

**KENTUCKY HORSE RACING AND GAMING CORPORATION**  
**MINUTES OF THE SPECIAL MEETING**

Date: October 29, 2024, at 1:30 p.m.

Place: Kentucky Horse Racing and Gaming Corporation Conference Room, 4047 Iron Works Parkway, Lexington, Kentucky 40511

Board Members Present: Chair Jonathan Rabinowitz, Vice Chair Charles O'Connor, Dr. Tiffany Daniels, Michael F. Dudgeon, Terry Finley, Greg Harbut, Kerry Harvey, William L.S. Landes, William H. May, Catherine Parke, C. Frank Shoop, James E. Worley

Ex-officio Members Present: Secretary Lindy Casebier, Chad Thompson for Secretary Ray Perry, Hasen Hammock for Secretary Jeff Noel

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I. Call to Order and Roll Call	4 - 5	Chair Rabinowitz called the meeting of the Kentucky Horse Racing and Gaming Corporation (KHRGC) to order and performed the roll call. A quorum was recognized.	No action taken.
II. New Business Tab 1: Minutes of the August 20 and September 6, 2024 Kentucky Horse Racing and Gaming Corporation	5 - 46 5 - 6	Chair Rabinowitz requested a motion from the Board to approve the Minutes of the August 20 and September 6, 2024 Kentucky Horse Racing and Gaming Corporation Board Meetings. Motion by Mr. Landes and second by Mr. Harbut.  President and CEO Jamie Eads was assigned the floor and explained that the minutes from both the August 20 and September 6, 2024 meetings were behind tab 1 and that staff recommended approval.	Chair Rabinowitz called for a vote to approve the Minutes of the August 20 and September 6, 2024 Kentucky Horse Racing and Gaming Corporation Board Meetings. Motion carried with no objections or abstentions.
Tab 2: Proposed Condition on Licenses to Conduct Live Horse Racing, Simulcasting, and Pari-Mutuel Wagering for 2025	5 - 8	Chair Rabinowitz requested a motion from the Board to approve the Proposed Condition on Licenses to Conduct Live Horse Racing, Simulcasting, and Pari-Mutuel Wagering for 2025. Motion by Mr. Shoop and second by Mr. Harbut.	Chair Rabinowitz called for a vote to approve the Proposed Condition on Licenses to Conduct Live Horse Racing,

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		<p>Interim General Counsel Travers Manley was assigned the floor and explained that the conditions are substantially the same as 2024 with only minor updates and changes. The name KHRC was updated to KHRGC and Commission was updated to Corporation. Titles were updated for notification to the corporation. An additional line was added to language referencing HISA.</p>	<p>Simulcasting, and Pari-Mutuel Wagering for 2025. Motion carried with no objections or abstentions.</p>
<p><b>Tab 3: Licenses to Conduct Live Horse Racing, Simulcasting, Pari-Mutuel Wagering, and Sports Wagering for 2025</b></p>	<p>8 - 20</p>	<p>Chair Rabinowitz requested a motion from the Board to approve the Licenses to Conduct Live Horse Racing, Simulcasting, Pari-Mutuel Wagering, and Sports Wagering for 2025. Motion by Mr. Landes and second by Dr. Daniels.</p> <p>Interim General Counsel Travers Manley was assigned the floor and explained that all nine licensed racetracks submitted renewals for their licenses in 2025. Eight of the tracks that currently hold an operator license for sports wagering submitted renewal applications for 2025.</p> <p>Each application was thoroughly reviewed by the divisions of pari-mutuel wagering and compliance, sports wagering, incentives and development, racing licensing, stewards, and legal, as well as Present Jamie Eads and Chair Rabinowitz. Approval was recommended by KHRGC staff.</p> <p>Interim General Counsel Travers Manley presented each license, which can be found in the meeting materials at pages 15-30 and in the transcript.</p>	<p>Chair Rabinowitz called for a vote to approve the Licenses to Conduct Live Horse Racing, Simulcasting, Pari-Mutuel Wagering, and Sports Wagering for 2025. Motion carried with no objections or abstentions.</p>

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<p><b>Tab 4: Proposed Amendments to 810 KAR 2:070</b></p>	<p>20 - 25</p>	<p>Chair Rabinowitz requested a motion from the Board to approve Proposed Amendments to 810 KAR 2:070 which will include amendments to section 16, section 33, and section 4. Motion by Mr. Worley and second by Mr. Shoop.</p> <p>Interim General Counsel Travers Manley shared that a proposed amendment added language that a first aid facility would be attended by a licensed physician, registered nurse or board-certified trainer during race hours. Another amendment regards ambulance transport making the sentence read “can transport or make arrangements to transport an injured individual to a fully equipped hospital emergency room in 5 minutes or less.” The last amendment deletes the section regarding 2-year-old races. Approval was recommended by KHRGC staff.</p> <p>Mr. Worley inquired about Section 4 regarding stabling where the regulation states that an association barn shall be constructed of fire-resistant material.</p>	<p>Chair Rabinowitz called for a vote to approve Proposed Amendments to 810 KAR 2:070 which will include amendments to section 16, section 33, and section 4. Motion carried with no objections or abstentions.</p>
<p><b>Tab 5: Proposed Amendments to 810 KAR 4:030</b></p>	<p>25 - 37</p>	<p>Chair Rabinowitz requested a motion from the Board to approve Proposed Amendments to 810 KAR 4:030 Section 3. Motion by Mr. Landes and second by Mr. Finley.</p> <p>Interim General Counsel Travers Manley shared that a proposed amendment to Section 3 adds circumstances under which a horse may be entered to run in 2 stakes races on the same day. The horse is not in the body of both races and the horse is not entered in either race to the exclusion of any other horse. Another amendment was recommended by the KHRGC stewards for language that requires a horse entering the 2 races to scratch from one of the races at the earliest posted scratch time applicable to either race.</p>	<p>Chair Rabinowitz called for votes to approve Proposed Amendments to 810 KAR 4:030 Section 3, Section 5, Section 11, and Section 17. Motions carried with no objections or abstentions.</p>

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		<p>Chair Rabinowitz requested a motion from the Board to approve Proposed Amendments to 810 KAR 4:030 Section 5. Motion by Mr. Shoop and second by Mr. Worley.</p> <p>Interim General Counsel Travers Manley shared that a proposed amendment to Section 5 pertains to mutual entries. The amendments include adding the word “ownership” after the word “through” in subsection 1, then to delete “or having common ties through training” in subsection 3 and lastly to delete “or training” in subsection 4(a). The HBPA polled its members and results showed slightly in favor of the proposed amendments.</p> <p>Chair Rabinowitz requested a motion from the Board to approve Proposed Amendments to 810 KAR 4:030 Section 11. Motion by Mr. Worley and second by Mr. Landes.</p> <p>Interim General Counsel Travers Manley shared that the proposed amendments to Section 11 are correcting an error regarding a comma placement and adding the word “not” before “forfeit” in subsection 3(a).</p> <p>Chair Rabinowitz requested a motion from the Board to approve Proposed Amendments to 810 KAR 4:030 Section 17. Motion by Mr. Worley and second by Mr. Landes.</p> <p>Interim General Counsel Travers Manley shared that the proposed amendments to Section 17 amends the timing and procedure for the examination of an entry by the attending veterinarian. A horse shall only start if the horse has been examined by an attending veterinarian within 3 days after the</p>	

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		close of entries and no later than 2 days before the race. The examination shall include examination of the legs and observation of the horse at rest and while jogging.	
<b>Tab 6: New KHRGC Branding Proposal</b>	37 - 39	<p>Chair Rabinowitz requested a motion from the Board to approve the new KHRGC branding proposal. Motion by Mr. May and second by Mr. Shoop.</p> <p>Chief Operating Officer Susan Speckert was assigned the floor and explained that the logo and branded material had not been updated since the passing of Senate Bill 299. A new logo is important to reflect the new corporation. Proposals have been received from three state master contract agencies and the company BCH stood out and had the best proposal. They will create 3 logos to choose from in a reasonable amount of time. KHRGC staff recommended approval of their bid.</p>	Chair Rabinowitz called for a vote to approve new KHRGC branding proposal. Motion carried with no objections or abstentions.
<b>Tab 7: 2024 KTDF Allotment Requests as Submitted and Approved by the KTDF Advisory Committee on 10/15/2024</b>	39 - 43	<p>Chair Rabinowitz requested a motion from the Board to approve the 2024 KTDF Allotment Requests as Submitted and Approved by the KTDF Advisory Committee on 10/15/2024. Motion by Mr. Landes and second by Mr. Harbut.</p> <p>Director of Incentives and Development Drew Conners was assigned the floor and explained that there are three items that were approved at the October 15, 2024 KTDF advisory committee meeting. The first was the approval of Kentucky Downs' request to supplement its 2024 stakes purses. Second was the approval of Kentucky Downs' KTDF transfer to Turfway Park. Third was the approval of Turfway Park's 2024/2025 Holiday and Winter/Spring KTDF Allotment request, which includes use of \$100,000 for advertising.</p>	Chair Rabinowitz called for a vote to approve 2024 KTDF Allotment Requests as Submitted and Approved by the KTDF Advisory Committee on 10/15/2024. Motion carried with no objections or abstentions.

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<b>Tab 8: Turfway Park LLC's Proposed 2024 Holiday Race Meet &amp; 2025 Winter/Spring Race Meet Officials and Date Preference System</b>	43 - 46	<p>Chair Rabinowitz requested a motion from the Board to approve Turfway Park LLC's Proposed 2024 Holiday Race Meet &amp; 2025 Winter/Spring Race Meet Officials and Date Preference System. Motion by Mr. Worley and second by Mr. May.</p> <p>Chief State Steward Barb Borden was assigned the floor and shared the attached roster of racing officials and the date preference system. The winter/spring meet for Turfway Park begins January 1. All Stewards have been accredited by ROAP. KHRGC Staff recommended approval.</p>	<p>Chair Rabinowitz called for a vote to approve Turfway Park LLC's Proposed 2024 Holiday Race Meet &amp; 2025 Winter/Spring Race Meet Officials and Date Preference System. Motion carried with no objections or abstentions.</p>
<b>Division Reports</b> <b>a. Thoroughbred Rulings</b>  <b>b. Standardbred Rulings</b>  <b>c. Veterinary Division</b>	46 – 46  46 – 47  47 – 51	<p>Chief State Steward Barb Borden presented the Thoroughbred Rulings by sharing the rulings that have been issued since January 1 with the types of rulings, amount of fines calculated, and an explanation about the ruling. The second report shows rulings since the last meeting in August.</p> <p>Chief State Steward Barb Borden presented the Standardbred Rulings as well. Patricia Cooksey asked her to share that all fines and suspensions have been paid/served and there are no additional comments to make.</p> <p>Dr. Nick Smith was assigned the floor presented statistics for Ellis Park's 2024 meet. There were 1,937 total starts, 501 post-race samples collected, and 47 veterinarian scratches. Thirty-three of the scratches were pre-race and 14 on track. There were 4 horses that bled during the meet and 9 horses were treated for</p>	<p>No action taken. Information purposes only.</p>

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<p><b>d. Pari-Mutuel Wagering Division</b></p>	<p>51 – 53</p>	<p>heat distress. There was a total of 19 ambulance runs, 2 musculoskeletal racing fatalities, and 2 training fatalities. The next report was from Kentucky Downs’ 2024 meet where there were 828 total starts. There were 173 post-race samples collected and 23 veterinary scratches of which 3 were pre-race and 10 on track. No ambulance runs and no fatalities to report. Churchill Downs’ 2024 meet was presented with 1,116 total starts and 313 post-race samples collected. There were 28 veterinary scratches of which 19 were pre-race and 9 were on track. A total of 2 horses bled and 2 horses were treated for distress.</p> <p>The last report was from Red Mile’s 2024 meet with 4,070 total starts. There were 703 post-race samples collected. There were 13 horses placed on the vet’s list of which 7 were for on-site soundness. There was 1 bleeder, 3 horses treated for physical distress, and 1 ambulance run that was a musculoskeletal racing fatality.</p> <p>The yearly report gives the totals from 2007 to present.</p> <p>Pari-Mutuel Wagering and Compliance Director Andy Conway was assigned the floor and shared the wagering reports for the month of August and fiscal year 2024. There was \$2.29 million wagered on track at Kentucky tracks in August, which was an increase from last year. Total year-to-date wagers at Kentucky tracks were currently \$3.8 million. Total fiscal year to date for simulcast was \$16 million.</p>	
<p><b>e. Sport’s Wagering Division</b></p>	<p>53 - 55</p>	<p>Sports Wagering Director Hannah Simms was assigned the floor and shared that for September 2024 total wagers were \$255.8 million. The total for the first year of wagers was \$2.6 billion and \$43.1 million in Kentucky excise tax to date. Circa has broken ground at Kentucky Downs and plans to have their facility open</p>	

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f. <b>President's Report</b>	55 - 57	<p>sometime in the summer of 2025. At the one-year mark there will be 13 sports wagering retail locations and a 14<sup>th</sup> on the way.</p> <p>President and CEO Jamie Eads was assigned the floor and explained that she would like to periodically update everyone on what has been going on with setting up the corporation and general business. President Eads also acknowledged Jack Cornett, who has been hired as the Interim Director of finance.</p>	
III. <b>Adjournment</b>		<p>With no other business, Chair Rabinowitz requested a motion from the Board to adjourn the October 29, 2024 special meeting. Motion by Mr. Harbut and second by Mr. Shoop. Meeting adjourned.</p>	<p>Chair Rabinowitz called for a vote to adjourn. Motion carried with no objections or abstentions.</p>

**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.