

KENTUCKY HORSE RACING COMMISSION
July 26, 2022
AGENDA

Location: American Saddlebred Museum
4083 Iron Works Parkway
Lexington, KY 40511
Via Zoom

Time: 1:30 pm

I. Call to Order and Roll Call

II. New Business

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
2. Backside Improvement Request – Ellis Park
3. Revolutionary Racing Kentucky, LLC's Application for Track License

III. Executive Session

During the meeting on July 26, 2022, the Commission will go into closed session pursuant to KRS 61.810(1) (c) to discuss pending litigation (CONFIDENTIAL)

IV. Other Business

V. Adjournment



PUBLIC PROTECTION CABINET

Andy Beshear
GOVERNOR

Jacqueline Coleman
LIEUTENANT GOVERNOR

Kentucky Horse Racing Commission
4063 Iron Works Parkway, Building B
Lexington, KY 40511
Phone: (859) 246-2040
Fax: (859) 246-2039

Ray A. Perry
SECRETARY

Jamie Eads
INTERIM EXECUTIVE DIRECTOR

Jonathan Rabinowitz
CHAIRMAN

TO: ALL COMMISSION MEMBERS

FROM: KTDF Advisory Committee

Date: July 11, 2022

Subj.: Ratification of KHRC Interim Executive Director Approval of Kentucky Downs sending \$1 Million in KTDF Funds to Ellis Park to enhance their Summer Meet

On July 6, 2022, the KHRC and KTDF Advisory Committee received the following request from Kentucky Downs to send \$1 million in KTDF Funds to Ellis Park for their current Summer Meet.

Pursuant to KRS 230.230(1), Interim Executive Director Jamie Eads granted conditional approval on July 11, 2022 and the commission is asked to ratify this approval.

This request is supported by the KTDF Advisory Committee, the KY HBPA and the KTA-KTOB.

Approval is recommended.

COMMISSION ACTION

_____ Approve

_____ Defer

_____ Deny

Kentucky Thoroughbred Development Fund
4079 Ironworks Pkwy
Lexington, KY 40511

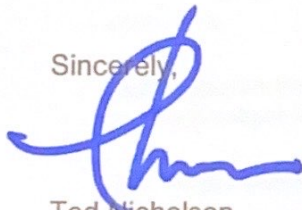
July 7, 2022

Dear KTDF Chairman Landes,

In an effort to further enhance the overall Kentucky racing circuit, Kentucky Downs would like to ask the KTDF's approval to send an additional \$1,000,000 of KTDF funds to Ellis Park for their upcoming 23-day Summer meet.

We appreciate your review of this proposal and urge your approval of this plan.

Sincerely,



Ted Nicholson
Vice President of Racing



PUBLIC PROTECTION CABINET

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GOVERNOR

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CHAIRMAN

TO: ALL COMMISSION MEMBERS
FROM: Jamie H. Eads, Interim Executive Director
DATE: July 19, 2022
SUBJ.: BACKSIDE IMPROVEMENT REQUEST – ELLIS PARK

On July 18, 2022, the Commission received the enclosed letter from Ellis Park seeking permission to use Backside Improvement Funds to replace 38 air-conditioning units in the dormitories located on the backside. Ellis Park would like to purchase the units at Lowe’s Home Improvement and the estimated cost is \$6,802.

KHRC staff confirms Ellis Park currently has a positive balance of \$8,200.69. The purpose of the Backside Improvement Fund is to promote, enhance and improve the conditions of the backside of eligible racing associations in Kentucky. A backside facility is defined as those facilities located at thoroughbred horse racing associations in Kentucky where horses are stabled and quartered and where stable employees work and live [810 KAR 7.010]

Approval is recommended

COMMISSION ACTION:

_____ Approve

_____ Defer

_____ Deny

Ellis Park

RACING • GAMING

July 18, 2022

Jamie Eads

Kentucky Horse Racing Commission

4063 Iron Works Parkway Building B

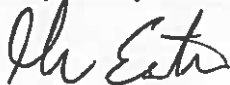
Lexington, KY 40511

Ms. Eads,

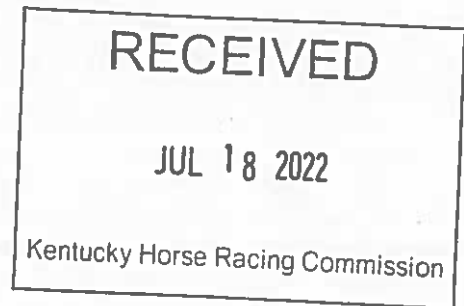
Ellis Park is requesting approval for funding from the Backside Improvement Fund not to exceed \$7,500.00. Actual reimbursement will be based on final receipt of the purchase. This spend will be specific to window air conditioners for our backside buildings, in this case, our dormitories. Our facilities team was diligent in seeking the best source and within reasonable cost taking in consideration multiple sources. Upon cost evaluation and timing, it was best suited for Ellis Park to go with Lowes retail company within the local area. Our initial quote accounts for 38 units at an estimated cost of \$179 each for a total of \$6,802.00. This spend is seen necessary for the safety and healthy lifestyle of our backside employees and seasonal guest.

Thank you for your understanding with this matter.

Respectfully Submitted,



Marc Estrada



Cc: Jeff Inman; Vince Gabbert; Carl Guerry; Dan Bork; Marty Maline



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Jonathan Rabinowitz
CHAIRMAN

To: Kentucky Horse Racing Commission

**From: Jamie Eads, Interim Executive Director
Jennifer Wolsing, KHRC General Counsel
Shan Dutta, KHRC Deputy General Counsel
Waqas Ahmed, Director, Pari-Mutuel Wagering and Compliance**

Date: July 26, 2022

Re: Revolutionary Racing Kentucky, LLC's Initial Application for a License to Conduct Live Horse Racing, Simulcasting, and Pari-Mutuel Wagering.

The Kentucky Horse Racing Commission ("Commission") is in receipt of an initial application from Revolutionary Racing Kentucky, LLC. Subsequent to the initial submission, Revolutionary Racing Kentucky, LLC provided supplemental information in support of the application. Pursuant to 810 KAR 3:010, the Commission is to review the application, and any supplemental materials, to determine the following criteria:

1. The applicant meets all requirements of KRS Chapter 230 and KAR Title 810;
2. The applicant is qualified and financially capable of operating a race track;
3. The applicant will conduct racing in accordance with KRS Chapter 230 and KAR title 810;
4. The applicant will conduct racing in accordance with the highest standards and the greatest level of integrity; and
5. The issuance of a license will ensure the protection of the public interest.

The above noted factors set forth in 810 KAR 3:010 guide the Commission's review, in addition to KRS 230.300, the statutory mandate requiring a license from the Commission to conduct horse racing in Kentucky.

Following review of the initial application and supplemental materials, the Commission has established six (6) conditions that must be complied with on or before September 15, 2022 for Revolutionary Racing Kentucky, LLC's 2023 license to move from a conditional license to a regular license.



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Jonathan Rabinowitz
CHAIRMAN

COMMISSION ACTION:

Approve: _____

Deny: _____

Defer: _____



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July 26, 2022

VIA ELECTRONIC MAIL

Prentice Salter, CEO
Revolutionary Racing Kentucky, LLC

RE: Conditions on License to Conduct Live Horse Racing, Simulcasting, and Pari-Mutuel Wagering.

Dear Mr. Salter:

Thank you for submitting an Initial Application for License to Conduct Live Horse Racing, Simulcasting, and Pari-Mutuel Wagering in Kentucky on behalf of Revolutionary Racing Kentucky, LLC, and the subsequent documentation in support of the application. Following review of Revolutionary Racing Kentucky, LLC's application, the Kentucky Horse Racing Commission has determined, pursuant to KRS 230.290, that the following conditions are necessary to be placed upon the license granted to Revolutionary Racing Kentucky, LLC. Each condition set forth below is to be completed to the satisfaction of the Commission on or before September 15, 2022. If any condition, or subpart to any condition, is not fully met by this date, the Commission shall be notified in writing as to the basis for deficiency on or before September 15, 2022. Further, and pursuant to 810 KAR 3:010, the Commission requires Revolutionary Racing Kentucky, LLC to supplement the remaining information required of the initial application, which was designated by Revolutionary Racing Kentucky, LLC as "to be supplemented," by September 15, 2022. If such information is not provided by that date, the Commission requires an explanation, including supporting documentation, as to why the required information or documentation is unavailable and when such information or documentation will become available and submitted to the Commission. Failure to comply with any of the conditions set forth by the Commission may result in an adverse action against the conditional license, including, but not limited to, revocation of the conditional license.

1. Confirm the race dates to be conducted in CY 2023 along with a plan of operations to conduct the race dates at an alternate location. This condition includes a letter of agreement with the alternate location, as well as any required horsemen's approval. If the requested racing dates are not consecutive, provide an explanation as to why.



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2. Provide supplemental documentation related to financing the projects proposed for Ashland, KY. Such financial documents shall indicate a binding promise of financing. If certain financing sources are dedicated specifically to either the proposed racetrack or the extension HHR facility, clarify any such limitation. If certain financing sources are dedicated to both the proposed racetrack and the extension HHR facility, provide information specifying the amounts that will be dedicated to each project. Any change of control must be approved by the Commission.
3. Provide finalized surveying or related assessments of the land for the proposed racetrack indicating the land is suitable for the purposes set forth in the application and the actions, including estimated costs, needed to prepare the land for such purposes. Documentation shall include an environmental impact, or similar survey, that explains the type of improvements required to outfit the current land for the proposed racetrack and the status of any and all regulatory approvals (Federal, State, and Local Government).
4. Provide supplemental contractual documents related to the sale or lease of the land used to conduct racing and wagering. Provide supplemental documentation related to all needed regulatory approvals.
5. Provide supplemental letters of support from any horsemen's groups that will participate in revenue share agreements from proceeds of wagering.
6. Provide all up to date and executed simulcasting agreements, including any necessary approvals.

The Commission maintains the ability to amend or supplement the above conditions pertaining to the application and conditional license.

Sincerely,

Kentucky Horse Racing Commission