

KENTUCKY HORSE RACING COMMISSION
MINUTES OF THE SPECIAL COMMISSION MEETING

Date: July 26, 2022 at 1:30 PM

Place: Via video conference from the American Saddlebred Museum, 4083 Iron Works Parkway Lexington, Kentucky

Members Present: Chairman Jonathan Rabinowitz; Vice-Chairman Frank Jones, Jr.; Commissioner Tiffany Daniels, D.C.; Commissioner Michael F. Dudgeon; Commissioner Gregory Harbut; Commissioner Lesley Howard; Commissioner William L.S. Landes; Commissioner William H. May; Commissioner Charles O'Connor; Commissioner Catherine Parke; Commissioner Tom Riddle, DVM; Commissioner C. Frank Shoop; and Commissioner James E. Worley

Ex-officio Members Present: Chad Thompson on behalf of Secretary Ray Perry, Public Protection Cabinet; Secretary Mike Berry, Tourism, Arts & Heritage Cabinet; Angelica Vega on behalf of Secretary, Jeff Noel, Cabinet for Economic Development

KHRC Staff Participating/Present: Jamie Eads, Interim Executive Director; Jennifer Wolsing, General Counsel; Shan Dutta, Deputy General Counsel; Waqas Ahmed, Director, Pari-Mutuel Wagering and Compliance; Joanna Ricci, Executive Administrative Secretary

<i>AGENDA ITEM</i>	<i>TRANSCRIPT PAGE NUMBER(S)</i>	<i>DISCUSSION / CONCLUSIONS / RECOMMENDATIONS</i>	<i>ACTION TAKEN</i>
I. Call to Order and Roll Call	3 – 5	Chairman Rabinowitz called the meeting of the Kentucky Horse Racing Commission (KHRC) to order and performed the roll call. A quorum was recognized.	No action taken.

<i>AGENDA ITEM</i>	<i>TRANSCRIPT PAGE NUMBER(S)</i>	<i>DISCUSSION / CONCLUSIONS / RECOMMENDATIONS</i>	<i>ACTION TAKEN</i>
<p>II. New Business</p> <p>Tab 1 Ratification of KHRC Interim Executive Director Approval of Kentucky Downs Sending \$1 Million in KTDF Funds to Ellis Park to Enhance their Summer Meet</p>	<p>5 – 17 5 – 7</p>	<p>Chairman Rabinowitz requested a motion from the Commission to ratify the KHRC Interim Executive Director’s approval of Kentucky Downs sending \$1 million dollars in Kentucky Thoroughbred Development Funds (KTDF) to Ellis Park to enhance their summer meet. Motion by Commissioner Landes. Second by Commissioner Dudgeon and Commissioner O’Connor.</p> <p>Ms. Eads presented the request from Kentucky Downs dated July 7, 2022, as set forth in the meeting materials.</p> <p>Approval was recommended by the Advisory Committee, the KyHBPA, the KTA/KTOB, and KHRC staff.</p>	<p>Chairman Rabinowitz called for a vote to ratify KHRC Interim Executive Director’s approval of Kentucky Downs sending \$1 million dollars in KTDF Funds to Ellis Park to enhance their summer meet. Motion carried with no objections or abstentions.</p>
<p>Tab 2 Backside Improvement Request – Ellis Park</p>	<p>7 – 10</p>	<p>Chairman Rabinowitz requested a motion from the Commission to address Ellis Park’s backside improvement request. Motion by Commissioner Landes. Second by Commissioner O’Connor.</p> <p>Ms. Eads presented Ellis Park’s backside improvement request dated July 18, 2022, as outlined in the agenda materials. Ellis Park sought to replace 38 air-conditioning units in the dormitories. The estimated cost to purchase these units at Lowe’s Home Improvement was \$6,802. KHRC staff confirmed Ellis Park had a positive balance of \$8,200.69 that could be used toward the request.</p> <p>Approval was recommended by KHRC staff.</p>	<p>Chairman Rabinowitz called for a vote to approve Ellis Park’s backside improvement request. Motion carried with no objections or abstentions.</p>

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<p>Tab 3 Revolutionary Racing Kentucky, LLC's Application for Track License</p>	<p>10 – 15</p>	<p>Chairman Rabinowitz requested a motion from the Commission to address Revolutionary Racing Kentucky, LLC's, 2023 initial application for license to conduct live horse racing, simulcasting, and pari-mutuel wagering. Motion by Commissioner Shoop. Second by Commissioner Parke and Commissioner O'Connor.</p> <p>Commissioner Worley and Commissioner May recused themselves from the Commission's decision related to Agenda Item 3 which involved Revolutionary Racing, due to potential perceived conflicts with representatives of the applicant.</p> <p>Mr. Dutta presented Revolutionary Racing Kentucky's 2023 application to conduct live horse racing, simulcasting, and pari-mutuel wagering. This application was submitted pursuant to KRS Chapter 230, KAR Title 810.</p> <p>Upon review, six conditions have been set forth by the Commission, as outlined in the meeting materials. They are to all be completed by September 15, 2022.</p> <p>Application has the support of KTA/KTOB, Red Mile, Kentucky Downs, and ECL Corbin, and conditional approval of the KyHBPA, Senator Julie Raque Adams, Senator Robin Webb, Representative Scott Sharp, Representative John Blanton, Representative Patrick Flannery, Boyd County Commissioners Randy Stapleton, Larry Brown, Keith Watts, Boyd County Judge Executive Eric Chaney.</p> <p>Ms. Wolsing provided additional comments. Pursuant to 810 KAR 3:010, the Commission is to review the application and any supplemental materials to determine the following five criteria. 1) The applicant meets all requirements of KRS Chapter 230 and KAR</p>	<p>Chairman Rabinowitz called for a vote to approve Revolutionary Racing Kentucky, LLC's, 2023 initial application for a license to conduct live horse racing, simulcasting, and pari-mutuel wagering subject to the conditions set forth in the meeting materials and any additional supplementation required by the Commission. Motion carried with no objections or abstentions.</p>

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