

In the Matter Of:

INDIANA HORSE RACING COMMISSION MEETING

Transcript of Proceedings

October 19, 2021

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3 INDIANA HORSE RACING COMMISSION MEETING

4 HELD ON

5 OCTOBER 19, 2021

6 10:42 A.M.

7
8 AT THE

9 HARRAH'S HOOSIER PARK RACING & CASINO

10 4500 DAN PATCH CIRCLE

11 ANDERSON, IN 46013

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13
14 TAKEN BY:

15 MICHELE K. GUSTAFSON, CRR-RPR,

16 NOTARY PUBLIC
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APPEARANCES

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Philip Borst, Chairman
Bill Estes
George Pillow
Tim Wade
William McCarty (by telephone)

Deena Pitman, Executive Director

Noah Jackson, Esq.
INDIANA HORSE RACING COMMISSION
1302 North Meridian Street, Suite 175
Indianapolis, IN 46202

AGENDA

I. Call to Order

II. Approval of memorandum from the July 15, 2021 meeting.

III. Agenda

1. Readoption of administrative rules scheduled to expire. See attached Notice of Intent to Readopt, LSA Document #21-222.

2. Review of commission rulings - July 10, 2021 through October 13, 2021.

3. Consideration of Indiana Grand's request for live racing dates for 2022 pursuant to IC 4-31-5-9, IC 4-31-5-10 and 71 IAC 11-1-7.

4. Consideration of Harrah's Hoosier Park request for live racing dates for 2022 pursuant to IC 4-31-5-9, IC 4-31-5-10 and 71 IAC 11-1-7.

5. Consideration of Executive Director Pitman's conditional approval to add one make up day and three additional race days to the end of the 2021 Indiana Grand race calendar.

6. Consideration of Thoroughbred Breed Development Committee waiver of 71 IAC 13.5-2-3(b) - Stallion registration.

7. Caesars update regarding winter training at Harrah's Hoosier Park and a construction update on Indiana Grand's new dormitory and barn.

8. Consideration of the advance deposit wagering (ADW) allocation request from the Indiana Standardbred Association (ISA).

IV. Old Business

V. New Business

VI. Adjournment

1 CHAIRMAN BORST: Okay. Seeing a quorum, I
2 will call this meeting of the Indiana Horse Racing
3 Commission to order. First on the agenda is to
4 swear in our reporter. Can you raise your right
5 hand?

6 (At this time the oath was administered to the
7 court reporter by Chairman Borst.)

8 CHAIRMAN BORST: Thank you and welcome.

9 Next like to welcome our newest Commission
10 member, Tim Wade. We're glad to have you here. So
11 everybody be nice to him for a while. We got to
12 break him in easy now. I told him everybody out
13 here are great people, so we got to live up to
14 that. And you are, so you will.

15 Again, thanks to Rick Moore, Hoosier Park. We
16 sure appreciate it. This is very nice setup. And
17 hopefully we can keep doing it here or
18 Indiana Grand, either one.

19 Okay. First on the agenda is the approval of
20 the memorandum from the July 15, 2021, meeting.
21 And I think this will have to have a roll call
22 vote. Noah?

23 MR. JACKSON: Thank you. Chairman Borst.

24 CHAIRMAN BORST: Aye.

25 MR. JACKSON: Oh, did we move approval?

1 CHAIRMAN BORST: Oh, I guess we should do
2 that. Would someone like to make a motion?

3 COMMISSIONER ESTES: So moved.

4 COMMISSIONER McCARTY: I move for approval of
5 the memorandum.

6 CHAIRMAN BORST: That was Commissioner McCarty
7 on the phone.

8 COMMISSIONER ESTES: Second.

9 CHAIRMAN BORST: It's been moved and seconded.
10 Now we'll go to roll call.

11 MR. JACKSON: Thank you. Commissioner Borst.

12 CHAIRMAN BORST: Aye.

13 MR. JACKSON: Commissioner McCarty.

14 COMMISSIONER McCARTY: Aye.

15 MR. JACKSON: Commissioner Pillow.

16 COMMISSIONER PILLOW: Aye.

17 MR. JACKSON: Commissioner Estes.

18 COMMISSIONER ESTES: Aye.

19 MR. JACKSON: Commissioner Wade.

20 COMMISSIONER WADE: Aye.

21 MR. JACKSON: Thank you.

22 CHAIRMAN BORST: On the agenda is the
23 readoption of administrative rules scheduled to
24 expire. Noah, do you want to go through this? I
25 guess some of these were sunset rules that we have

1 to say yes or no to renewal.

2 MR. JACKSON: Correct. Thank you. Like other
3 administrative agencies, the Commission's
4 administrative rules automatically expire every
5 seven years. However, the agency is given the
6 opportunity to readopt the rules so long as the
7 rule language remains identical.

8 There are a number of rules scheduled to
9 expire at the end of the year, each of which is
10 listed in the Notice of Intent to Readopt labeled
11 LSA Document 21-222. Commission Staff posted the
12 rules on the legislative agency's website as
13 required by statute. This gives an opportunity for
14 members of the public to ask us to consider making
15 changes to the rules or to readopt them separately.
16 We did not have any requests to do so. We also
17 shared the list of readoptions with the horsemen's
18 associations and Caesars just for informational
19 purposes.

20 At this time Commission Staff respectfully
21 requests the Commission's approval for these rules
22 to be readopted without change before the end of
23 the year.

24 CHAIRMAN BORST: Do we have a motion and a
25 second?

1 COMMISSIONER ESTES: I move.

2 COMMISSIONER PILLOW: Second.

3 CHAIRMAN BORST: Been moved and seconded. Any
4 commission member questions, comments? Any members
5 of the public? I know you've already had a chance
6 at them and how about another shot.

7 (No response.)

8 CHAIRMAN BORST: Seeing none, guess we'll go
9 to the roll call.

10 MR. JACKSON: Chairman Borst.

11 CHAIRMAN BORST: Aye.

12 MR. JACKSON: Commissioner McCarty.

13 COMMISSIONER McCARTY: Aye.

14 MR. JACKSON: Commissioner Pillow.

15 COMMISSIONER PILLOW: Aye.

16 MR. JACKSON: Commissioner Estes.

17 COMMISSIONER ESTES: Aye.

18 MR. JACKSON: Commissioner Wade.

19 COMMISSIONER WADE: Aye.

20 MR. JACKSON: Thank you.

21 CHAIRMAN BORST: Passes unanimously.

22 Next is review of the commission rulings.

23 There's no vote on this, so it's just if any
24 commission members have any questions. It's quite
25 a few pages worth.

1 I think there was one in there I've got a
2 question about. What is -- I can't remember
3 exactly what it said -- improper business manner or
4 something like that? There was one in there and
5 I'd never seen that one before.

6 MR. JACKSON: I don't know about that ruling
7 in particular. That rule can be a number of
8 different things. I think that it can mean that
9 they weren't -- Deena, you may have to help me on
10 this -- that they did not -- is that where they did
11 not pay a bill or they did not -- potentially they
12 didn't enter a horse correctly. I mean, there's a
13 number of different things.

14 MS. PITMAN: There's a number of things that
15 fall under that. It's \$100 fine so it's not
16 necessarily a huge issue, but it's just not
17 conducting their business in the way it needed to
18 be conducted.

19 CHAIRMAN BORST: Okay. All right. Any other
20 questions on the commission rulings?

21 (No response.)

22 CHAIRMAN BORST: If not, we'll move on to
23 No. 3 on the agenda, consideration of
24 Indiana Grand's request for live racing dates for
25 2022. Noah, do you want to take that one too?

1 MR. JACKSON: Thank you. Commissioners,
2 pursuant to the IHRC's administrative rules and
3 Indiana statute, the Commission must approve racing
4 dates for the permit holder before live racing can
5 be held for the upcoming year. Following the
6 Commission's requirement that the permit holder
7 submit an annual operation plan to detail the
8 upcoming race season, it has been the practice to
9 consider the dates at the time the operation plan
10 is considered.

11 However, this year Caesars has been able to
12 nail down the race calendars at both racetracks.
13 You have before you on agenda item 3 the Indiana
14 Grand live racing date schedule for 2022. Having
15 reviewed the schedule, Commission Staff
16 respectfully recommends approval of the 2022 racing
17 calendar.

18 CHAIRMAN BORST: Do we have a motion and a
19 second?

20 COMMISSIONER McCARTY: I move.

21 COMMISSIONER ESTES: Second.

22 CHAIRMAN BORST: Been moved and seconded.

23 MS. PITMAN: Eric, would you like to talk?

24 MR. HALSTROM: Don't want to stop the
25 momentum.

1 CHAIRMAN BORST: Go ahead. You can explain.

2 MR. HALSTROM: Okay. I'll just give you a
3 brief overview, Chairman Borst, members of the
4 Commission. I would really term this -- the 2022
5 proposal you see there is kind of a collaboration
6 of ideas from the different groups, the HBPA and
7 the QHRAI and even Commission Staff. You know,
8 it's a long meet, so we've seen plenty of ups,
9 we've seen some challenges too, and we wanted to
10 throw some things in there next year that may
11 smooth out a few of those things.

12 We're asking for 127 days, which is more than
13 this year. That being said, you know, we'd come
14 into the 2021 dates not sure where we were
15 pandemic-wise and we thought we went with 120 made
16 the most sense. Things have been good. I mean,
17 our business has been good and we've got some ideas
18 to make next year even stronger. So I think I
19 stand up here as a representative of the group and
20 the team over at Indiana Grand with the horsemen
21 saying we're excited about next year. Think we've
22 found something that works for everybody who's got
23 a stake over there.

24 CHAIRMAN BORST: Thank you. Thank you for
25 working on that too.

1 MS. PITMAN: Can I ask a question of Eric?

2 CHAIRMAN BORST: Sure, you can.

3 MS. PITMAN: Eric, can you talk to us about
4 the -- this race meet and the races that took place
5 that you had trouble filling?

6 MR. HALSTROM: Sure. Because, you know,
7 Ms. Pitman's got a point that, you know, we're
8 definitely going to be dealing with. I guess I
9 think the realistic point right now is we've got
10 challenges finding horses, there's no doubt, and
11 everybody who is in my position and Mr. Elmore's
12 position around the country's got the same issues
13 but, you know, we're dealing with it with the
14 program that's really going up and now we're having
15 struggles trying to find, you know, certain horses,
16 especially on the open side.

17 I'm going to take the positive view here a
18 little bit and say this year was a little bit
19 different also, and the one thing -- there was two
20 things that happened really that made -- I think
21 were very much a factor in some of the especially
22 the mid-season struggles trying to fill some of
23 these open races.

24 One of them was -- and I thought this was
25 going to be the exact opposite -- I thought this

1 was going to be a good thing for us -- was
2 Churchill actually they vacated their -- the
3 racetrack. They redid their turf course over the
4 summer after the summer meet was over, and I
5 thought that would be a good thing. No turf at
6 Churchill and we'd pick up a bunch of horses, and
7 to a small extent we did. The problem was they all
8 wanted to come our way. You know, we had -- if we
9 had 500 more stalls, we could have put 500 horses
10 in there. We didn't have 500 stalls. They all
11 went out east, and so basically we lost about 800
12 to a thousand horses in the region to racetracks
13 out east that normally wouldn't have had that.

14 Now, they won't be doing that next year, but
15 it's still going to be a fight for those horses.
16 Just because they're in Louisville does not mean
17 they're coming to Shelbyville every day. We
18 realize that. However, it was a struggle that we
19 didn't, you know, didn't really forecast being
20 something that we were going to run into.

21 And, you know, the other positive I would say
22 is by the time we open up next year we're going to
23 have 105 more stalls. We've got a barn that's
24 going up, and just as recently as yesterday
25 Mr. Elmore and couple others and I were talking

1 about making sure we have the right people in those
2 stalls for both breeds that, you know, are there to
3 participate and whatnot.

4 But, you know, the foal population for the
5 last couple decades has gone -- has been going like
6 this, been declining, and we're starting to feel
7 some of that reality of how those things are
8 changing. And it's not getting any better. The
9 forecast for this year is quite bleak as far as,
10 you know, the national foal population.

11 So we're coming up with different ways. This
12 year kind of hit us between the eyes with some real
13 struggles, as Ms. Pitman said. And, you know, I
14 appreciate the horsemen working with us. We're
15 good partners. Our racing director, Chris Polzin,
16 I think has done -- worked as hard as he could to
17 try and make things happen. Next year we'll try to
18 build on some of this stuff. Make sure those
19 stalls are filled with horses who are here to
20 support Indiana racing. That's for sure.

21 MS. PITMAN: Thank you.

22 CHAIRMAN BORST: Thank you. Any other
23 questions for Mr. Halstrom?

24 MR. JACKSON: I had quick question as well.

25 CHAIRMAN BORST: Yes, Noah.

1 MR. JACKSON: The one-week break is new. Can
2 you just describe for the Commission what you think
3 the advantages of that break are?

4 MR. HALSTROM: Yes. Mr. Jackson, I appreciate
5 you bringing that up. I should have said that.

6 I talked about a collaborative effort. One of
7 the things from our end, when you've got a long
8 meet of 120-some days -- and I know Rick's rolling
9 his eyes over there with a longer meet -- but it's
10 you almost take it in sections. It starts out and
11 you go from spring to summer to late fall. We
12 found that somewhere in the middle we thought it
13 would be a good idea to just take a little break
14 and reassess and figure out where we're at.
15 There's other racetracks who've had good success
16 with this, and they run long meets too. Entries
17 are good before the break. They're good when you
18 come out after the break.

19 And the other thing it gives us a chance if we
20 need to do some work on our racetrack, you know,
21 after -- we're open year-round now. We don't get a
22 whole lot of time to do a lot of hard work on that
23 racetrack. So it will give us that time. Gives
24 the turf course a week to just water it and get it
25 back into fresh shape there.

1 We'll see what happens. You know, if it
2 doesn't turn out to be something we thought, next
3 year we'll come back with another collaborative
4 effort for 2023. But I think it's going to be
5 something that everybody values.

6 CHAIRMAN BORST: Any other questions from the
7 commissioners? Anybody from the public? Hopefully
8 you're all okay with it. Mr. Elmore is shaking
9 yes, so I guess you're okay. Thumbs up.

10 In that case I guess we'll take a roll call
11 vote.

12 MR. JACKSON: Thank you. Chairman Borst.

13 CHAIRMAN BORST: Aye.

14 MR. JACKSON: I'm sorry. Did we have a
15 motion? Did I miss?

16 CHAIRMAN BORST: Did that.

17 MR. JACKSON: Okay. I'm sorry.
18 Commissioner McCarty.

19 COMMISSIONER McCARTY: Yes.

20 MR. JACKSON: Commissioner Pillow.

21 COMMISSIONER PILLOW: Yes.

22 MR. JACKSON: Commissioner Estes.

23 COMMISSIONER ESTES: Yes.

24 MR. JACKSON: And Commissioner Wade.

25 COMMISSIONER WADE: Aye.

1 MR. JACKSON: Thank you.

2 CHAIRMAN BORST: Passes unanimously. Thank
3 you.

4 Next on the agenda is consideration of
5 Harrah's Hoosier Park's request for live racing
6 dates for 2022. Mr. Moore.

7 MR. MOORE: Thank you, Mr. Chairman.
8 Rick Moore, vice president and general manager of
9 racing here at Harrah's Hoosier Park. I guess the
10 word of the day is collaboration, and collaboration
11 was definitely a result here of our meetings with
12 the Indiana Standardbred Association and us here at
13 Harrah's Hoosier Park and come together
14 collectively to present a racing calendar that we
15 think, like Eric says, makes sense for all parties.
16 This will be the longest stretch of the calendar
17 that we've ever raced standardbred racing or any
18 racing here in Indiana next year. We're going from
19 the end of March, March 25, till basically almost
20 the middle of December, December 10.

21 Some of the nuances I will point out on the
22 calendar. We have traded out Sundays for Tuesdays.
23 We will not be racing the night before Thanksgiving
24 or Thanksgiving Day. We will be racing on the
25 spring/summer holidays, like Memorial Day,

1 Fourth of July, Labor Day, trying to generate
2 attendance here on track. Make those big
3 celebration days, days when people aren't working,
4 can come out, enjoy racing here at Hoosier Park.

5 One other comment I would point out, as I put
6 in my letter. Whichever day at the State Fair
7 becomes the grand circle day -- and we think it's
8 either going to be August 10 or 17 -- we'll be dark
9 that day and move that day to Tuesday, October 4.
10 So want to make sure everyone can participate down
11 at the State Fair, which is a big day, at grand
12 circle day.

13 So I think I pointed out the different aspects
14 of the calendar that you might find, you know,
15 little bit different. So be glad to answer any
16 questions that anyone may have.

17 CHAIRMAN BORST: Any questions? Deena.

18 MS. PITMAN: Rick, did you have any problems
19 filling your races this year?

20 MR. MOORE: You know, for the most part we've
21 been really successful in the entry box. And, you
22 know, I think the calendar that we laid out has
23 made sense, the five-day weeks. Our challenge at
24 any racetrack in the country, most tracks have gone
25 back to four days a week, but we're lucky on a

1 portion of our calendar where we have five days a
2 week is when the two-year-olds start racing, sire
3 stakes. So we've really been fortunate that we've
4 been able to average 13 races a day. We're at 8.4
5 starters per race. We've gotten a number of horses
6 now coming from Chicago with Hawthorne being
7 closed.

8 So it's really worked out well that we've been
9 able to fill races here at Harrah's Hoosier Park
10 and we strive to fill 14 a day and most days we can
11 do that. And thanks to the Indiana Horse Racing
12 Commission, on our big days, like last Friday
13 night, we've been able to card 15 races. I would
14 point out it was a great Hoosier champions night
15 the other night, which was maybe our biggest or
16 second biggest handle night ever for our Hoosier
17 champions at \$1.1 million.

18 So to answer your question, Deena, we've
19 really been fortunate in the way we've been able to
20 fill races here this summer -- spring, summer, and
21 fall.

22 MS. PITMAN: Thank you.

23 CHAIRMAN BORST: Do we have a motion and a
24 second?

25 COMMISSIONER ESTES: Motion to accept.

1 COMMISSIONER PILLOW: Second.

2 CHAIRMAN BORST: Moved and seconded. Any
3 questions from commission members? From the
4 public?

5 (No response.)

6 CHAIRMAN BORST: Seeing none, we'll go to the
7 roll call vote.

8 MR. JACKSON: Chairman Borst.

9 CHAIRMAN BORST: Aye.

10 MR. JACKSON: Commissioner McCarty.

11 COMMISSIONER McCARTY: Aye.

12 MR. JACKSON: Commissioner Pillow.

13 COMMISSIONER PILLOW: Aye.

14 MR. JACKSON: Commissioner Estes.

15 COMMISSIONER ESTES: Aye.

16 MR. JACKSON: Commissioner Wade.

17 COMMISSIONER WADE: Aye.

18 MR. JACKSON: Thank you.

19 CHAIRMAN BORST: Passes unanimously.

20 MR. MOORE: Thank you, Mr. Chairman.

21 CHAIRMAN BORST: Thank you all for the
22 collaboration. Last year the word was pivot. This
23 year it's a much better word, collaboration. We
24 like that. That gives you time to plan things out
25 instead of having to act on a dime.

1 Next on our agenda is consideration of
2 Executive Director Pitman's conditional approval to
3 add one make up day and three additional race days
4 to end the 2021 Indiana Grand racing calendar.

5 Deena?

6 MS. PITMAN: Thank you, Chairman. I want to
7 remind the Commission in -- at our July 15 meeting
8 we had a conversation about Indiana Grand making a
9 possible request to add a make-up day and three
10 additional race days to the race calendar that we
11 approved this year. And they did go ahead -- Eric
12 submitted that on September 9. I went ahead and
13 approved it on condition that the Commission would
14 give full approval today.

15 And this is one of the reasons why I asked
16 questions about filling races, because, again,
17 Eric, I know that it's been a struggle and there's
18 been some challenges and I just wanted to make sure
19 that you're adding those three days that you're
20 going to have the horses to fill those races. If
21 you'd like to comment.

22 MR. HALSTROM: Yes, Ms. Pitman. I guess the
23 word confident that we shouldn't have any trouble
24 at the end of the meet here. And you'll see on the
25 2022 calendar we actually moved more dates in

1 November. I think if there's an opportunity that's
2 where we'll have the most horses. It was
3 summertime where we really felt a pinch when
4 Ellis Park was running and every other track in
5 America essentially was running. So I don't think
6 we'll have any trouble the three closing dates.

7 MS. PITMAN: Okay. Great.

8 MR. JACKSON: Did you have a lot of interest
9 in the November dates last year?

10 MR. HALSTROM: Mr. Jackson, actually the
11 November dates we almost could have carded as many
12 races as we could put out there. 2020 was a lot
13 different than in 2021 everywhere. But believing
14 still there's enough evidence that we shouldn't
15 have a whole lot of trouble filling the races in
16 November.

17 CHAIRMAN BORST: Thank you. Do we have a
18 motion and a second to accept this?

19 COMMISSIONER ESTES: So moved.

20 COMMISSIONER McCARTY: Second.

21 CHAIRMAN BORST: Been moved and seconded. Any
22 questions, Commission members? Pretty
23 self-explanatory.

24 (No response.)

25 CHAIRMAN BORST: Guess we'll go to a roll call

1 vote.

2 MR. JACKSON: Chairman Borst.

3 CHAIRMAN BORST: Aye.

4 MR. JACKSON: Commissioner McCarty.

5 COMMISSIONER McCARTY: Aye.

6 MR. JACKSON: Commissioner Pillow.

7 COMMISSIONER PILLOW: Aye.

8 MR. JACKSON: Commissioner Estes.

9 MS. PITMAN: Aye.

10 MR. JACKSON: Commissioner Wade.

11 COMMISSIONER WADE: Aye.

12 MR. JACKSON: Thank you.

13 CHAIRMAN BORST: Passes unanimously.

14 Next on the agenda is consideration of
15 Thoroughbred Breed Development Committee waiver,
16 stallion registration. Jessica can explain it all
17 to us.

18 MS. BARNES: Good morning. When we look at
19 our breed development program's rules, when we put
20 rules into place, we always try to think of all the
21 possible scenarios. And as time goes by, there's
22 inevitably something that we don't think about and
23 unintended consequences.

24 So we received two separate requests earlier
25 this year of stallions that were failed to be

1 registered in time and one was from 2019 breeding
2 season and one was from 2021. I spoke with the
3 executive director about that request because it
4 would require a rule waiver in order to register
5 those stallions. She recommended that we also
6 bring it up to the Thoroughbred Breed Development
7 Advisory Committee and get their recommendation on
8 how we probably should proceed with it.

9 They discussed it at their August 19 meeting.
10 They wanted to proceed with requesting a rule
11 waiver and also look at the existing rule to make a
12 modification for the future. They felt like the
13 existing rule, specifically the language that
14 doesn't allow a stallion to be registered late
15 after it has already covered mares, does cause an
16 undue burden to mare owners who have no liability
17 in the registration of that stallion. So it is the
18 stallion owner's responsibility to register that
19 stallion, and if the stallion was not registered
20 with the Commission, the mare -- owner of the mare
21 is inevitably harmed when they don't realize that
22 the stallion wasn't registered.

23 So we had in both of these cases several mare
24 owners who had bred their mares to stallions
25 thinking that they were registered with the Indiana

1 program and only to find out after the fact that it
2 was not. So the committee felt that, especially
3 when we're looking at our program and the number of
4 mares that have been declining over the years, the
5 actions that we have taken -- I don't know if you
6 remember, but we put some things in place for the
7 thoroughbred program to try to attract additional
8 mares and we are even providing incentives for new
9 mares to come to Indiana -- that, you know, denying
10 these registrations and losing almost 12 foals is a
11 lot of foals for our program that that was kind of
12 a hardship for the program.

13 And so we are requesting a waiver,
14 specifically it's 71 IAC 13.5-2-3(b), to allow the
15 two stallions in question to be registered. And
16 then the committee will actually be coming back
17 with you later on this year with the request to
18 change the rules so this type of thing doesn't
19 happen in the future.

20 CHAIRMAN BORST: Just a question. To prevent
21 it from happening, wouldn't there be a way that the
22 owner of the mare could find out whether the
23 stallion's registered? Or couldn't they provide --
24 owner of the stallion provide certification? That
25 would solve it quicker.

1 MS. BARNES: Yeah, we do have lists on our
2 website that we post. Unfortunately if somebody is
3 new to our program, they don't always know to go
4 look for those things. So, you know, we are always
5 trying to figure out ways how to continually
6 educate people.

7 You know, and one of the things that happens
8 is when our inspector is out in the field, they are
9 inspecting stallions and sometimes they will catch
10 this, but unfortunately the way that the rule is
11 written, by that time a stallion has already
12 covered a mare. So that specific language in the
13 rule really poses a problem that we didn't think
14 about. You know, ideally want the stallion owner
15 to -- we wanted to be like get it in before you
16 ever cover any mares but we're finding that that
17 didn't happen.

18 CHAIRMAN BORST: Maybe there is a way that the
19 stallion owner would have to show the owner of the
20 mare the certification. Just automatically make
21 that a rule that you got to do it, and then that
22 way you don't have to worry about it anymore in the
23 future. Just have to think of something creative.
24 More collaboration.

25 MS. BARNES: More collaboration, yes.

1 CHAIRMAN BORST: More of that.

2 Any -- oh, how about a motion and a second?

3 COMMISSIONER PILLOW: So moved.

4 COMMISSIONER ESTES: Second.

5 CHAIRMAN BORST: Moved and seconded to accept.

6 Any further questions, Commission members? Any

7 members of the public?

8 (No response.)

9 CHAIRMAN BORST: Seeing none, I guess we'll go
10 to a roll call vote.

11 MR. JACKSON: Chairman Borst.

12 CHAIRMAN BORST: Aye.

13 MR. JACKSON: Commissioner McCarty.

14 COMMISSIONER McCARTY: Aye.

15 MR. JACKSON: Commissioner Pillow.

16 COMMISSIONER PILLOW: Aye.

17 MR. JACKSON: Commissioner Estes.

18 COMMISSIONER ESTES: Aye.

19 MR. JACKSON: Commissioner Wade.

20 COMMISSIONER WADE: Aye.

21 MR. JACKSON: Thank you.

22 CHAIRMAN BORST: Passes unanimously. Thank
23 you, Jessica.

24 MS. BARNES: Thank you.

25 CHAIRMAN BORST: Next on the agenda is Caesars

1 update regarding winter training at Harrah's
2 Hoosier Park and a construction update on
3 Indiana Grand's new dormitory and barn. I think
4 that's Mr. Joe Morris.

5 MR. MORRIS: Good morning, Commissioners.
6 Joe Morris from Caesars Entertainment. I'll start
7 with Indiana Grand on the construction update. We
8 were originally scheduled to have this barn and
9 dorm in service by the end of this year. Ran into
10 some assortment of different snags, the biggest of
11 which was trying to get our permits through IDEM.
12 We have worked through that at this point, but we
13 have about a three and a half-month delay now in
14 those projects. So they won't be done the end,
15 they'll be done the beginning of March. So they'll
16 go into service for our next year's racing season,
17 and that'll work out fine for us.

18 I do want to point out one particular week.
19 It's the week of Thanksgiving -- and I think it's
20 going to be Tuesday -- we're going to have an
21 old-fashioned barn raising that day. And they
22 still build even the new barns with the sides laid
23 down, you raise them up with people pushing them up
24 and with cranes and the roof with that, and we'll
25 have coffee and hot cider and make it a barn area

1 event. We'd like to invite any of you who would
2 like to come to that. Lot of history to a barn
3 raising.

4 So we'll have that. The dorm will be depleted
5 in January, so that'll be ready to go.

6 Couple other projects we have there is LED
7 lighting. We have 420 stalls that are winterized
8 there and we'll be adding LED lighting to those
9 barns. And we also have a drainage challenge that
10 we need to correct out in the barn area and we'll
11 do that this fall also.

12 At Hoosier this will be our first year of
13 winter training. We formed a committee, which is
14 three of us from the track side and four from
15 the -- four horsemen from the ISA side. We are
16 expecting about 275 horses for the first year of
17 winter training. We'll have 300 stalls winterized.

18 Little easier, we just copy the rules we had
19 at Indiana Grand. Worked well last year, so
20 there's no sense in reinventing the wheel there.
21 They had to have been stabled on our back stretch
22 this last summer to be eligible and we -- as I
23 said, looks like we'll have about 275 horse in
24 there. And same measurement of the success or
25 failure is our entry box on the first weekend in

1 March. If we can fill that box up more, it was
2 well worth the expense of doing it, and if not, you
3 know, it probably wasn't. But I'm expecting it
4 should help, as it did at Indiana Grand.

5 I do want to tell we are working on our 2022
6 racing ops plan. The 2021 was a heck of a good
7 road map for us, and we will be building on that.
8 Hoosier Park this year will have the highest
9 history -- highest handle in its history. It'll be
10 the first time ever the handle has gone over
11 \$100 million. And a lot of that is following that
12 road map that we all worked together on for 2021.

13 We've now had nine days over a million dollars
14 in handle. Previous record was five and two of
15 those were Breeders Crown. Last Friday -- I've
16 just done the two meets -- was the biggest crowd I
17 have ever seen here and a record handle for super
18 night. We bet over \$50,000 three different times
19 with on-track handle. So all good things to build
20 on here for next year.

21 Down at Indiana Grand it'll be the first time
22 we have ever gone past the \$200 million mark in
23 handle. So another very good successful program,
24 again, laid out in that 2021 ops plan that we'll
25 build on for 2022. In the quarter horse racing the

1 previous high there was \$3 million, and on our six
2 days we've done \$4.9 million for the horse handle.
3 Two days over a million, and those were the first
4 times that's ever happened.

5 So we've got some good momentum going. We're
6 working on the 2022 plan. We do have our
7 agreements done also with our three horsemen's
8 groups. They've been voted. They're not all
9 signed yet, but the agreements will be a part of
10 that package we put forth to you in December also.
11 You know, we couldn't do these numbers without the
12 participation of our horsemen. They are giving us
13 a product that we need. And to build handle the
14 first thing you have to have is good product, and
15 we have good product at both places.

16 So real quick update there. Things are headed
17 in the right direction and we look forward to
18 adding to it for 2022.

19 CHAIRMAN BORST: Thank you. Any questions?
20 Deena, have a question?

21 MS. PITMAN: Joe, do you want to go ahead and
22 go through the quarterly report, the third quarter
23 report real, quickly?

24 MR. MORRIS: That would be great. We've just
25 presented, we're passing our third quarter

1 charitable giving report, and we'll have Christal
2 come up and do that report for us.

3 MS. JOHNSON: Good morning. Christal Johnson,
4 community relations manager here at Hoosier Park.
5 Hi there. I am so incredibly excited to share with
6 you all, as I was the last time, very first time
7 few months ago, about our efforts here at Harrah's
8 Hoosier Park.

9 Quarter three end specifically we have
10 partnered with Operation: Job Ready Vets. It
11 really takes a holistic approach not only to the
12 vet but their families and future employers and I
13 think that's really important where we are right
14 now in our society, and so we're excited about
15 that.

16 We've also donated to First Choice for Women,
17 and they have been in communication -- or in
18 operation -- I'm sorry -- for about twenty-seven
19 years but it's new to Anderson. And so to be a
20 part of as their grass roots effort is pretty big
21 for us.

22 As well as our \$10,000 donation to
23 Standardbred Transition Alliance, we're excited
24 about that. As well as \$5,000 contribution to
25 Agape Therapeutic Riding, and what they do is

1 provide resources to those that are both physically
2 and mentally handicap and as opposed -- as a part
3 of their therapy. So that's that.

4 But I'm as equally excited -- and a lot of
5 those dollars are great and all of that. What I do
6 know is that our first charity starts at home. And
7 so we have been in a place where we've been able to
8 come alongside some of our team members that are
9 struggling with suicide in their families,
10 Alzheimer's in their families, as well as ALS, and
11 so we have been able to not only participate in the
12 walks and be sponsors and that sort of thing but,
13 again, provide a resource to some of our team
14 members to create a better morale, if you will, and
15 just support system here on the property.

16 So we're excited about those things that we're
17 doing. Any questions about quarter three for
18 Harrah's Hoosier Park? Chairman?

19 CHAIRMAN BORST: Any questions? Keep being
20 excited.

21 MS. JOHNSON: Yeah, I love it. I love it. I
22 also have the pleasure of sharing a few things from
23 Indiana Grand, but before I do that.

24 One of the things that we've really committed
25 to is being a good player in our community, having

1 a presence. And as I reach out to people, I tell
2 them I don't want to make a transaction, I want to
3 create relationships, and we are seeing the benefit
4 of that coming back full forward. Anderson and
5 Madison County as a whole, our dollars are trending
6 on target based upon what you all asked us to do
7 and right now we are at 72 percent in
8 Madison County and Anderson, and that's pretty
9 exciting for us.

10 The other thing that's exciting is that we are
11 about 12 percent for equine donations as well as
12 16 percent for other, and what I mean by other is
13 things that are outside of Anderson and
14 Madison County, so we partner in Indianapolis and
15 some north region. But for us to have such great
16 numbers here in Madison County and Anderson is
17 really huge and our community is really in a place
18 where they're receiving it.

19 Okay. Now on to Indiana Grand. Their quarter
20 three highlights is that they are continuing their
21 dedication and support to the Friends of Ferdinand
22 in the amount of \$6,000 was celebrated during the
23 Indiana Derby back in July.

24 Indiana Grand team members and jockeys and
25 horsemen and racing fans came together on Thursday,

1 July 29, to celebrate and support the national
2 weekend for PDJF Racing Across America and their
3 Back to School efforts.

4 Indiana Grand also made a \$100,000 commitment
5 to the improvement of the Shelby County Fairgrounds
6 over the course of 2021. The second installment of
7 their donation of \$50,000 was presented to the
8 Fairgrounds board back in September.

9 So they are doing exactly what we all -- you
10 all have asked them to do as well. As they look at
11 Shelby County and Shelbyville, their donation right
12 now is about 41 percent, their equine donation is
13 at 37 percent, and their other donations are at
14 22 percent. So we're doing exactly and I think we
15 are as equally excited about it.

16 Any questions for Indiana Grand?

17 CHAIRMAN BORST: Questions?

18 MS. JOHNSON: No? Thank you all so much.

19 CHAIRMAN BORST: Thank you. No vote on that.

20 Next on our agenda I guess is an update,
21 consideration of the advance deposit wagering
22 allocation request from the Indiana Standardbred
23 Association. I think we're just going to get an
24 update I think here today.

25 MR. PUTNAM: Good morning. Joe Putnam,

1 president of the Indiana Standardbred Association.
2 We've had some meetings with the Commission about
3 our portion of the ADW. In the past we've
4 dedicated this money to the general purse account.
5 So going forward we're asking for your
6 consideration of using that money for Indiana sired
7 only events. Very similar to what we do with
8 Indiana breed development money. You know, we
9 think that will continue to support and let the
10 trend grow of the Indiana sired program.

11 I can answer any questions.

12 MR. JACKSON: Joe, is ISA still on target to
13 show us a full plan at the December commission
14 meeting?

15 MR. PUTNAM: Yes, we are.

16 MR. JACKSON: Thank you.

17 CHAIRMAN BORST: That'd be good. Again, we're
18 back to that collaboration word. Obviously the
19 fact that everybody else to make sure I think the
20 word that Mr. Morris used last time was unintended
21 consequences, we don't want any of those so got to
22 look at the whole issue.

23 So we don't really need a vote on this?

24 MR. JACKSON: No. We anticipate having a full
25 plan at the December meeting. At that point we'd

1 have a vote on it.

2 MR. PUTNAM: We've asked this begin in 2022.

3 MR. JACKSON: Great. Thank you.

4 MR. PUTNAM: Thank you.

5 CHAIRMAN BORST: Thank you. Do we have any
6 old business?

7 (No response.)

8 CHAIRMAN BORST: We have some new business?

9 MR. JACKSON: Yes. This is sort of a
10 last-minute addition, but we wanted to get it out
11 there because it does include a change to the
12 budget approved as part of the ISA's application
13 for 2021 as a horsemen's association.

14 ISA is looking to hire an executive director,
15 which they have provided the reasons why they're
16 interested in doing that as part of their plan, but
17 essentially it allows ISA to communicate as sort of
18 one voice and allows them to have those
19 communications not only with Caesars but with the
20 Commission and outside the industry.

21 So what we wanted to bring up here as new
22 business is simply that ISA is looking to make a
23 hire. I think, Joe, sooner rather than later on
24 that?

25 MR. PUTNAM: We'd like permission to at least

1 go -- probably not going to hire till 2022 also,
2 but we'd like to, you know, have approval now where
3 we can advertise for that position.

4 MR. JACKSON: So what we'd like to do is
5 request the Commission's approval to make a slight
6 modification to the 2021 ISA budget should they
7 make a hire prior to 2022. Because if they -- the
8 2022 budget will be brought before the Commission
9 at the December meeting, but should they choose a
10 candidate prior to that they have provided the
11 Commission with an updated 2021 budget which
12 reflects some money moved around to pay for the
13 salary of that individual for the rest of this
14 year.

15 So given that it's just a slight modification
16 to the budget that was approved last December, I
17 just wanted to bring it before the Commission and
18 ask for an approval there just so ISA can begin
19 moving forward with this process.

20 CHAIRMAN BORST: So the approval we need to
21 state for the rest of 2021 for the budget is a
22 technical change more than anything else?

23 MR. JACKSON: Yes. The budget itself was
24 modified to allow for the salary of this individual
25 for the last few months of the year. Based on what

1 Mr. Putnam is saying they may not have a candidate,
2 but if they do we wanted to get the Commission's
3 approval given that the budget will be modified
4 slightly to include that. So that the motion would
5 be to approve the change to the 2021 ISA budget
6 from the -- what was already approved back in
7 December.

8 CHAIRMAN BORST: Okay. And that's what we've
9 got the motion on?

10 MR. JACKSON: Yes.

11 CHAIRMAN BORST: Do we have a motion and a
12 second on that?

13 COMMISSIONER ESTES: So moved.

14 COMMISSIONER PILLOW: Second.

15 CHAIRMAN BORST: Been moved and seconded. Any
16 questions, commission member questions? Think it's
17 all self-explanatory.

18 (No response.)

19 CHAIRMAN BORST: Good luck. We hope you find
20 somebody.

21 MR. JACKSON: Mr. Chairman, I'd like to do a
22 roll call vote there.

23 CHAIRMAN BORST: Yes.

24 MR. JACKSON: Chairman Borst.

25 CHAIRMAN BORST: Aye.

1 MR. JACKSON: Commissioner McCarty.

2 COMMISSIONER McCARTY: Yes.

3 MR. JACKSON: Commissioner Pillow.

4 COMMISSIONER PILLOW: Aye.

5 MR. JACKSON: Commissioner Estes.

6 COMMISSIONER ESTES: Aye.

7 MR. JACKSON: And Commissioner Wade.

8 COMMISSIONER WADE: Aye.

9 MR. JACKSON: Thank you.

10 CHAIRMAN BORST: Passes unanimously. As I was
11 saying, good luck.

12 MR. PUTNAM: Thank you.

13 CHAIRMAN BORST: Even though there's a ton of
14 people out there, there's a ton of jobs out there.
15 Tough situation. Doesn't make sense, but that's
16 the way it worked out.

17 I don't think there's any other new business.
18 I guess we would have a motion for adjournment.

19 COMMISSIONER ESTES: I move to adjourn.

20 COMMISSIONER McCARTY: Second.

21 CHAIRMAN BORST: Moved and seconded. We're
22 adjourned.

23 Again, thank you, Rick. Thank you everybody
24 here at Hoosier Park. The IT people, the audio
25 people, we appreciate it.

1 Bill McCarty, you can now go do something else
2 productive down in Bloomington, Indiana.

3 COMMISSIONER McCARTY: This is the most
4 productive I'll be all day.

5 CHAIRMAN BORST: That's pretty productive.

6 COMMISSIONER McCARTY: Thank you.

7 MS. PITMAN: Thank you, Bill.

8 COMMISSIONER McCARTY: Thanks, everybody.

9
10 (The meeting of the Indiana Horse Racing
11 Commission adjourned at 11:23 a.m.)
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1 STATE OF INDIANA

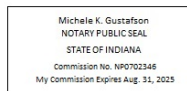
2 COUNTY OF MARION

3
4 I, Michele K. Gustafson, CRR-RPR, a
5 Notary Public in and for said county and state, do
6 hereby certify that the foregoing matter was taken
7 down in stenograph notes and afterwards reduced to
8 typewriting under my direction; and that the
9 typewritten transcript is a true record of the
10 Indiana Horse Racing Commission meeting;

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

14 IN WITNESS WHEREOF, I have hereunto set my
15 hand and affixed my notarial seal this 27th day of
16 October, 2021.

17
18 



21 My Commission expires:
22 August 31, 2025

23 Job No. 166621
24
25

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