

**KENTUCKY HORSE RACING COMMISSION**  
**MINUTES OF THE MEETING**

Date: April 17, 2018 at 1:30 PM

Place: Central Kentucky Riding for Hope, Kentucky Horse Park, 4185 Walt Robertson Drive, Lexington, KY 40511

Members Present: Chairman Franklin S. Kling, Jr.; Vice-Chairman John C. Roach; Commissioner J. Gatewood Bell, Jr.; Commissioner Stuart E. Brown, II, DVM; Commissioner Kerry T. Cauthen; Commissioner Kiki Courtelis; Commissioner Patrick A. Day; Commissioner Douglas A. Hendrickson; Commissioner Gerald W. Holt; Commissioner Kenneth A. Jackson; Commissioner Brereton C. Jones, Jr.; Commissioner Foster Northrop, DVM; and Commissioner J. David Richardson, M.D.

Ex-officio Members Present: Jessica Burke, by proxy and on behalf of Secretary Terry Gill, Cabinet for Economic Development (arrived after Roll Call performed); Leigh Powers, by proxy and on behalf of Secretary Don Parkinson, Tourism, Arts, and Heritage Cabinet; and Deputy Secretary Gail Russell, by proxy and on behalf of Secretary David A. Dickerson, Public Protection Cabinet

KHRC Staff Participating/Present: Marc A. Guilfoil, Executive Director; Jamie Eads, Deputy Executive Director and Director of Division of Incentives and Development; John L. Forgy, General Counsel; Steve May, Director of Pari-Mutuel Wagering and Compliance; Mary Scollay, DVM, Equine Medical Director; and Barbara Borden, Chief State Steward

Others Participating: Dan Real, South Regional President of Caesars Entertainment; and John Phillips, President of Thoroughbred Aftercare Alliance

<b>AGENDA ITEM</b>	<b>TRANSCRIPT PAGE NUMBER(S)</b>	<b>DISCUSSION / CONCLUSIONS / RECOMMENDATIONS</b>	<b>ACTION TAKEN</b>
<b>I. Call to Order and Roll Call</b>	4 – 5	Meeting called to order and roll call performed by Chairman Kling. A quorum was recognized.	No action taken.
<b>II. New Business Tab 1 Minutes from February 20, 2018</b>	5 – 74 5 – 6	Chairman Kling requested a motion from the Commission to address the request submitted by KHRC staff to approve the proposed minutes of the February 20, 2018 Commission meeting. Motion by Commissioner Brown. Second by Commissioner Northrop.  Ms. Eads presented the minutes of the February 20, 2018 Commission meeting as outlined in the agenda materials.	Chairman Kling called for a vote to approve the February 20, 2018 minutes as presented. Motion carried with no objections or abstentions.

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<p><b>Tab 2 Kentucky Downs' 2018 September Meet KTDF Allotments</b></p>	<p>6 – 9</p>	<p>Approval is recommended by KHRC staff.</p> <p>Chairman Kling requested a motion from the Commission to address the recommendation submitted by the Kentucky Thoroughbred Development Fund Advisory Committee (KTDF Advisory Committee) to approve the proposed KTDF purse structure for Kentucky Downs' September meet and the proposed transfer of KTDF funds earned from wagers on historical racing to Ellis Park. Motion by Commissioner Day. Second by Commissioner Richardson.</p> <p>Prior to presenting Kentucky Downs' request, Ms. Eads presented an overview of the KTDF Advisory Committee and its role.</p> <p>Ms. Eads presented Kentucky Downs' request dated March 23, 2018 as outlined in the agenda materials. The KTDF Advisory Committee reviewed, discussed and approved recommendation of Kentucky Downs' request at its March 27, 2018 meeting.</p> <p>Approval is recommended by KHRC staff.</p>	<p>Chairman Kling called for a vote to approve the request as presented. Motion carried with no objections or abstentions.</p>
<p><b>Tab 3 Ellis Park 2018 Summer Meet KTDF Allotments</b></p>	<p>9 – 11</p>	<p>Chairman Kling requested a motion from the Commission to address the recommendation submitted by the KTDF Advisory Committee to approve the proposed KTDF purse structure for Ellis Park's 2018 summer meet and the proposed allocation of KTDF funds earned from wagers on historical racing from Kentucky Downs. Motion by Commissioner Day. Second by Commissioner Holt.</p> <p>Ms. Eads presented Ellis Park's request dated March 16, 2018 as outlined in the agenda materials. The KTDF Advisory Committee reviewed, discussed and approved recommendation of Ellis Park's request at its March 27, 2018 meeting.</p>	<p>Chairman Kling called for a vote to approve the request as presented. Motion carried with no objections or abstentions.</p>

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		Approval of the KTFDF Advisory Committee's recommendation is recommended by KHRC staff.	
<p><b>Tab 4 Backside Improvement Request: Churchill Downs</b></p>	11 – 12	<p>Chairman Kling requested a motion from the Commission to address the request submitted by Churchill Downs for approval of the proposed expenditure of \$131,385 from the Backside Improvement Fund. Motion by Commissioner Brown. Second by Commissioner Northrop.</p> <p>Ms. Eads presented Churchill Downs' request dated March 27, 2018 as outlined in the agenda materials. KHRC staff has inspected and confirmed the necessity of the proposed backside improvements.</p> <p>KHRC staff has reviewed the proposals and invoices, and confirmed that Churchill Downs has the funds available in their backside improvement account. Upon completion of all the projects, KHRC staff will inspect the repair work and confirm completion. Copies of all invoices, photographs and communications will be kept on file at the KHRC office.</p> <p>Approval is recommended by KHRC staff.</p>	<p>Chairman Kling called for a vote to approve the request as presented. Motion carried with no objections or abstentions.</p>
<p><b>Tab 5 2018 Kentucky Sire Stakes Promotion in Accordance with KRS 230.770</b></p>	12 – 16	<p>Chairman Kling requested a motion from the Commission to address the recommendation submitted by the Kentucky Sire Stakes Advisory Panel (KYSS Advisory Panel) to approve the proposed expenditure of up to \$100,000 of funds from the Kentucky Standardbred Development Fund for the promotion of the Kentucky Sire Stakes (KYSS). Motion by Vice-Chairman Roach. Second by Commissioner Jackson.</p> <p>Ms. Eads presented the KYSS Advisory Panel's recommendation as outlined in the agenda materials.</p>	<p>Chairman Kling called for a vote to approve the request as presented. Motion carried with no objections or abstentions.</p>

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		Approval of the KYSS Advisory Panel's recommendation is recommended by KHRC staff.	
<b>Tab 6 Churchill Downs' Request to Amend Pick 5 Rules</b>	16 – 20	<p>Chairman Kling requested a motion from the Commission to address the request submitted by Churchill Downs for approval of the proposed amendment to its Pick 5 wager rule. Motion by Commissioner Brown. Second by Commissioner Richardson.</p> <p>Mr. May presented Churchill Downs' request as outlined in the agenda materials.</p> <p>Approval is recommended by KHRC staff.</p>	Chairman Kling called for a vote to approve the request as presented. Motion carried with no objections or abstentions.
<b>Tab 7 Educational Presentation: Regulated Substances in the Equine Environment</b>	20 – 40	Dr. Scollay presented an educational and informational only discussion entitled "A Discussion of the Implications of Regulated or Prohibited Substances Present in the Horse's Environment."	No action taken. Informational item only.
<b>Tab 8 Educational Presentation: Aminorex-New Informaton Raises New Questions</b>	40 – 54	Dr. Scollay presented an educational and informational only discussion entitled "Aminorex: New Information; New Questions."	No action taken. Informational item only.
<b>Tab 9 EDRC Recommendation to Provide \$15,000 in Funding to the Equine Biologic Passport Project at the University of Kentucky</b>	54 – 58	<p>Chairman Kling requested a motion from the Commission to address the recommendation submitted by the Equine Drug Research Council (EDRC) to approve the proposed expenditure of \$15,000 of EDRC funds for the support of the Equine Biologic Passport Project. Motion by Commissioner Courtelis. Second by Commissioner Jones.</p> <p>Dr. Scollay presented the EDRC's recommendation as outlined in the agenda materials. The EDRC approved recommendation of expenditure of \$15,000 of EDRC funds in support of the research project at its April 10, 2018 meeting. At the request of ERDC member, Senator Damon Thayer, a follow-up presentation on the</p>	Chairman Kling called for a vote to approve the request as presented. Motion carried with no objections or abstentions.

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		<p>progress of the research project will be presented to the EDRC and Commission this fall.</p> <p>Approval of the EDRC's recommendation is recommended by KHRC staff.</p>	
<b>Tab 10 Presentation: Players Bluegrass Downs' Facility Update</b>	58 – 66	On behalf of Caesars Entertainment, Mr. Real, presented an update on the progress of the improvements being made to the facilities at Players Bluegrass Downs.	No action taken. Informational item only.
<b>Tab 11 Ellis Park's Proposed 2018 Summer Meet Officials &amp; Dates Preference System</b>	66 – 67	<p>Chairman Kling requested a motion from the Commission to address the request submitted by Ellis Park to approve its proposed 2018 Summer meet roster of racing officials and dates preference system. Motion by Commissioner Day. Second by Commissioner Bell.</p> <p>Ms. Borden presented Ellis Park's request dated March 28, 2018 as outlined in the agenda materials. All listed officials are ROAP accredited and have previously performed the duties for which they are listed and will be licensed before the meet opening.</p> <p>Approval is recommended by KHRC staff.</p>	Chairman Kling called for a vote to approve the request as presented. Motion carried with no objections or abstentions.
<b>Tab 12 Players Bluegrass Downs 2018 Summer Meet Officials</b>	67 – 68	<p>Chairman Kling requested a motion from the Commission to address the request submitted by Players Bluegrass Downs to approve its proposed 2018 Summer meet roster of racing officials. Motion by Commissioner Hendrickson. Second by Commissioner Richardson.</p> <p>Mr. Guilfoil presented Players Bluegrass Downs' request dated April 4, 2018 as outlined in the agenda materials. He noted that Jim Grow had been added as an Associate Judge and Mike Wandition as Announcer. All listed officials are ROAP accredited and have previously performed the duties for which they are listed and will be licensed before the meet opening.</p>	Chairman Kling called for a vote to approve the request as presented. Motion carried with no objections or abstentions.

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<b>Tab 13 Reports</b> <b>a. Thoroughbred Rulings</b> <b>b. Standardbred Rulings</b> <b>c. Veterinary Division</b> <b>d. Pari-Mutuel Wagering Division</b> <b>e. Confidential – Litigation and Regulations</b>	69 – 74 69 69 – 70 70 – 71 71 – 73 74	Approval is recommended by KHRC staff. a. Ms. Borden presented the thoroughbred rulings report. There were no updates to the ruling report. b. There were no updates to the ruling report. c. Dr. Howard presented the veterinary division report. d. Mr. May presented the pari-mutuel wagering division report. e. Litigation and Regulation report is for informational purposes only.	No action taken. Informational items only.
<b>III. Other Business</b> <b>1. Presentation by Thoroughbred Aftercare Alliance</b>	74 – 93 93 – 94	Mr. Phillips presented an overview of the Thoroughbred Aftercare Alliance and answered questions from Commissioners. Commissioner Richardson addressed the Commission in recognition of the lifetime contributions to the industry by Mr. Don Ball.	No action taken. Informational items only.
<b>IV. Adjournment</b>	94	Chairman Kling requested a motion to adjourn. Motion by Commissioner Cauthen. Second by Commissioner Northrop. Meeting adjourned.	Chairman Kling called for a vote to adjourn. Motion carried with no objections or abstentions.

**NOTE:** The Agenda materials and any amendments thereto, subject to any applicable exemptions, and the official Transcript are incorporated by reference as if set forth fully herein.