it's just a matter of fact now. I know all
 21 the work that went into this so thank you all.
 22 CHAIRMAN BORST: Any further Commission
 23 comments?
 24 Seeing none, all those in favor signify by
 25 saying "aye."

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1 THE COMMISSION: "Aye."
 2 CHAIRMAN BORST: All those opposed?
 3 (No response.)
 4 CHAIRMAN BORST: The "ayes" have it.
 5 Number 13, consideration of the following
 6 emergency rules. Lea.
 7 MS. ELLINGWOOD: Thanks, Chairman. The rules
 8 that you have before you essentially do three
 9 separate things. First thing they do is it makes
 10 clear that the Commission staff can test hair in
 11 addition to urine and blood samples. Frankly, the
 12 way the rule was written before, we had the
 13 authority to do that. This just makes it that much
 14 clearer that hair samples will be included or may
 15 be included in the way that we collect.
 16 The second thing that it does is it
 17 establishes a deadline for appealing a refusal.
 18 There had been no deadline established in the rule.
 19 The deadline we have established is 15 days, which
 20 is consistent with the AOPA deadline.
 21 And the final thing, and probably the biggest
 22 thing, is it establishes a zero tolerance threshold
 23 for Clenbuterol for Quarter Horses only.
 24 Mr. Martin didn't mention this during the
 25 presentation, but I just want you to know that the

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1 Quarter Horse Association was very instrumental and
 2 active about coming to the Commission and asking
 3 the Commission to establish a zero tolerance
 4 threshold for this particular drug.
 5 The change that we've made is consistent with
 6 the ARCI recommended change of zero tolerance for
 7 Clenbuterol in Quarter Horses. To be clear, the
 8 threshold stays the same as it currently is for
 9 Standardbred and for Thoroughbreds. So this change
 10 is just for Quarter Horses only.
 11 I'm happy to entertain any questions that you
 12 may have. I respectfully request that the rules be
 13 adopted as emergency rules under the Commission's
 14 rule adoption policy as a timeliness issue. We
 15 want to make sure that these changes go into effect
 16 in advance of the next race meet.
 17 If you have any questions, I'm happy to deal
 18 with those.
 19 CHAIRMAN BORST: Commission member questions?
 20 Mr. Smith, you have a microphone. You must be
 21 ready to say something.
 22 MIKE SMITH: Thank you, Mr. Chairman. I would
 23 like to make a comment about the Quarter Horse
 24 Association and the AQHA had been proposing this
 25 rule change for breed specific level of detection

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1 of Clenbuterol for quite some time. The
 2 Association of Racing Commissioners finally adopted
 3 it. It's the first time there's been a rule that's
 4 been promulgated for breed specific.
 5 And one of the reasons that this has happened,
 6 just for a little bit of background, is the
 7 steroidal effect of Clenbuterol used in large
 8 quantities will last longer than the substance
 9 itself in the blood and urine. I would expect that
 10 in this rule where we are really making certain we
 11 have the ability, specifying the hair, there is
 12 interest -- in fact, this year we did test and, I'm
 13 not sure, maybe eight or ten. We took eight or ten
 14 hair samples and in a couple of those we found...
 15 MS. NEWELL: Alarming cocktails. We'll leave
 16 it at that.
 17 MIKE SMITH: Some incredible substances. One
 18 of the things that the Quarter Horse folks and we
 19 have been discussing doing on some of their stakes
 20 races is we may do pretesting hair specifically for
 21 Clenbuterol to make sure. And this is going on in
 22 a couple of other jurisdictions, but we're right at
 23 the forefront, I think, Paul, with what we're doing
 24 here. And I think it's going to be a much better
 25 program. And it's going to make it a lot more fair

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1 playing field. Appreciate it.

2 CHAIRMAN BORST: Thank you. Any further

3 comments? Is this one for the public?

4 MS. ELLINGWOOD: If you wish.

5 CHAIRMAN BORST: Any members of the public

6 wish to comment on the emergency rules?

7 MS. ELLINGWOOD: I should note that we did

8 circulate these proposed rules to all the

9 associations and industry stakeholders. Again, the

10 Quarter Horse Association was a big proponent of

11 the zero tolerance Clenbuterol change. We didn't

12 receive any objection to the rules.

13 CHAIRMAN BORST: Hearing that, do we have a

14 motion to accept?

15 COMMISSIONER MCCARTY: Move for approval of

16 the emergency rules as presented to us today.

17 COMMISSIONER PILLOW: I will second that.

18 CHAIRMAN BORST: Been moved and second. Any

19 further Commission discussion?

20 Seeing none, all those in favor say "aye."

21 THE COMMISSION: "Aye."

22 CHAIRMAN BORST: Opposed?

23 (No response.)

24 CHAIRMAN BORST: The "ayes" have it.

25 We move now down to 14, 15, 16, 17. Is

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1 Jessica, how are we going to do this? Are we going

2 to have each association?

3 MS. ELLINGWOOD: Yes, I believe there might be

4 a request to delegate some authority coming, but,

5 yeah, you will need to address each of these

6 individually.

7 CHAIRMAN BORST: We will begin with the

8 Standardbred Breed Development Advisory.

9 SCOTT SNYDER: Mr. Chairman, Commission

10 members, I'm Scott Snyder, chairman of the

11 Standardbred Breed Development Advisory Committee.

12 We are very fortunate to have another successful

13 year with our program with Indiana-sired horses

14 continuing to shine on the national stage. This

15 was highlighted by Hoosier Park hosting the very

16 prestigious Breeders Crown, in which all ten of the

17 Indiana-sired horses that competed in the

18 eliminations made it to their respective finals,

19 with three of those ten taking home their division.

20 Also, Indiana sired Hannelore Hanover is in the

21 running for national end-of-the-year honors.

22 With this success, Indiana-sired horses

23 continue to be in high demand. At Hoosier Classic

24 Sales in October, yearlings brought 17 percent more

25 on average than 2016, grossing a total of

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1 \$6.9 million for the sale. When we looked at the

2 program, we saw very little need for change. I

3 would be happy to take any questions.

4 CHAIRMAN BORST: Any Commission member have

5 questions? I guess not. Thank you, Mr. Snyder.

6 We'll go to the 2018 program, Standardbred

7 Advisory.

8 JESSICA BARNES: I think before we move on, we

9 probably need to approve the Standardbred breed

10 development program that was submitted.

11 MS. ELLINGWOOD: I think that's what we are

12 getting ready to do. The program will be part of

13 the materials that has been submitted under agenda

14 item No. 14.

15 JESSICA BARNES: Yes.

16 MS. ELLINGWOOD: The vote the Commission will

17 be taking now, well, I think, will be to approve

18 the Standardbred Breed Development Advisory

19 Committee program.

20 JESSICA BARNES: That's the only group that

21 has something actually submitted.

22 CHAIRMAN BORST: So do we need to do that

23 after the presentation here?

24 MS. ELLINGWOOD: We'll handle them one at a

25 time. Unless you're going to address Standardbred,

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1 we will go ahead and entertain a vote on the

2 Standardbred presentation.

3 CHAIRMAN BORST: So which one are we voting

4 on, 14 or 15?

5 MS. ELLINGWOOD: Fourteen.

6 CHAIRMAN BORST: We've heard 14. So I guess

7 we better have a motion on the Standardbred Breed

8 Development Advisory Committee. I want to do it

9 right.

10 COMMISSIONER MCCARTY: I move to approve the

11 program presented for 2018 by the Standardbred

12 Breed Development Advisory Committee.

13 COMMISSIONER LIGHTLE: Second.

14 CHAIRMAN BORST: Been moved and seconded. Any

15 further discussion?

16 Seeing none, all those in favor signify by

17 saying "aye."

18 THE COMMISSION: "Aye."

19 CHAIRMAN BORST: Opposed?

20 (No response.)

21 CHAIRMAN BORST: The "ayes" have it. Okay.

22 The next one.

23 JESSICA BARNES: Thank you. The next one is

24 the Standardbred Advisory Board.

25 MS. ELLINGWOOD: Yes.

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1 JESSICA BARNES: That is the Standardbred
 2 Advisory Board, and they primarily deal with the
 3 county fairs and the sires stakes program. They
 4 have a much smaller budget than the Standardbred
 5 breed development program. Their budget is about
 6 \$200,000 a year. So they do not set their program
 7 until after the January meeting, the Indiana
 8 Association of Fairs, Festivals, and Events when
 9 they set the county fair program. So we will have
 10 that proposal ready after that time.

11 So at this time I would like to ask the
 12 Commission to delegate to the executive director
 13 the authority to approve that program once it's
 14 submitted.

15 CHAIRMAN BORST: Do we have any questions?
 16 That's the way we do it?

17 MS. ELLINGWOOD: Yes, it's consistent with
 18 what we did last year because of the timing of the
 19 stuff and because we may not meet for some time
 20 into next year, we have consistently delegated to
 21 the executive director the authority to approve the
 22 breed development programs that aren't set until
 23 after the first of the year.

24 CHAIRMAN BORST: Any further discussion of
 25 Commission members? If not, can we have a motion

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1 to delegate that authority to the executive
 2 director?

3 COMMISSIONER SCHENKEL: I would so move
 4 delegation of approval of that Standardbred
 5 Advisory Board report to the executive director for
 6 2018.

7 COMMISSIONER PILLOW: I'll second.

8 CHAIRMAN BORST: Been moved and seconded. Any
 9 further discussion?

10 All those in favor say "aye."
 11 THE COMMISSION: "Aye."
 12 CHAIRMAN BORST: Those opposed?
 13 (No response.)
 14 CHAIRMAN BORST: The "ayes" have it.
 15 We'll go to the Thoroughbred.

16 JESSICA BARNES: I'm actually going to defer
 17 to our Thoroughbred Breed Development Committee
 18 chairman, Wendy Brown.

19 WENDY BROWN: Jessica can add into it
 20 afterwards if she needs to. Chairman,
 21 Commissioners, happy to see you today.

22 I'm the chairwoman of the Indiana Thoroughbred
 23 Breed Advisory Committee. And for those of you who
 24 are unaware of our role, the breed advisory
 25 committee provides a forum for industry

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1 participants to express their concerns about the
 2 future of breed development funds and the direction
 3 they want the program to take.

4 Jessica often asks the people who attend our
 5 meetings what do you want the program to look like
 6 five years from now. Someone breeding a mare early
 7 next year won't see that baby make it to the races
 8 for three or four years. They want to know what
 9 they can expect in Indiana breed incentives four
 10 years down the road. We receive everyone's
 11 opinions, entertain discussions, and formulate
 12 recommendations for the Commission.

13 We are dealing with a finite pie to cut up and
 14 serve. A pie more akin to a tart this year due to
 15 the loss of breakage and outs. I'm not
 16 complaining. It's still all good. I love being a
 17 part of serving up money.

18 At a time when the future of Indiana racing is
 19 on the brink of possible change, the Thoroughbred
 20 Breed Advisory Committee feels it is even more
 21 important to stay the course and maintain
 22 stability. Yet, there are other reasons to keep
 23 the status quo.

24 We are now seeing some extraordinary successes
 25 from our breeders. The first time I considered

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1 breeding instead of buying a racehorse, I was
 2 advised to breed something good enough to win
 3 anywhere. This is happening here in Indiana.
 4 Indiana breeds are winning more often at racetracks
 5 throughout the country and abroad.

6 At a time when many states are experiencing
 7 declines in mares bred, Indiana saw increases. To
 8 quote the Paulick Report, when the Jockey Club
 9 released its report on mares bred in 2017, Indiana
 10 stood out as the state with the largest increase in
 11 mares bred and stallions standing in the state in
 12 the top ten.

13 Our program has matured and produce an ever
 14 increasing level of excellence. This year, two
 15 Indiana-bred horses were good enough to make it to
 16 the pinnacle of Thoroughbred racing, the Breeders'
 17 Cup.

18 Each year we hear requests demanding more
 19 races for sired horses as opposed to bred races.
 20 If we had unlimited funds, this would being a
 21 no-brainer, but as it is, it's a balancing act.
 22 Sired horses can compete in bred races but not the
 23 other way around. We have promised people who
 24 bring their mares to Indiana to foal the
 25 opportunity to compete. To change the landscape

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1 would be unfair. And I believe the current program
 2 has been a cause of our program's success.

3 I cannot express how great I believe the
 4 impact of adding Megan to our advertising efforts
 5 has been. She has dynamically propelled our
 6 presence in print and digital media. I hope you
 7 take the time to peruse some of her work. She has
 8 put out several brochures that really are great.

9 One of the suggestions brought before the
 10 committee was the idea to reward sired horses that
 11 win out-of-state races when there is no racing in
 12 Indiana during our dark time. Jessica ran last
 13 year's out-of-state awards and the number of sired
 14 horses that won when we weren't racing and
 15 extrapolated a figure that might be achievable
 16 without impacting our bottom line too much.

17 We did not include that proposal yet because
 18 we wanted to further vet its impact and get an
 19 opinion from legal on possible language of such a
 20 proposed rule change. Seemingly, it would give a
 21 good bang for the buck in terms of advertising the
 22 advantages of bringing a sire to Indiana. If we
 23 move forward with this proposal, we will bring it
 24 to you at a future meeting.

25 So this leaves us with a breed incentive

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1 proposal that is unchanged in its framework.
 2 Because your year-end meeting was early this year,
 3 Indiana Downs was unable to definitively crunch the
 4 numbers in time for the usual detailed proposal
 5 that we bring to you.

6 The committee foresees little change in the
 7 overnight program and would be appreciative if you
 8 would delegate approval of the final budget numbers
 9 to your executive director, Mike Smith.

10 In closing, I would like to share something
 11 with you. After one of our meetings, I joined a
 12 group of breeders at the casino buffet. As it
 13 happened, all but one were women. At a time when
 14 there is proliferation of media reports of the
 15 challenges to women in a man's world, which racing
 16 certainly is a man's world, or has been
 17 historically, I was blown away by the achievements
 18 of this group of women. Not only are they handling
 19 a pitchfork or pulling a baby out of a mare, they
 20 knew their breeding nicks and sire-mare lines. all
 21 about sales prep, mare care, and more.

22 They are the most professional, capable,
 23 knowledgeable group of women succeeding at their
 24 passion, horses, that I have had the pleasure of
 25 knowing. I was humbled and proud. I'm proud of

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1 all the successes of our men and women breeders, as
 2 I hope you are.

3 And I might add praises of the enormous
 4 contributions of the largely female staffers of the
 5 Indiana Horse Racing Commission. Their talents
 6 exceed my words. We are lucky to have them. Thank
 7 you.

8 Any questions?

9 CHAIRMAN BORST: Questions? Mr. Pillow has a
 10 question.

11 COMMISSIONER PILLOW: How do you interact with
 12 the Thoroughbred owners association?

13 WENDY BROWN: We put out notices of our
 14 meetings. They are open meetings. They have come
 15 and attended. Sometimes they will write position
 16 papers or letters and submit them to us. We have
 17 an open discussion about those things. And if we
 18 have any changes to make to the program, we will
 19 make motions and discuss them and vote on them.

20 COMMISSIONER PILLOW: Okay.

21 CHAIRMAN BORST: Any further Commission
 22 questions? Then I think we need a motion to heap a
 23 few more things on the executive director, not that
 24 you don't have enough to do already. How about a
 25 motion to delegate the authority to Executive

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1 Director Smith?

2 COMMISSIONER LIGHTLE: So moved.

3 COMMISSIONER SCHENKEL: Second.

4 CHAIRMAN BORST: Been moved and seconded. Any
 5 further discussion?

6 Seeing none, all those in favor say "aye."
 7 THE COMMISSION: "Aye."

8 CHAIRMAN BORST: Opposed?
 9 (No response.)

10 CHAIRMAN BORST: The "ayes" have it.
 11 Thank you for your presentation.

12 Next is the presentation of 2018 program by
 13 the Quarter Horse Breed Development Advisory
 14 Committee.

15 JESSICA BARNES: And I will be handling this
 16 one. Our chairman, Mike Gross, couldn't be here
 17 today. They are in the same situation that the
 18 Thoroughbred Breed Development Advisory Committee
 19 is. Both the Thoroughbred and the Quarter Horse
 20 program are very dependent on what the open purse
 21 structure is for the racetrack. Their program is
 22 based off of that structure.

23 So at this time we weren't able to get all of
 24 the numbers finalized for the meet for 2018. We
 25 anticipate very few changes to the Quarter Horse

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1 breed development program. It's been successful.
 2 It's been working well.
 3 So at this time, we would like to ask the
 4 Commission to delegate to the executive director
 5 the ability to approve that program when it's
 6 finalized.
 7 COMMISSIONER SCHENKEL: You don't plan on
 8 taking any vacation.
 9 MIKE SMITH: No, but I would like to say I'm
 10 grateful all these fine ladies would let me work
 11 with them, and they do all the work.
 12 COMMISSIONER SCHENKEL: Seriously, I would
 13 offer a motion that we approve this based on or
 14 actually delegate approval, final approval to our
 15 executive director.
 16 COMMISSIONER PILLOW: I second that.
 17 CHAIRMAN BORST: Been moved and seconded. Any
 18 fourth Commission questions, discussions?
 19 Seeing none, all those in favor say "aye."
 20 THE COMMISSION: "Aye."
 21 CHAIRMAN BORST: Opposed?
 22 (No response.)
 23 CHAIRMAN BORST: The "ayes" have it.
 24 Next on the agenda is discussion regarding
 25 Caesar's pending acquisition of Hoosier Park Racing

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1 and Casino and Indiana Grand Racing and Casino.
 2 Mr. Smith.
 3 MS. ELLINGWOOD: I gave you all my talking
 4 points.
 5 CHAIRMAN BORST: Or whoever in the staff would
 6 like to.
 7 MIKE SMITH: Thank you, Mr. Chairman. As
 8 everyone knows, there's been quite a bit of press
 9 lately on the proposal of Caesar's Entertainment
 10 purchasing Centaur, both tracks and casinos.
 11 The Commission so far, the staff has received
 12 the agreements that they've entered into for the
 13 sale of the company. We are still at this point in
 14 time waiting on the application for transfer.
 15 And once that is received, that will put all
 16 of our wheels in motion to do everything that we
 17 need to do as a Commission to move forward and
 18 ultimately bring it before the Commission here.
 19 Once we're finished from the standpoint of the
 20 horse racing commission, it will also go to the
 21 Indiana Gaming Commission for their consideration.
 22 We will have a public meeting, obviously, to
 23 be handled in a public meeting just like this. And
 24 we are looking forward to getting their application
 25 and starting to work on it. That's really about

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1 all I have to say about it right now.
 2 CHAIRMAN BORST: So stay tuned. A lot of work
 3 to be done.
 4 Do we have any old business to come before the
 5 Commission? New business? Announcement regarding
 6 Commission review of ARCI expanded
 7 out-of-competition testing rule over the winter for
 8 possible adoption prior to the start of the 2018
 9 race meet. Is that you, Mr. Smith?
 10 MIKE SMITH: That would be me. One of the
 11 things we are taking a look at -- we wanted to
 12 bring this up at the meeting, even though it's not
 13 going to be voted on today -- is the consideration
 14 of expanded, I would say, or updated ARCI out-of-
 15 competition testing rules.
 16 Out-of-competition testing is one of the
 17 better tools that we have in the whole enforcement
 18 of the drug and illegal substance activities. We
 19 had a goal this year, and I'm not sure how we came
 20 out yet, but we had a goal of about 500
 21 out-of-competition tests this year, probably one of
 22 the largest out-of-competition testing in the
 23 country.
 24 And we wanted to bring it out so in these
 25 rules, the ARCI proposals have been distributed to

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1 all the different associations so they can look at
 2 them and give feedback and working through them.
 3 We've held off on some of these. I think they've
 4 adopted, ARCI adopted these about a year ago. And
 5 we decided we were going to wait a while and just
 6 kind of see how it all fell out.
 7 We wanted to certainly have input from all the
 8 stakeholders involved. We just wanted to at a
 9 public meeting make a couple of comments that it's
 10 out there. It's going to be posted for people to
 11 take a look at it. And we will be talking to them
 12 about it before we come back to the Commission.
 13 COMMISSIONER SCHENKEL: What you provided us
 14 at this point is a draft?
 15 MIKE SMITH: Informational draft.
 16 COMMISSIONER SCHENKEL: An informational draft
 17 and horsemen's groups all have the same thing.
 18 MS. PITMAN: They will.
 19 COMMISSIONER SCHENKEL: You would envision
 20 then what, that we would deal with this from a rule
 21 making, a possible rule-making situation at a
 22 meeting early next year?
 23 MIKE SMITH: Correct. We just wanted to get
 24 it out there officially that we brought it up at a
 25 public Commission meeting.

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1 CHAIRMAN BORST: Any further Commission
 2 questions or discussion on the issue? Anything
 3 further?
 4 MS. ELLINGWOOD: Yes, Chairman, there is one
 5 more item of new business. I will defer to
 6 Mr. Keeler again in substance, but essentially
 7 Centaur would like to ask that you delegate to our
 8 executive director one final task to do over this
 9 last race meet.
 10 John, if you want to go into the specifics of
 11 it, that would be great.
 12 MR. KEELER: Thank you, Mr. Chairman, Members
 13 of the Commission, John Keeler, general counsel of
 14 Centaur.
 15 We're in the process of just completing a new
 16 maintenance building at Indiana Grand. We're in
 17 the process of doing the preliminary design work
 18 for one at Hoosier Park in Anderson. The cost of
 19 that building, if we're able to complete it, would
 20 well exceed the Commission threshold of 500,000
 21 that we need your permission for. So if we are
 22 able to get it started and going, we would like to
 23 be able to delegate the authority to the executive
 24 director to approve that so that as soon as the
 25 weather breaks, we can get on it. Thank you.

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1 CHAIRMAN BORST: Okay. Any further?
 2 COMMISSIONER MCCARTY: I have a question. Did
 3 you say that was a maintenance facility?
 4 MR. KEELER: Yes, sir.
 5 COMMISSIONER MCCARTY: The one you're asking
 6 for the prior approval of is the one at Hoosier
 7 Park.
 8 MR. KEELER: That's right. You already
 9 approved the one at Grand. It's almost ready to be
 10 occupied. This would be somewhat of a mirror of
 11 that facility.
 12 CHAIRMAN BORST: Any further Commission
 13 comments? How about a motion to delegate to
 14 Mr. Smith?
 15 COMMISSIONER PILLOW: We've given him
 16 everything else, why not give him this.
 17 I will make the motion we delegate to Mike
 18 whatever he needs to do to make sure the
 19 maintenance building gets done.
 20 COMMISSIONER MCCARTY: I second.
 21 COMMISSIONER SCHENKEL: Just need to make sure
 22 he shows up for work.
 23 CHAIRMAN BORST: Been moved and seconded. Any
 24 further discussion?
 25 Seeing none, all those in favor of the

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1 delegation, signify by saying "aye."
 2 THE COMMISSION: "Aye."
 3 CHAIRMAN BORST: Opposed?
 4 (No response.)
 5 CHAIRMAN BORST: The "ayes" have it.
 6 Now, any further new business from anyone,
 7 questions, comments? Seeing none, we thank you all
 8 for attending, for the great presentations. We'll
 9 hope 2018 is an even better here year in the horse
 10 industry in Indiana than 2017.
 11 Again, thanks, the Breeders Crown was
 12 fabulous.
 13 MIKE SMITH: May I make one, I would like to
 14 make one real quick comment about the cooperation
 15 from the associations and the activities this year
 16 have been great, been proactive and hopeful in
 17 every manner. I probably should have done this
 18 before even in consideration of the application.
 19 But I just personally want to thank you all
 20 and all the horsemen for a great meet, both tracks,
 21 and for all of your proactive stances on trying to
 22 make this a better place to race. And I really do
 23 appreciate all your work. Thanks.
 24 CHAIRMAN BORST: Thank you. We had a
 25 distraction here. Seeing no further business, how

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1 about a motion for adjournment.
 2 COMMISSIONER SCHENKEL: So moved.
 3 COMMISSIONER MCCARTY: Second.
 4 COMMISSIONER PILLOW: I want to delegate it to
 5 Mike.
 6 CHAIRMAN BORST: We've delegated everything to
 7 him.
 8 COMMISSIONER SCHENKEL: Merry Christmas to
 9 all.
 10 CHAIRMAN BORST: Seeing no further discussion,
 11 all those in favor say "aye."
 12 THE COMMISSION: "Aye."
 13 CHAIRMAN BORST: Those opposed?
 14 (No response.)
 15 CHAIRMAN BORST: Everybody go check the
 16 meters. I think we're okay.
 17 (The meeting of the Indiana Horse Racing
 18 Commission adjourned at 11:22 a.m.)
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STATE OF INDIANA
COUNTY OF JOHNSON

I, Robin P. Martz, a Notary Public in and for said county and state, do hereby certify that the foregoing matter was taken down in stenograph notes and afterwards reduced to typewriting under my direction; and that the typewritten transcript is a true record of the Indiana Horse Racing Commission meeting;

I do further certify that I am a disinterested person in this; that I am not a relative of the attorneys for any of the parties.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal this 20th day of December 2017.

Robin P. Martz



My Commission expires:
March 3, 2024
Job No. 123777

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