

In the Matter Of:

INDIANA HORSE RACING COMMISSION MEETING

Transcript of Proceedings

March 02, 2021

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3 INDIANA HORSE RACING COMMISSION MEETING
4

5 HELD ON:

6 MARCH 2, 2021

7 10:30 A.M.
8

9 HELD AT:

10 INDIANA GRAND RACING AND CASINO

11 4300 N. MICHIGAN ROAD

12 SHELBYVILLE, INDIANA
13
14
15

16 TAKEN BY:

17 ROBIN P. MARTZ, RPR

18 NOTARY PUBLIC
19
20
21
22
23
24
25

1 APPEARANCES

2 Philip Borst, DVM, Chairman
 George Pillow (Via Videoconference)
 3 William McCarty (Via Videoconference)
 Bill Estes

4 Deena Pitman, Executive Director
 5 Tom Linkmeyer, Assistant Executive Director

6 Noah Jackson, Esq.
 INDIANA HORSE RACING COMMISSION
 7 1302 North Meridian Street, Suite 175
 Indianapolis, IN 46202

8
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1 CHAIRMAN BORST: Okay. Seeing a quorum, we'll
2 call this meeting to order. First order of
3 business is to swear in our transcriber. We're
4 glad to have Robin Martz back.

5 (At this time the oath was administered to the
6 court reporter by Chairman Borst.)

7 CHAIRMAN BORST: So we do have a quorum.
8 Commissioner Estes and I are here. Commissioner
9 McCarty and Pillow are afar, but they're here --
10 well, I guess they're actually here in picture and
11 audio.

12 First order, I want to, again, thank Indiana
13 Grand for hosting this again. You've gone again
14 way out and beyond what you have to do. And we
15 sure appreciate it, and I know all the horsemen
16 here appreciate it too because we get business done
17 and get things ready to go for the next season
18 here.

19 First on the agenda is approval of memorandum
20 from December 10, 2020 meeting. If somebody wants
21 to make a motion and a second.

22 COMMISSIONER ESTES: So moved.

23 COMMISSIONER MCCARTY: Second.

24 CHAIRMAN BORST: Moved and seconded.

25 MR. JACKSON: We'll do a roll call vote since

1 we have virtual.

2 CHAIRMAN BORST: Roll call vote.

3 MR. JACKSON: Chairman Borst.

4 CHAIRMAN BORST: Aye.

5 MR. JACKSON: Commissioner McCarty.

6 COMMISSIONER MCCARTY: Aye.

7 MR. JACKSON: Commissioner Pillow.

8 CHAIRMAN BORST: Are you on mute, George?

9 COMMISSIONER PILLOW: Did you hear me? Aye.

10 MR. JACKSON: Thank you. Commissioner Estes.

11 COMMISSIONER ESTES: Aye.

12 CHAIRMAN BORST: Thank you all. We'll work
13 the bugs out here.

14 Next on the agenda is the consideration of the
15 following proposed emergency rule changes. As I
16 understand, it's part of the phase that we're
17 trying to update the rules to the RC standards, and
18 this is just the next phase of it.

19 With that, Noah, do you want to kind of
20 capsulize them for us?

21 MR. JACKSON: Thank you, Mr. Chairman. Agenda
22 item one is the proposed emergency rules, which
23 cover harness racing, flat racing, and an all
24 breeds category, which in this case is largely
25 wagering rules. The rule packet in your meeting

1 booklets was provided to stakeholders with request
2 for any comments or suggestions. And there were a
3 few comments, stakeholder comments that have been
4 discussed and addressed by staff.

5 Only one language change was made after the
6 rules were sent to the stakeholders. And that
7 change is to 71 IAC 9-4-15. The new rule language
8 will now allow for the superfecta wager to carry
9 over to the next race day.

10 Stakeholders were also notified that if they
11 wish to speak to the rules at the meeting, that
12 they should be physically present or appear online
13 after having pre-registered. I believe there may
14 be one or more individuals wishing to make a
15 statement this morning on the rules.

16 Although these rules are presented on the
17 agenda separately, the Commission typically casts a
18 single vote in favor or opposition of the passage
19 of the rules. And the rules are submitted as a
20 single document to the Legislative Services Agency.

21 So before we moved further, if we wanted to
22 have the comments on the rules.

23 CHAIRMAN BORST: Do we have anybody here who
24 would like to comment? There's a lot of rules
25 here.

1 JEFF JOHNSTON: I'd like to comment online,
2 Mr. Chairman.

3 CHAIRMAN BORST: Oh, we have virtually people.
4 Sorry about that. Yes. If you'll state your name
5 and who you represent.

6 JEFF JOHNSTON: This is Jeff Johnston with the
7 Jockey's Guild. Just a comment on 71 IAC 7.5-3-4,
8 scale of weights. I understand what the Commission
9 is doing here. And I talked with Eric Smith and
10 Deena about it. But just to go on the record, the
11 Jockey's Guild and the jockey colony at Indiana
12 Grand support the ARCI model rule as written which
13 eliminates the, or would not include a allowance
14 for Indiana bred's running against open company.
15 What this rule essentially does is it reduces the
16 minimum weight 3 pounds farther than the current
17 model rule is. So the jockeys would be on a daily
18 basis expected to weigh 115 pounds with all their
19 tack, which means they would have to weigh 111.

20 Most of our jockeys anymore cannot do this
21 weight. So it's a health and safety issue for us.
22 I understand why the rule's written as it is. And
23 I talked to Chris Polzin, the racing secretary, who
24 will monitor how many overweights we have this year
25 and possibly have a request for a future amendment

1 to this rule again. But, again, I just wanted to
2 go on the record to say that we support the model
3 rule as written. Thank you.

4 CHAIRMAN BORST: Thank you. Are there any
5 other people from afar or here who would like to
6 speak to the rules changes? Seeing none, are we
7 ready?

8 MR. JACKSON: Ready for a motion. Commission
9 staff would respectfully recommend approval of
10 these rules.

11 CHAIRMAN BORST: Okay. I'll accept a motion
12 and a second.

13 COMMISSIONER ESTES: Second.

14 CHAIRMAN BORST: I need a motion first.

15 COMMISSIONER MCCARTY: I move for approval.

16 COMMISSIONER ESTES: Second.

17 CHAIRMAN BORST: Got it. Been moved and
18 seconded. Any other discussion. Roll call vote.

19 MR. JACKSON: Chairman Borst.

20 CHAIRMAN BORST: Aye.

21 MR. JACKSON: Commissioner Estes.

22 COMMISSIONER ESTES: Aye.

23 MR. JACKSON: Commissioner Pillow.

24 COMMISSIONER PILLOW: Aye.

25 MR. JACKSON: Commissioner McCarty.

1 COMMISSIONER MCCARTY: Aye.

2 MR. JACKSON: Thank you.

3 CHAIRMAN BORST: Thank you. Next on the
4 agenda is the review of the Commission rulings.
5 There's only like five so I don't know if anybody
6 has any questions, but if you do, now's the time,
7 Commissioners.

8 Seeing none, next is the approval of the RMTTC
9 certified split sample laboratories for 2021 and
10 beyond pursuant to 71 IAC so forth. Deena, do you
11 want to discuss the lab?

12 DEENA PITMAN: Yes, thank you. We go through
13 this every year. We have a number of laboratories
14 that are accredited through the RMTTC. And we have
15 a list available to trainers if they, by chance,
16 have a positive test throughout the year. And they
17 can select the lab that is listed to handle a split
18 sample if they have a split available.

19 We also have on this list, in addition to an
20 RMTTC list, a secondary laboratory that is not on
21 the RMTTC list, University of Kentucky Veterinary
22 Diagnostic Lab. And they are utilized as our
23 primary cobalt lab. Cobalt is a little bit
24 different. It's a natural substance that is tested
25 for. And there are thresholds for that. And if

1 you're over the threshold, then you have to have a
2 split sample sent. You don't have to, but you have
3 a choice to send a split sample. So we have the
4 cobalt laboratory through Kentucky. They are not
5 an RMTTC lab so, therefore, we have to waive the
6 rule that we have on the books because there is no
7 such RMTTC-accredited cobalt laboratory.

8 Then we also have a split laboratory that
9 we've identified that can do cobalt testing in
10 addition to Kentucky. And that would be the
11 University California-Davis. And it just so
12 happens that they're already certified with RMTTC as
13 well, but their cobalt lab is not so that's where
14 the waiver from the rule comes in. So is that
15 clear as mud?

16 CHAIRMAN BORST: No, makes sense. Cobalt is
17 newer. Any Commission questions, Commissioners?
18 Okay. Accept a motion and a second.

19 COMMISSIONER ESTES: Moved.

20 COMMISSIONER MCCARTY: I move for.

21 CHAIRMAN BORST: Been moved. How about a
22 second?

23 COMMISSIONER ESTES: Second.

24 CHAIRMAN BORST: Okay. All right. We'll take
25 a roll call vote.

1 MR. JACKSON: Thank you. Chairman Borst.

2 CHAIRMAN BORST: Aye.

3 MR. JACKSON: Commissioner McCarty.

4 COMMISSIONER MCCARTY: Aye.

5 MR. JACKSON: Commissioner Pillow.

6 COMMISSIONER PILLOW: Aye.

7 MR. JACKSON: Commissioner Estes.

8 COMMISSIONER ESTES: Aye.

9 CHAIRMAN BORST: Thank you. It passes.

10 The next three are going to be presented by
11 Jessica. Glad to have you here. Hopefully, you're
12 going to give us lots of good news, pretty good
13 news.

14 JESSICA BARNES: Definitely better than last
15 year.

16 CHAIRMAN BORST: Yes, in a lot of ways.

17 JESSICA BARNES: You have in front of you item
18 number four is the Indiana Thoroughbred Breed
19 Development program. This program was put together
20 about a month ago and actually sent to our, the
21 executive director for her approval so that we
22 could proceed with the program, but we wanted to
23 solidify this and bring it in front of the
24 Commission so you are aware.

25 With casino revenues being down just a tick,

1 we're dealing with a little bit less money than we
2 typically would on a given year. And our budget
3 reflects that. So we budgeted very conservatively
4 for the program, but we still feel that this
5 program has a lot to offer for the Thoroughbred
6 horsemen participating. I will be happy to answer
7 any questions you have.

8 CHAIRMAN BORST: Any questions on the
9 Thoroughbred breed development program? Why don't
10 we go to the Quarter Horse. I think we'll just
11 vote for all three of them at once.

12 JESSICA BARNES: That's fine. The Quarter
13 Horse breed development program in the same way,
14 we're operating with a little bit less money, but
15 one of the things we did with Quarter Horse last
16 year is we did not go back after revenue started
17 coming in much higher than we expected when we
18 opened, we didn't make an adjustment. So we have
19 quite a bit of reserves there. So we were able to
20 keep the program actually where it was last year,
21 and actually implement a couple of improvements to
22 it.

23 So one of the things we did was one of the
24 rule changes you guys just approved in item two was
25 to bring the award for open races up to where they

1 were for bred races. So we were able to actually
2 bring that percentage up for the program. So we've
3 offered a really great program for Quarter Horses.

4 CHAIRMAN BORST: Okay.

5 JESSICA BARNES: And then also in the
6 Standardbred program, they were in the same
7 situation where we didn't adjust. We budgeted very
8 conservatively when COVID hit. We didn't go back
9 and make any adjustments when revenues came in a
10 little bit higher for a few months. So that put us
11 in a pretty good position going into this year's
12 program so we were actually able to offer the same
13 program that we had originally intended to for the
14 beginning of 2020 for the 2021 meet.

15 CHAIRMAN BORST: I know it's a puzzle trying
16 to put all these together.

17 JESSICA BARNES: A little bit.

18 CHAIRMAN BORST: That's for sure with all the
19 moving pieces. We appreciate all your work. I
20 know it's hard to put it together.

21 JESSICA BARNES: We budgeted fairly
22 conservative for all three of these programs so if
23 things do drastically change and start to get much,
24 much better, we will probably be coming back to the
25 Commission at some time during the season just so

1 that we don't get so much money in reserves that
2 it's difficult to take that down in the future.

3 CHAIRMAN BORST: I hope you do.

4 JESSICA BARNES: I hope we do too.

5 CHAIRMAN BORST: That will be good for
6 everybody. Okay. Commission Members, any
7 questions on the three programs at all? I think we
8 can vote on all three of these at the same time.
9 Would somebody like to make a motion and a second.

10 COMMISSIONER ESTES: Yes, I'd make a motion to
11 accept.

12 COMMISSIONER PILLOW: I'll second.

13 CHAIRMAN BORST: That's all three programs.
14 All righty. Roll call.

15 MR. JACKSON: Thank you. Chairman Borst.

16 CHAIRMAN BORST: Aye.

17 MR. JACKSON: Commissioner McCarty.

18 COMMISSIONER MCCARTY: Aye.

19 MR. JACKSON: Commissioner Pillow.

20 COMMISSIONER PILLOW: Aye.

21 MR. JACKSON: And Commissioner Estes.

22 COMMISSIONER ESTES: Aye.

23 CHAIRMAN BORST: Thank you. Okay. Next on
24 the agenda is the approval of Harrah's Hoosier Park
25 2021 Standardbred racing official list. Rick going

1 to handle that one? Sorry, I can't see who you all
2 are.

3 RICK MOORE: You see a lot of silhouettes,
4 right?

5 CHAIRMAN BORST: I can't even see your face
6 right there.

7 RICK MOORE: Good morning, Mr. Chairman,
8 Members of the Commission, Executive Director
9 Pitman, and staff, pleased to be here this morning.
10 My name is Rick Moore. I'm vice president and
11 general manager of racing for Harrah's Hoosier
12 Park.

13 As far as our official lists are concerned,
14 everyone on that list has served in their previous
15 capacity and have been licensed for many, many
16 years. We do have one new person what you'll see
17 added to the list. And that is our new track
18 announcer Michael Chamberlain. We were fortunate
19 enough to have Steve Cross be our track announcer
20 and call our races for the last 20 years. Steve is
21 retired from his duties at Hoosier Park, but we are
22 very, very excited about adding Michael
23 Chamberlain. Michael is known throughout the
24 country and is considered one the top race callers
25 in the country and has called all three breeds.

1 We're excited to have him come to Harrah's Hoosier
2 Park and ask that he be approved along with the
3 rest of our previous licensees. Thank you so much.

4 CHAIRMAN BORST: Thank you. Any questions by
5 Commission Members on the list? If not, we'll take
6 a motion and second.

7 COMMISSIONER ESTES: Move approval.

8 COMMISSIONER MCCARTY: Second.

9 CHAIRMAN BORST: Been moved and seconded.
10 We'll go to the roll call vote.

11 MR. JACKSON: Chairman Borst.

12 CHAIRMAN BORST: Aye.

13 MR. JACKSON: Commission McCarty.

14 COMMISSIONER MCCARTY: Aye.

15 MR. JACKSON: Commissioner Pillow.

16 COMMISSIONER PILLOW: Aye.

17 MR. JACKSON: Commissioner Estes.

18 COMMISSIONER ESTES: Aye.

19 CHAIRMAN BORST: That passes also. Next on
20 the agenda is the approval the Indiana Grand 2021
21 Thoroughbred and Quarter Horse racing official
22 list.

23 ERIC HALSTROM: Chairman Borst.

24 CHAIRMAN BORST: How are you doing?

25 ERIC HALSTROM: I'm doing good. Thanks.

1 Members of the Commission, Eric Halstrom, vice
2 president of racing here at Indiana Grand. So our
3 officials list has been kind of a moving target and
4 part of that has been COVID related, quite frankly,
5 trying to determine who was able to come back and
6 whatnot. The good news is we have a pretty solid
7 crew coming back. We had to make a couple changes.

8 One of the things that I want to make known
9 from our list here, which I think this is the
10 second list, Noah, we have listed Mandy Green as
11 our paddock judge and identifier. Recently, with
12 some discussions with staff and stewards, Mandy did
13 that job last year at the end of the meet under
14 emergency. One of our employees became ill and
15 whatnot. Mandy filled in and did a great job.
16 Over the course of a 120-day meet, not quite sure
17 that that's probably the way we want to go.

18 So with your permission and approval, I would
19 say that this list is one person short going
20 forward. We're going to try to find that one
21 person for either that paddock judge or identifier.
22 We just need a few days to get that done. I spoke
23 to Chris this morning, and he's already on it. But
24 as of the meeting here, we are not able to put that
25 person in front of you.

1 Other than that, we're excited. We've got a
2 great crew. We have one new member that Chris has
3 brought with him from Arlington Park, Miss Valerie
4 Riggs, who is very well spoken. She is going to be
5 placing judge, and Chris's right-hand person in
6 that office. We're excited to have her aboard. We
7 are looking forward to a great meet with a great
8 crew here.

9 CHAIRMAN BORST: Great. That's good to have
10 experience. That makes things go smoother. Any
11 Commissioners have questions on the list, officials
12 list? If not, I guess we'll take a motion and a
13 second.

14 COMMISSIONER ESTES: I move approval.

15 CHAIRMAN BORST: Do we have a second?

16 COMMISSIONER MCCARTY: Second.

17 CHAIRMAN BORST: Thank you. Ready for the
18 roll call.

19 MR. JACKSON: Thank you. Chairman Borst.

20 CHAIRMAN BORST: Aye.

21 MR. JACKSON: Commissioner McCarty.

22 COMMISSIONER MCCARTY: Aye.

23 MR. JACKSON: Commissioner Pillow.

24 COMMISSIONER PILLOW: Aye.

25 MR. JACKSON: Commission Estes.

1 COMMISSIONER ESTES: Aye.

2 MR. JACKSON: Thank you.

3 CHAIRMAN BORST: Thank you, all. Next is the
4 consideration of Indiana Grand's request to move
5 the Saturday, May 1st race date previously approved
6 at the Commission's regularly scheduled
7 December 10, 2020 Commission meeting. Eric again.

8 ERIC HALSTROM: Yes, sir. So we were looking
9 at the 2021 race calendar back last, I guess it was
10 August when we started talking about things and
11 talking with the horsemen. We had grand plans for
12 a Kentucky Derby day live racing day, which would
13 be a good kickoff in bringing people back and back
14 into place and doing a whole bunch of things. As
15 we got a little further along, probably about a
16 month or so ago, started speaking with the
17 horsemen, Mr. Davis, Mr. Martin. And we're just
18 not sure that's the appropriate way to go right
19 now. We're likely to have some capacity limits and
20 whatnot on May 1st. The last thing we want to do
21 is have 3,000 people lined up on the sidewalk
22 trying to get in as they go in and out.

23 We think one way to alleviate that is to move
24 that live racing day to the end of the meet in
25 November. We talked about some different spots

1 during the summer and whatnot. November was so
2 good for us last year. If you recall, we had some
3 \$3 million days in November and thought maybe we'll
4 try that for this year.

5 Hopefully, somewhere in the summer, we can
6 have that kickoff again with full capacity. But as
7 of right now, we think protocol wise, it's probably
8 not the wisest thing to do. That comes from
9 Indiana Grand with speaking with our horsemen who
10 are in support.

11 CHAIRMAN BORST: Probably a good idea. Like
12 you say, by May 1st I don't think things will be
13 open yet. So it would be May 1st to
14 November 8th, then, right?

15 ERIC HALSTROM: Yeah, the May 1st date to
16 November 8th, that's correct.

17 CHAIRMAN BORST: Any Commissioner questions,
18 comments? If not, I guess we're ready for a motion
19 and second.

20 COMMISSIONER ESTES: I move approval.

21 COMMISSIONER MCCARTY: Second.

22 CHAIRMAN BORST: Thank you. Roll call vote.

23 MR. JACKSON: Chairman Borst.

24 CHAIRMAN BORST: Aye.

25 MR. JACKSON: Commission McCarty.

1 COMMISSIONER MCCARTY: Aye.

2 MR. JACKSON: Commissioner Pillow.

3 COMMISSIONER PILLOW: Aye.

4 MR. JACKSON: Commissioner Estes.

5 COMMISSIONER ESTES: Aye.

6 MR. JACKSON: Thank you.

7 CHAIRMAN BORST: Next one is Eric again,
8 Consideration of Indiana Grand request to approve
9 continued takeout of 11.99 percent on Pick 5 to
10 stimulate wagering and approve reductions on Pick 4
11 and Straight Fire Pick 6 wagering as well.

12 ERIC HALSTROM: Yes, Chairman Borst and
13 Members of the Commission, one of the things that
14 we feel very strongly about was that your approval
15 last year to move our takeout on our Pick 5 was
16 crucial to our business. It was very well
17 received. It's a great marketing tool. Our
18 horsemen were very much in support of doing that
19 again this year.

20 Now we're going to try to go further and gain
21 a little more traction with some of our
22 out-of-state customers who are very takeout
23 sensitive. And the addition this year is we're
24 talking about moving our Pick 4 and our Pick 6 to
25 15 percent, keeping our 5 at 11.99, which is

1 industry low, depending on one other racetrack that
2 might be running or not at the time. But if we do
3 this, it's a great marketing tool, especially we've
4 already been talking building it up with TVG and
5 some of the other folks. And there seems to be a
6 lot of excitement about potential for some really
7 exciting things to talk about at Indiana Grand
8 wagering wise this summer.

9 CHAIRMAN BORST: All right. Good to get
10 creative. Help everybody do better.

11 DEENA PITMAN: Chairman, I have a question.
12 Eric, you're lowering it to 15 percent. What is
13 the normal?

14 ERIC HALSTROM: Twenty-one.

15 DEENA PITMAN: So that's a considerable
16 number.

17 ERIC HALSTROM: Yes.

18 CHAIRMAN BORST: Any questions from Commission
19 Members? Hearing none, ready for a motion and a
20 second again.

21 COMMISSIONER ESTES: Motion to approve this.

22 COMMISSIONER MCCARTY: I move approval. Did I
23 miss the motion? If I did, I second.

24 CHAIRMAN BORST: There you go. That's what we
25 need. Thank you, Bill. Been moved and seconded.

1 Roll call vote.

2 MR. JACKSON: Chairman Borst.

3 CHAIRMAN BORST: Aye.

4 MR. JACKSON: Commissioner McCarty.

5 COMMISSIONER MCCARTY: Aye.

6 MR. JACKSON: Commissioner Pillow.

7 COMMISSIONER PILLOW: Aye.

8 MR. JACKSON: Commissioners Estes.

9 COMMISSIONER ESTES: Aye.

10 CHAIRMAN BORST: Thank you. Next on the list
11 is consideration of Caesars request to amend the
12 expected 2021 Capital Expenditure Plan and
13 substitute with alternative 2021 purchases. Do you
14 want to start off?

15 DEENA PITMAN: I just want to make sure that
16 you remember a while back with the earlier purchase
17 of Centaur by Caesars, there was a schedule that
18 was approved out through -- what is it, Noah?

19 MR. JACKSON: It's 2033.

20 DEENA PITMAN: 2033. Okay. Certain items
21 that would come up for replacement. And these
22 particular items sometimes -- I mean, it was very
23 hard to determine what would be necessary in any
24 given year. So there have been a few years here
25 lately that items were due to be replaced, but it

1 wasn't necessary. So the racetracks have each gone
2 through on occasion and decided that there was
3 something else that that money could be spent on
4 that was still a benefit to racing. And this is
5 what we have here.

6 CHAIRMAN BORST: Eric.

7 ERIC HALSTROM: Thanks, Deena. So in our
8 approved capital plan for 2021 is we had \$137,000
9 to be spent. Eleven thousand of that was a welder
10 for our track superintendent Roy Smith. And,
11 frankly, he says the one he's got right now is like
12 new so he didn't feel like that was a great spend.

13 The other 126,000 was on three Ford F150
14 pickup trucks for our maintenance staff. And the
15 fact of the matter is we have so many vehicles back
16 there, and all of them have several years left of
17 life. That seemed to be a waste to trade in a
18 vehicle just to get a new one because it was in
19 that thing. We've got some great ideas here that
20 we'd like to talk about for substitute capital.

21 There's two themes of this. One is we want to
22 improve our on-track, on-site experience for our
23 simulcasting customers, not just here but also at
24 our Clarksville OTB, which is if you see the
25 business that comes out of there, many days our

1 Clarksville OTB is doing half the handle in the
2 state. So it's down the river by Louisville and
3 whatnot and got a real strong crew and a very wise
4 group of wagering customers and whatnot. And we
5 need to improve the services that we have for them
6 down there. It's outdated. It hasn't been
7 improved since it was put in a couple of decades
8 ago, I believe.

9 So what you see in front of you is some
10 improvements down in the Winner's Circle in the
11 casino. We want to add three, 98-inch televisions,
12 which will greatly enhance what our customers are
13 seeing down there right now. This is in the racing
14 side of the OTB down there. Sports Book is over
15 there. This is where the customers sit in carols
16 and their wagering platforms there. Ninety-eight
17 inch high definition is the best qualities you can
18 possibly get. I think that would be a great
19 improvement for our folks down there.

20 I want to come back to Clarksville. The
21 biggest issue they've got down there is the
22 equipment is so old that we're having a hard time
23 doing some very practical things in helping our
24 customers be able to watch races. Walls of TVs
25 that are unable to be changed without changing

1 every TV. We've got lots of issues. This 20 years
2 ago, the technology wasn't there for this stuff.
3 This would allow us to take from the back end,
4 signal is coming in, send them directly to the TVs,
5 have people be able to ask for different stuff.
6 There are times where we're not able to accommodate
7 all our customers' simulcasting needs right there
8 because it's so difficult in that confined space in
9 that OTB, especially with the good business down
10 there that they're certainly doing.

11 Then the last piece, and this is probably the
12 one I'm most excited about to talk about in this
13 whole request for substitution is Indiana Grand
14 would like to be the first track that I'm aware
15 of -- there's been some national broadcasting to
16 try to mix this in. But we want to use and perfect
17 a drone for our TV production. We think that by
18 being the first one in this, and it will take a
19 little practice. We won't put it into use until
20 we're absolutely ready. But we think there's an
21 opportunity out there to always strive to try to
22 make yourself look better than your competition.
23 We've got some great ideas as far as how this drone
24 could enhance handicapping angles for our
25 customers, the views for our stewards, different

1 things where there might be some spots on the
2 racetrack that our fixed cameras don't get quite as
3 well based on the angle.

4 We've spoken with our state vet. We've
5 talked. He's got a lot of experience on working
6 with drones at the Breeder's Cup and different
7 things. We're excited. We think that after we get
8 this down pat, work with the horsemen to make sure
9 it's exactly what it's all spec'd out to be. We're
10 buying a high end drone that's low volume, and a
11 camera that's very top end.

12 So this would be something I think that at the
13 end of the year we can say we are pretty proud of
14 to be the first one to try to take a stab at
15 adding, enhancing our customer experience and doing
16 something that nobody else gets to do that you
17 don't see anywhere else. So we respectfully
18 request to substitute the capital for this and
19 answer any questions you might have.

20 CHAIRMAN BORST: Makes sense not to just buy
21 something to buy it. I'm excited about the drone
22 too.

23 DEENA PITMAN: Yeah.

24 CHAIRMAN BORST: This isn't your \$49.99 drone.
25 That's for sure. You may not know. How long will

1 it be able to go on a charge? They typically don't
2 go too long. But this one at this price should go
3 for a while.

4 ERIC HALSTROM: I can talk for about a half
5 hour on this one. I've got all the answers. It's
6 great. Each battery can go about a half hour. So
7 what we're planning on purchasing is a rack of,
8 like, 12 of them. And they're constantly being
9 recharged. So we'll have to have a landing spot
10 between races. This is all going to be part of the
11 experience of learning how you do this. But over
12 the course of a day with this battery pack, we can
13 send that thing up and down, just keep changing
14 batteries and whatnot. It will really be
15 something.

16 COMMISSIONER ESTES: Who's training your guys
17 to run that drone? That's a little tricky.

18 ERIC HALSTROM: Yes, it is. We have three of
19 our employees going through training right now.
20 We've got one who we kind of thought would be our
21 main, our main drone flyer. I'm not sure what the
22 term is for that, but all three will go through
23 training. Then at that point they have to pass an
24 FAA test. It's essentially something that the FAA
25 has to approve them as being worthy to do this.

1 That's one of the reasons why we waited for
2 this time, not just the timing of the meeting, we
3 wanted to be the first to do this. And it seems
4 like you let these secrets out, somebody else is
5 going to try to do what you're doing. But I can
6 tell you the time it takes to get this going
7 between the training and buying high end equipment,
8 we're going to spend almost \$30,000 on this. It's
9 very in depth. We'll be looking to purchase this
10 essentially this afternoon. We have the vendor
11 lined up, get it in, start working in the mornings
12 around training time, just different angles and
13 seeing how horses run around and all that.

14 COMMISSIONER ESTES: Great idea.

15 CHAIRMAN BORST: Yeah, I think the stewards
16 would like it too because they can take a look at
17 the film. I don't know if you're going to make it
18 available to the horsemen or not, but there might
19 be a market for that to watch to see just where a
20 horse does better and where it starts to falter or
21 whatever.

22 ERIC HALSTROM: It's an interesting point. I
23 think it's one of the things -- we're not looking
24 to take away what you normally see for a
25 horseplayer but to add a replay of the gallop out

1 or something in the paddock. Right now our paddock
2 shot is not great. It's very low. There's some
3 things we can improve upon, and we'll find out what
4 works best when we start trying it.

5 COMMISSIONER ESTES: Great idea.

6 CHAIRMAN BORST: The drone and the 98-inch TV
7 has got my attention. I'd like to have both, but
8 that's the way it goes.

9 Any other Commission Member questions?
10 Commissioner McCarty or Pillow?

11 COMMISSIONER MCCARTY: You won't be in the
12 flight arrivals or departure plans for nearby
13 airports, will you?

14 ERIC HALSTROM: No, sir. The thing stays
15 about the level of the light poles, if you can
16 imagine what that is. Yeah, part of the -- to your
17 question though it's really true is, we also got
18 the highest end camera so it will make it where you
19 can put that thing wherever we need to to make sure
20 it's not affecting anybody, any horses, any humans,
21 anything like that because the camera will be the
22 piece that really gets what we're looking for.

23 CHAIRMAN BORST: I guess you probably do have
24 to clear that with the Shelbyville airport.

25 ERIC HALSTROM: Yeah. Done so.

1 DEENA PITMAN: And the National Guard.

2 ERIC HALSTROM: Yeah.

3 CHAIRMAN BORST: That's right, the National
4 Guard too. Any other questions? I think we're
5 ready for a motion and a second.

6 COMMISSIONER ESTES: Motion to approve.

7 COMMISSIONER MCCARTY: Second.

8 MR. JACKSON: Thank you. Chairman Borst.

9 CHAIRMAN BORST: Aye.

10 MR. JACKSON: Commissioner McCarty.

11 COMMISSIONER MCCARTY: Aye.

12 MR. JACKSON: Commissioner Pillow.

13 COMMISSIONER PILLOW: Aye.

14 MR. JACKSON: Thank you, sir. Commissioner
15 Estes.

16 COMMISSIONER ESTES: Aye.

17 ERIC HALSTROM: Thank you.

18 CHAIRMAN BORST: Great. We can't wait to see
19 the drone fly. We're there with you.

20 Next on the agenda is something that we
21 routinely do. It's a request the Indiana Horse
22 Racing Commission delegate authority to approve any
23 2021 race matters prior to the next Commission
24 meeting to the Executive Director. Noah, do you
25 want -- do you have more to say, I guess?

1 MR. JACKSON: Yes. Commissioners, each year
2 there are matters that arise during the race
3 meeting that require quick turnaround or quick
4 decision making. And because the Commission may
5 not meet during those times or often enough to
6 handle the immediate matters, Commission staff
7 routinely requests that the Commission delegate
8 authority to Executive Director Pitman to handle
9 matters that arise between the Commission meetings.
10 71 IAC 2-2-1, the Commission may delegate authority
11 to the Executive Director to implement and execute
12 the duty of regulating each race meeting and
13 persons participating in each meeting.

14 The Commission staff would respectfully
15 request delegation of authority to Director Pitman
16 to make race meet decisions as required that cannot
17 be left for a Commission meeting.

18 CHAIRMAN BORST: You say that's something we
19 normally do, and depending on what it is, we can
20 always confirm it later. Any Commissioner
21 questions? How about a motion and a second.

22 COMMISSIONER MCCARTY: I move to approve.

23 COMMISSIONER PILLOW: Second.

24 CHAIRMAN BORST: Great. Moved and seconded.

25 Roll call vote.

1 MR. JACKSON: Chairman Borst.

2 CHAIRMAN BORST: Aye.

3 MR. JACKSON: Commissioner McCarty.

4 COMMISSIONER MCCARTY: Aye.

5 MR. JACKSON: Commissioner Pillow.

6 COMMISSIONER PILLOW: Aye.

7 MR. JACKSON: Commissioner Estes.

8 COMMISSIONER ESTES: Aye.

9 CHAIRMAN BORST: Last on the agenda, Indiana
10 Grand winter training update and review and
11 consideration of Racing Capital Fund Committee
12 overage of expenditures submitted September 10,
13 2020 at Indiana Grand and Harrah's Hoosier Park.

14 Noah, do you want to start off on that, or do
15 you want to go ahead and turn it over to Joe?

16 MR. JACKSON: We can turn it over to
17 Mr. Morris here.

18 JOE MORRIS: Good morning, Commissioners, Joe
19 Morris with Caesars Entertainment Racing. As
20 you've heard here today, we're not going to go with
21 just status quo. We're doing things for our
22 gamblers. We're doing things for our OTBs. We're
23 bringing in new technology to help enhance our gold
24 standard Indiana racing program here.

25 Winter training, we winterized our barns. We

1 had 150,000 approved for that project. We brought
2 that project in for about 70,000. That was the
3 good news there. We were supposed to have a
4 EuroXciser going hand in hand with that with the
5 winterized barns. We've run into some Corona
6 issues, some permit issues, a little harder than we
7 thought to get through some of the processes with
8 that. We are pouring cement on that this week, but
9 we did not have that available over the winter.
10 What we did is we made sure we kept our racing oval
11 operational and ready. I call him the winter
12 wizard, Roy Smith, he was out there. He kept that
13 surface good and worked hand in hand with the
14 horsemen here. And we were able to provide
15 five-days-a-week training pretty much all winter
16 long. That went through all right. And with the
17 EuroXciser built, that will be up for our meet this
18 summer. And we'll have it for next year.

19 What you've heard on the new technology and on
20 our doing things for gamblers, we also need to do
21 things for our product. So we had come to you with
22 a new barn and grooms' quarters. Having another
23 100 stalls and having another 50 grooms' quarters
24 helps us control our destiny by having more horses
25 here on our property.

1 When we put those estimates together on the
2 prices last fall, we didn't have formal bids. It
3 all happened too quick. And I'll tell you I missed
4 on the bids. So I have had time now to get it bid
5 out properly. We've had three or four bids on the
6 barn and three bids on the dorm. It came in higher
7 than we expected so we're back to ask for approval
8 for the new number.

9 The new number on the paperwork here probably
10 three weeks ago when I submitted it was 7.2
11 million. We have chiseled that down to about
12 6.6 million right now. So as we continue to work
13 on pricing on it, it is coming down. And they are
14 Indiana contractors that we'll be using to do those
15 projects.

16 I was surprised on one of the major barn
17 builders in the country, Morton Barns, they said,
18 yeah, we'll bid. We can't start until next
19 October. You just wouldn't think there is that
20 kind of demand out there on it right now, but we
21 have run this through our RCFAC committee, which is
22 the racetrack managers and the horsemen. And it
23 was unanimously approved that everybody thought,
24 even with the higher numbers, we still need to do
25 those projects. So we ask for a new approval

1 there.

2 At Hoosier, we're building, well, it's not
3 building a new barn. We're putting new stalls in a
4 barn, Barn 4. Those stalls, they were down in
5 Ocala, Florida. Couldn't get roll-offs, couldn't
6 find shipping. We finally had to rent a crane to
7 come and load them onto flatbeds to get them up
8 there. They are here. And they are going in right
9 now. And roughly 14, 15 of them are already framed
10 in, and we're getting that barn ready for our
11 opening here on May 26.

12 That project we had asked for 250,000. It was
13 approved, resubmitted that at 320. I didn't know
14 that there wasn't LED lighting in the barn so we've
15 gone, and we are going to add LED lighting. That's
16 an additional 13,000. And as I said, the shipping
17 came in quite a bit higher. Lumber has gone up.
18 That came in higher. We didn't have canopies for
19 the manure bins so we had to add those. Requesting
20 320 for that project. Right now it looks like it's
21 going to come in around 305, 307,000.

22 On our surveillance project, we had gotten
23 1.5 million approved for that. We have started
24 that project. We're in there doing the front end
25 work, running the electric, running the fiber.

1 That project looks like it will come in for around
2 1.2, 1.3 million so that will come in a couple
3 hundred thousand more than what was approved.

4 All of these projects, we'll spend what it
5 costs. So if it comes in less, that money just
6 stays in the fund. We're doing it transparent.
7 Everything is documented. And it is part of our
8 Caesars audit process. So there's at least bids on
9 everything and then an audit process that clears
10 through our track property GMs and accounting on
11 the transparency of it.

12 On the other projects we had at Hoosier, I go
13 back to on that surveillance system. This is the
14 first in North America for harness racing. We will
15 be the only harness track in North America with a
16 hundred percent barn area surveillance. Every
17 stall will be under a surveillance camera with a
18 DVD, a best in class, a first in our industry, and
19 we think comparative to the integrity of racing as
20 we go forward with that.

21 A garbage truck is in the process of pricing.
22 That price will be 130. A spreader truck for our
23 track material, that's we're out for bids there at
24 125,000. That price will be good. The new dorm
25 floors, the price will be good. The light poles,

1 that price will be good. We'll be starting that in
2 the next couple of weeks. Then the two areas we're
3 fixing up in the paddock, the judges' office and
4 the lounge that the horsemen can use down there,
5 that price will be good also.

6 So we're well under way. Took us a little
7 longer than I thought to get going. We've learned
8 the process from the Caesars side and the
9 permitting side. And we ask for new approval for
10 the barn dorm room and the barn stalls.

11 CHAIRMAN BORST: Out of the \$25 million, how
12 much are we going to be spending out of it?

13 JOE MORRIS: We'll be in year one 6.6.

14 CHAIRMAN BORST: Close to eight.

15 JOE MORRIS: Yeah, roughly 7 million here at
16 Indiana Grand and two and a half to 3 million at
17 Hoosier. The way that committee worked, we set
18 aside 11 million for each track where only that
19 track decides, obviously, with your approvals. And
20 then the other 3 million will go back to the
21 committee. By the end of this month, we will have
22 a two-year plan done for both tracks. And we'll
23 present that to Deena and staff for your
24 consideration at your next meeting.

25 CHAIRMAN BORST: We're spending about

1 10 million out of the 25 million roughly?

2 JOE MORRIS: Yes, in year one and then it --

3 CHAIRMAN BORST: You have nine more years to
4 go.

5 JOE MORRIS: Yeah, I understand.

6 CHAIRMAN BORST: You don't have much left.

7 JOE MORRIS: But they're big difference
8 makers. You know, the extra horses here and the
9 dorms, we don't have enough dorms right now for the
10 number of stalls that we have. That will help
11 correct that. The integrity of racing, there's
12 nothing higher than that. This really sets Hoosier
13 apart from all of the competition with our goal at
14 Hoosier, number one harness track in North America.
15 We made some great grounds on that last year. And
16 when we get the MBNA Challenge for the Quarter
17 Horses, that's a world class event also for here.
18 That will come in 2022. We'll need those stalls
19 when we have an event like that.

20 CHAIRMAN BORST: One more question. I should
21 know the answer to this, but I'm just having
22 trouble with it. It's been a while since I've done
23 high finances. But on your budget, there's
24 capitalized interest of 66,583. I'm having trouble
25 figuring out why we would need capitalized interest

1 if we're taking it out of --

2 JOE MORRIS: I'd have to look. It shouldn't
3 be there. This is being funded into a trust
4 account so to speak. It will be coming out of
5 there.

6 CHAIRMAN BORST: I was going to say. It's in
7 there three different times. I thought that
8 doesn't make sense.

9 JOE MORRIS: Should not be there.

10 CHAIRMAN BORST: We don't need to borrow from
11 it. We're going to take from it. Somebody might
12 take a look. That doesn't lower it much, but hey.

13 JOE MORRIS: That will help.

14 CHAIRMAN BORST: Any other Commission Member
15 questions? That's a lot to digest. Seeing none,
16 we're going to have to vote so we can approve the
17 increased expenditures. So I guess we're ready for
18 a motion and second.

19 COMMISSIONER ESTES: I move approval.

20 COMMISSIONER MCCARTY: Second.

21 CHAIRMAN BORST: It's been moved and seconded.
22 Roll call vote.

23 MR. JACKSON: Thank you. Chairman Borst.

24 CHAIRMAN BORST: Aye.

25 MR. JACKSON: Commissioner McCarty.

1 COMMISSIONER MCCARTY: Aye.

2 MR. JACKSON: Commissioner Pillow.

3 COMMISSIONER PILLOW: Aye.

4 MR. JACKSON: Commissioner Estes.

5 COMMISSIONER ESTES: Aye.

6 CHAIRMAN BORST: Thank you for your
7 presentations. Keep us updated on how it's going.

8 JOE MORRIS: Will do.

9 CHAIRMAN BORST: Do we have any old business?
10 I don't think we have anything. I might maybe open
11 it up a shade and see if anybody has any comments,
12 especially from the horse community, whether you've
13 got any observations, things that are bothering
14 you, things that are good. Well, then I take it
15 that must mean it's good, especially if Brian
16 doesn't say anything, I know it's good.

17 BRIAN ELMORE: It's good. It's good.

18 CHAIRMAN BORST: I know it's good.

19 BRIAN ELMORE: Keep going. We're on a good
20 roll.

21 CHAIRMAN BORST: Keep going. All right. Do
22 we have any new business?

23 DEENA PITMAN: I would like to speak to one
24 item.

25 CHAIRMAN BORST: Yes.

1 DEENA PITMAN: I've had a few questions today
2 related to the health and safety protocols that we
3 had in place all of last year. And we are going to
4 be reviewing those protocols probably in the next
5 week. We're going to be taking a look at CDC and
6 county health plans that are out there to determine
7 whether or not there's any room for any tweaking of
8 what we currently have in place.

9 But what I can tell you for sure is that we
10 are going to continue the protocols as far as
11 having a mask, practicing social distancing, and
12 the temperature-taking process on the backside. So
13 just so you're aware, that will all be continued
14 on. And then any additional changes, we'll take a
15 look at that and see what we can do.

16 CHAIRMAN BORST: Good. For a while that's the
17 new normal. Let's hope we can get later on in the
18 summer and maybe we won't have to have all those
19 measures, but we'll see.

20 Any other questions? How about a motion to
21 adjourn?

22 COMMISSIONER ESTES: So moved.
23
24
25

1 COMMISSIONER PILLOW: I'll second.

2 CHAIRMAN BORST: Thanks, George. We're
3 adjourned.

4 (The Indiana Horse Racing Commission meeting
5 was adjourned at 11:22 a.m.)

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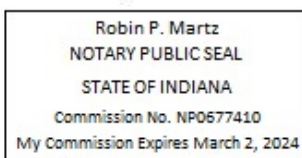
1 STATE OF INDIANA
2 COUNTY OF JOHNSON
3

4 I, Robin P. Martz, a Notary Public in and for
5 said county and state, do hereby certify that the
6 foregoing matter was taken down in stenograph notes
7 and afterwards reduced to typewriting under my
8 direction; and that the typewritten transcript is a
9 true record of the Indiana Horse Racing Commission
10 meeting;

11 I do further certify that I am a disinterested
12 person in this; that I am not a relative of the
13 attorneys for any of the parties.

14 IN WITNESS WHEREOF, I have hereunto set my
15 hand and affixed my notarial seal this 15th day of
16 March, 2021.

17 *Robin P. Martz*



18
19
20
21 My Commission expires:
22 March 3, 2024

23 Job No. 160149
24
25

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