

**INDIANA HORSE RACING COMMISSION  
OFFICIAL AGENDA**

**June 26, 2014**

**9:00 A.M.**

**INDIANA STATE LIBRARY  
315 W. OHIO STREET  
INDIANAPOLIS, IN 46204**

**THE "AUTHOR'S ROOM"**

(new meeting room location)

- I. **Call to Order**
- II. **Approval of minutes of the April 30, 2014 meeting.**
- III. **Agenda**
  1. Consideration of THE PETITION OF CENTAUR HOLDINGS, LLC, NEW CENTAUR, LLC, HOOSIER PARK, LLC, AND CENTAUR ACQUISITION, LLC, REQUESTING THAT THE COMMISSION APPROVE A REPLACEMENT FIRST LIEN FACILITY.
  2. Consideration of THE PETITION OF CENTAUR HOLDINGS, LLC, NEW CENTAUR, LLC, AND CENTAUR ACQUISITION, LLC REQUESTING THAT THE COMMISSION APPROVE THE CONSTRUCTION OF A NEW DORM FACILITY AT INDIANA GRAND.
  3. Consideration of THE PETITION OF CENTAUR HOLDINGS, LLC, FOR AUTHORITY TO ISSUE CLASS M UNITES TO BARTON A. EARLY.
  4. Consideration of THE PETITION OF CENTAUR HOLDINGS, LLC, NEW CENTAUR, LLC, HOOSIER PARK, LLC AND CENTAUR ACQUISITION, LLC TO: (1) AMEND 71 IAC 7-1-13; AND (2) AMEND 71 IAC 7.5-1-4 SO AS TO UNCOUPLE ENTRIES WITH THE SAME TRAINER.
  5. Consideration of Hearing on Renewal Application of Indiana Horsemen's Benevolent & Protective Association for Approval as a Registered Horsemen's Association pursuant to 71 IAC 13-1-1 *et seq.* (Notice of Hearing and Amended Pre-Hearing Order issued on or about June 9, 2014).
  6. Consideration of an amendment to the Indiana Horse Racing Commission's Conflict of Interest Policy for Horsemen's Associations.
  7. Review of Commission Rulings – April 1, 2014 through May 31, 2014.

8. Consideration of Emergency Rule Amendments regarding medication and multiple medication violations (MMV) consistent with Model Rules recently adopted by the Association of Racing Commissioners International (RCI).
  - a. 71 IAC 8-1-4.1 and 8.5-1-4.1
  - b. 71 IAC 8-1-4.2 and 8.5-1-4.2
  - c. 71 IAC 8-1-9 and 8.5-1-9
  - d. 71 IAC 8-1-7.1 and 8.5-1-7.1
9. Approval of horsemen's contract between Indiana Grand and the Indiana HBPA pursuant to 71 IAC 11-1-12(a)(3).
10. Supplemental filing re: Approved Officials List for Indiana Grand.

**IV. Old Business**

**V. New Business**

**VI. Adjournment**

Minutes of the Regular Meeting of the  
Indiana Horse Racing Commission

**April 30, 2014**

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

Commission members present: William Diener, Chairman; Steve Schaefer, Vice-Chairman; Commissioners Greg Schenkel, Thomas Weatherwax and George Pillow. 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; Jessica Barnes, IHRC Director of Racing and Breed Development; Dr. Angela Demaree, IHRC Equine Medical Director; Mike Brown, Executive Director of the Indiana HBPA; Thomas Tobin, Professor of Veterinary Science, University of Kentucky; Jack Kieninger, President of the Indiana Standardbred Association; Stanley Bowker, IHRC Senior State Steward; John Keeler, General Counsel for Centaur; Rick Moore, General Manager of Racing at Hoosier Park; Jon Schuster, General Manager for Racing at Indiana Grand Racing and Casino; and Jim Hartman, Indiana Breeder & Owner Protection, Inc.

**I. Call to Order**

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

**II. Approval of minutes of the March 5, 2014 meeting.**

Commissioner Greg Schenkel moved to accept the minutes for the March 5, 2014 meeting. Commissioner Thomas Weatherwax seconded. March 5, 2014 minutes unanimously approved.

**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. Consideration of emergency rules including Association of Racing Commissioners International's Model Rules regarding medication and penalties – Dr. Dionne Benson, Executive Director, Racing Medication and Testing Consortium.
  - a. 71 IAC 1-1-94.1 and 71 IAC 1.5-1-94.1 **“Sample” defined**
  - b. 71 IAC 8-1-4.1 and 71 IAC 8.5-1-4.1 **Nonsteroidal anti-inflammatory drugs**
  - c. 71 IAC 8-1-4.2 and 71 IAC 8.5-1-4.2 **Threshold levels**
  - d. 71 IAC 8-1-5.7 and 7A IAC 8.5-1-5.6 **Anti-ulcer medications**
  - e. 71 IAC 8-1-8 and 71 IAC 8.5-1-8 **Androgenic-anabolic steroids**
  - f. 71 IAC 8-3-5 and 71 IAC 8.5-2-5 **Out of competition testing**
  - g. 71 IAC 8-6-2 and 71 IAC 8.5-5-2 **Prohibited practices**
  - h. 71 IAC 8-1-7.1 and 71 IAC 8.5-1-7.1 **Multiple violation rule**

The Commission heard comments from Thomas Tobin, Professor of Veterinary Science, University of Kentucky; Dr. Angela Demaree, IHRC Equine Medical Director; Joe Gorajec, Executive Director of IHRC; Stanley Bowker, IHRC Senior State Steward; Mike Brown, Executive Director of the Indiana HBPA; Jack Kieninger, President of the Indiana Standardbred Association; and Lea Ellingwood, IHRC General Counsel. The

Chairman moved to approve the proposed rules with one change noted by Dr. Demaree, with an effective date of May 15, 2014. Commissioner Schaefer seconded the motion. The motion carried unanimously.

2. Review of Commission Rulings – February 1, 2014 through March 31, 2014.

Deputy Counsel Holly Newell presented the Commission rulings.

3. Approval of Settlement Agreement between United Tote employee Darryl Kendall and commission staff.

United Tote employee Darryl Kendall and the Commission staff reached a Settlement Agreement wherein Mr. Kendall agreed to pay a \$500 fine for working without a license in 2013. Deputy Counsel Newell requested that the Commission approve the Agreement. Commissioner Schaefer moved to approve the agreement; Commissioner Schenkel seconded. Motion passed 4-0, with Chairman Diener abstaining.

4. Consideration of emergency rules regarding foreign substances (71 IAC 1-1-42.2, 71 IAC 8-1-1.5, 71 IAC 8.5-1-1, 71 IAC 8.5-1-1.5).

General Counsel Ellingwood introduced a proposed rule that replaced the definition of “foreign substance” for Standardbreds to replace a rule that expired at the end of 2013. The proposal also repealed an outdated medication rule.

Chairman Diener moved to approve the proposed emergency rules. Commissioner Weatherwax seconded the motion. The motion carried unanimously.

5. Consideration of the Petition of Centaur Holdings, LLC, New Centaur, LLC and Hoosier Park, LLC In re: The Petition of Centaur Holdings, LLC, New Centaur, LLC and Hoosier Park, LLC to:

- 1) Amend the Final Order of the Indiana Horse Racing Commission Entered on July 14, 1994 and Modified on December 10, 2013, to Authorize the Relocation of the Fort Wayne Satellite Facility to an Alternate Site in New Haven, Indiana; and
- 2) Authorize Execution of a Real Estate Lease; and
- 3) Delegate Authority to the Executive Director to Approve the Plans and Contracts Related to the Relocation and Construction of the New Haven Satellite Facility.

John Keeler, General Counsel for Centaur and Hoosier Park, presented the petition and related materials, and requested Commission approval. Further, Mr. Keeler requested that Mr. Gorajec be delegated the authority to approve construction contracts over \$50,000.00 and the actual plans.

Chairman Diener moved to grant the petition. Commissioner Schaefer seconded. Petition approved, 5-0.

6. Approval of horsemen's contract between Hoosier Park and the Indiana Standardbred Association (ISA) pursuant to 71 IAC 11-1-12 (a) (3).

Rick Moore, Vice President and General Manager of Racing at Hoosier Park presented the contract between Hoosier Park and the Indiana Standardbred Association for approval to the Commission.

Commissioner Diener moved to approve the contract. Commissioner George Pillow seconded. Commission approved the contract 5-0.

7. Approval of horsemen's contract between Indiana Grand and the Quarter Horse Racing Association of Indiana (QHRAI) pursuant to 71 IAC 11-1-12 (a) (3).

Jon Schuster, General Manager for Indiana Grand Racing and Casino made the presentation of the annual Quarter Horse contract to the Commission for approval. Chairman Diener called for a vote to approve the contract. The Commission voted 5-0 to approve the contract.

8. Approval of Indiana Downs' 2014 Thoroughbred/Quarter Horse racing official list pursuant to 71 IAC 3.5-1-3.

Executive Director Gorajec recommended approval of the list of officials. The Commission voted to approve, 5-0.

9. Consideration of request to approve Fast Bet Mobile – Clarksville Satellite Facility.

Mr. Keeler presented the petition to allow Indiana Grand to operate FastBet Mobile at its Clarksville OTB. Vice Chairman Schaefer moved to authorize FastBet Mobile. Chairman Diener seconded. The Commission approved FastBet at Clarksville, 5-0.

#### **IV. Old Business**

None.

#### **V. New Business**

None.

#### **VI. Adjournment**

With no further business, Chairman Diener adjourned the meeting at 10:27 a.m.