

Minutes of the Regular Meeting of the  
Indiana Horse Racing Commission

**September 17, 2013**

Indiana State Library, Room 211  
315 W. Ohio Street  
Indianapolis, IN 46204

Commission members present: William Diener, Chairman; Steve Schaefer, Vice-Chairman; Commissioners Jason Barclay and Greg Schenkel. Also present were Joe Gorajec, IHRC Executive Director; Lea Ellingwood, IHRC General Counsel; Holly Newell, IHRC Deputy General Counsel; IHRC Assistant Executive Director Deena Pitman; Roger Young, counsel to the Indiana Standardbred Association; Wendy Brown, Thoroughbred Breed Development Committee; Jessica Barnes, IHRC Director of Breed Development; Jack Kieninger, President of the Indiana Standardbred Association; Rick Moore, Hoosier Park Vice President and General Manager for Racing; Gene Ciscell, Hoosier Park Vice President for Information Technology.

**I. Call to Order**

Chairman William Diener called the meeting to order at approximately 9:00 a.m. A quorum was present.

**II. Approval of minutes of the June 11, 2013, meeting.**

The Commission approved the June 11, 2013 minutes 4-0.

**III. Agenda**

**Note: All items on the agenda were transcribed by a court reporter from Stewart Richardson. Transcripts are available at [www.in.gov/hrc](http://www.in.gov/hrc).**

**1. Litigation update.**

General Counsel Lea Ellingwood updated the Commission on the conclusion of two cases involving the Indiana Horse Racing Commission. The Indiana Court of Appeals issued a favorable decision in *Indiana Horse Racing Commission v. Edmund Martin, Jr.* Additionally, a federal case filed by Mr. Martin against Executive Director Gorajec, Director of Security Terry Richwine, and former IHRC Chairwoman Sarah McNaught has been dismissed.

**2. Consideration of emergency rules stemming from 2013 legislation.**

Ms. Ellingwood presented amended and new rules drafted to ensure commission compliance with new legislation. *The Commission passed the emergency rules 4-0.*

**3. Review of Commission Rulings – May 1, 2013 through August 31, 2013.**

Deputy General Counsel Holly Newell allowed time to review the rulings and addressed a question regarding the use of unlicensed help on the backside.

**4. Consideration of petition by the Indiana Standardbred Association to amend 2013 budget.**

Roger Young, counsel for the ISA, requested that the commission approve a payment

from the ISA to the Racing Medication and Testing Consortium. *Chairman Diener moved to approve the budget amendment. Commissioner Schenkel seconded. Motion passed 4-0.*

**5. Discussion regarding delegation of authority to approve amendments to line items of approved horsemen's association budgets.**

Chairman Diener proposed that the Executive Director, after consultation with the Chair, be delegated the authority to approve an amendment to a specific line item of a budget of up to \$50,000.00 as long as the total of the particular budget for the account was not changed. *Chairman Diener moved to permit the delegation. Vice Chairman Schaefer seconded. Motion passed 4-0.*

**6. Consideration of emergency rules re: Thoroughbred Breed Development, "Indiana bred"; and Mare Registration.**

Wendy Brown represented the Thoroughbred Breed Development Committee in requesting that the Commission approve amendment of the rules. Commissioner Barclay requested clarification of the amendments and their purpose. *Vice Chairman Schaefer moved that the emergency rules be adopted as amended. Commissioner Schenkel seconded. Motion passed 4-0.*

**7. Consideration of emergency rules re: Standardbred Breed Development, Stallion registration.**

Director of Breed Development Jessica Barnes presented two emergency rules for consideration. *Vice Chairman Schaefer moved to adopt the rules. Commissioner Barclay seconded. Motion passed 4-0.*

**8. Consideration of approval of Indiana Sires Stakes and Indiana Sired Fair Circuit Program for 2014.**

Ms. Barnes presented the 2014 programs for Commission consideration. ISA President Jack Kieninger and Hoosier Park Vice President and General Manager for Racing Rick Moore also spoke in support. *Chairman Diener moved to approve the programs. Vice Chairman Schaefer seconded. Programs approved 4-0.*

**9. Centaur presentation on matters of interest.**

Mr. Moore and Gene Ciscell, Hoosier Park Vice President of Information Technology made a presentation regarding the TRACKUS system.

**IV. Old Business**  
None

**V. New Business**

A. Next IHRC meeting set for October 29, 2013.

B. Chairman Diener indicated that pre-hearing orders relation to various items on the October 29, 2013 agenda would be distributed in a few weeks.

**VI. Adjournment**

With no further business, Chairman Diener adjourned the meeting at 10:03 a.m.

Respectfully submitted,