

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

Date: March 21, 2023 at 1:30 P.M.

Place: Via Zoom and Kentucky Horse Racing Commission, 4063 Iron Works Parkway, Building B, Lexington, Kentucky 40511

Members Present: Chairman Jonathan Rabinowitz; Vice-Chairman Frank Jones, Jr.; Commissioner Mike Berry; Commissioner Michael Dudgeon; Commissioner Tiffany Daniels, D.C.; Commissioner Greg Harbut; Commissioner Lesley Howard; Commissioner William L.S. Landes; Commissioner William May; Commissioner Charles O’Connor; Commissioner Catherine Parke; Commissioner James Worley; Commissioner Frank Shoop; and Commissioner Dr. Tom Riddle

Ex-officio Members Present: Chad Thompson on behalf of Secretary Ray Perry, Mona Juett on behalf of Secretary Lindy Casebier, and Katie Smith on behalf of Secretary Jeff Noel

KHRC Staff Participating/Present: Jamie Eads, Executive Director; Waqas Ahmed, Deputy Executive Director; Jennifer Wolsing, General Counsel; Travers Manley, Deputy General Counsel; Mariah Dietz, Executive Administrative Secretary; and Beth Jacobson, Paralegal

| <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                            | 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.   |
| <b>II. New Business<br/>Tab 1 Meeting<br/>Minutes from February 21,<br/>2023 Meeting</b> | 5 – 11<br>5 – 6                  | Chairman Rabinowitz requested a motion from the Commission to approve the proposed minutes of the KHRC Meeting on February 21, 2023. Motion by Commissioner Landes. Second by Commissioner Berry.<br><br>Executive Director Jamie Eads shared that the minutes were located behind tab number one and approval was recommended by HRC Staff | Chairman Rabinowitz called for a vote to approve the proposed minutes of the February 21, 2023 meeting as presented. Motion carried with no objections or abstentions. |

| <b>AGENDA ITEM</b>  | <b>TRANSCRIPT PAGE NUMBER(S)</b> | <b>DISCUSSION / CONCLUSIONS / RECOMMENDATIONS</b>  | <b>ACTION TAKEN</b>   |
|---|----------------------------------|--|---|
| <p><b>Tab 2 Approval of the proposed Lexington Trots Breeders Association, LLC, d/b/a Red Mile's request to amend Section R of its application for a license to conduct live horse racing, simulcasting and parimutuel wagering</b></p> | <p>6 - 8</p>                     | <p>Chairman Rabinowitz requested a motion from the Commission to approve the proposed Lexington Trots Breeders Association, LLC, d/b/a Red Mile's request to amend Section R of its application for a license to conduct live horse racing, simulcasting and parimutuel wagering. Motion by Commissioner Parke. Second by Commissioner Worley.</p> <p>Deputy General Counsel, Travers Manley, was assigned the floor and presented that the Red Mile has requested a date change. The Red Mile sought and received an award for 2023 race dates including October 1, 2023. The Red Mile has requested to conduct this awarded race date on an alternative date of September 28, 2023. The amendment is supported by the Kentucky Harness Horseman's Association. Approval was recommended by KHRC staff.</p> | <p>Chairman Rabinowitz called for a vote to approve the Lexington Trots Breeders Association, LLC, d/b/a Red Mile's request to amend Section R of its application for a license to conduct live horse racing, simulcasting and parimutuel wagering. Motion carried with no objections or abstentions.</p> |

| <b>AGENDA ITEM</b>  | <b>TRANSCRIPT PAGE NUMBER(S)</b> | <b>DISCUSSION / CONCLUSIONS / RECOMMENDATIONS</b>   | <b>ACTION TAKEN</b>   |
|---|----------------------------------|---|---|
| <p><b>Tab 3 Approval of Voluntary Implementation Agreement with Horseracing Integrity and Safety Authority, Ince and Horseracing Integrity and Welfare Unit</b></p> | <p>8 - 11</p>                    | <p>Chairman Rabinowitz requested a motion from the Commission to opt into an agreement with Horseracing Integrity and Safety Authority and Horseracing Integrity and Welfare Unit (1) without election to collect or remit fees from the thoroughbred racetracks under the KHRC’s jurisdiction and (2) with the option to end the agreement if all or a relevant portion of the Horseracing Integrity and Welfare Act is found unconstitutional by a court of competent jurisdiction with all appeals being exhausted. Motion by Commissioner May. Second by Commissioner O’Connor.</p> <p>Executive Director, Jamie Eads, was assigned the floor and explained that behind tab three was a voluntary implementation agreement with HISA. Mrs. Eads further explained that on this coming Monday, March 27, 2023, the anti-doping and medications control program is to be implemented and enforced by HIWU. Special thanks are given to the tracks, the commission staff, Jennifer Wolsing, Waqas Ahmed, Barbara Borden, and Dr. Bruce Howard for working so hard on this agreement. Approval was recommended by KHRC staff.</p> | <p>Chairman Rabinowitz called for a vote to approve an agreement with Horseracing Integrity and Safety Authority and Horseracing Integrity and Welfare Unit (1) without election to collect or remit fees from the thoroughbred racetracks under the KHRC’s jurisdiction and (2) with the option to end the agreement if all or a relevant portion of the Horseracing Integrity and Welfare Act is found unconstitutional by a court of competent jurisdiction with all appeals being exhausted.</p> <p>Motion carried with no objections or abstentions.</p> |
| <p><b>III. Other Business</b></p>   | <p>11 – 12</p>                   | <p>Commissioner Landes requested a Motion for the KHRC to send a letter of that’s to the Public Protection Cabinet General Counsel, Jacob Walbourn, for his education of the KHRC relative legal option in recent litigation. Commission Landes volunteered to draft the letter and additionally stated that Mr. Walbourn’s patience and explanations are superb.</p> <p>Chairman Rabinowitz did not think that a motion was necessary to make sure that a letter gets drafted and stated that he echoed everything Commissioner Landes stated.</p>   | <p>No action taken.</p>   |

| <b>AGENDA ITEM</b>     | <b>TRANSCRIPT PAGE NUMBER(S)</b> | <b>DISCUSSION / CONCLUSIONS / RECOMMENDATIONS</b>  | <b>ACTION TAKEN</b>   |
|------------------------|----------------------------------|--|---|
| <b>IV. Adjournment</b> | 12 - 13                          | With no other business, Chairman Rabinowitz requested a motion to adjourn the February 21, 2023 Kentucky Horse Racing Commission Meeting. Motion by Commissioner Berry. Second by Commissioner May. Meeting adjourned. | Chairman Rabinowitz called for a vote to adjourn. Motion carried with no objections or abstentions. |

**NOTE:** The meeting 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.