

Memorandum of the Regular Meeting of the  
Indiana Horse Racing Commission

**March 26, 2024**

Harrah's Hoosier Park Racing and Casino  
4500 Dan Patch Circle  
Anderson, IN

NOTE: Complete transcripts and a link to the video recording of this Commission Meeting can be found at <https://www.in.gov/hrc/meeting-information/>

Commission members present: Philip C. Borst, Chairman; Gus Levensgood, member; Bill McCarty, member; Becca McCuaig, member.

Commission members absent: Bill Estes, member.

Commission Staff members present: Deena Pitman, IHRC Executive Director; David Rothenberg, IHRC General Counsel; Matt Eggiman, IHRC Deputy General Counsel; Dale Lee Pennycuff, Staff Attorney; Jessica Barnes, IHRC Breed Development Director; Wendi Samuelson-Dull, IHRC Chief Financial Officer; Dr. Kerry Peterson, IHRC Equine Medical Director.

Speakers from the audience: Pat McGhee, President of ITOBA; Brian Elmore, IHBPA; Rick Moore, Vice President and General Manager of Racing Harrah's Hoosier Park; Eric Halstrom, Vice President and General Manager of Racing at Horseshoe Indianapolis; Joe Morris, Senior Vice President for Caesars Entertainment; Tony Renz, Indiana Standardbred Association Executive Director; Tim Glyshaw, Executive Director for the IHBPA; Chaplin Otto Thorwarth; Associate Chapline Mickey Sajche; Joe Davis, President of the IHBPA; Teresa Myers, Executive Director of the Quarter Horse Racing Association of Indiana.

## **I. Call to Order**

Chairman Borst called the meeting to order at approximately 11:00 a.m. A quorum was present.

## **II. Approval of the meeting memorandum and executive session memorandum from the November 30<sup>th</sup>, 2023, Commission meeting.**

Chairman Borst asked for a motion for approval of the meeting memorandum and executive session memorandum from the November 30<sup>th</sup>, 2023, commission meeting. The roll call vote was unanimous 4-0 for approval.

## **III. Agenda**

### **1. Consideration of the settlement agreement between IHRC Staff and Marvin A. Johnson.**

Matt Eggiman, IHRC Deputy General Counsel, presented the agreement to the commission.

Chairman Borst requested a vote to approve the list. Commissioner Levensgood moved for approval with a second from Commissioner McCuaig. The vote was unanimous 4-0 for approval.

**2. Consideration of the settlement agreement between IHRC Staff and Christy R. Johnson.**

Matt Eggiman, IHRC Deputy General Counsel, presented the agreement to the commission.

Chairman Borst requested a vote to approve the list. Commissioner Levensgood moved for approval with a second from Commissioner McCuaig. The vote was unanimous 4-0 for approval.

**3. Review of the 2024 Year-to-Date Commission Rulings.**

The commissioners reviewed the year-to-date rulings and had no questions for the commission staff.

No vote was required for this agenda item.

**4. Consideration and ratification of 2024 breed development and county fair committee programs.**

Breed Development Director Jessica Barnes presented the 2024 breed development programs for the Standardbred Advisory Board, Thoroughbred, and Quarter Horse breeds. After the presentation and questions by the commission, votes to approve each of the programs were held with the following results:

Thoroughbred: Commissioner Levensgood moved, Commissioner McCarty seconded, approved 4-0.

Quarter Horse: Commissioner McCarty moved, Commissioner McCuaig seconded, approved 4-0.

Standardbred Advisory Board: Commissioner McCarty moved, Commissioner Levensgood seconded, approved 4-0.

**5. Approval of RMTC certified split sample laboratories for 2024 and beyond pursuant to 71 IAC 8-4-3 and 8.5-3-3.**

Dr. Kerry Peterson reviewed the split sample laboratories and provided a fact sheet. Following questions by the commission, Commissioner Levensgood moved to approve the split laboratories, with Commissioner McCuaig seconding the motion.

Chairman Borst requested a vote to approve the list. Commissioner Levensgood moved for approval with a second from Commissioner McCuaig. The vote was unanimous 4-0 for approval.

**6. Consideration of request from ITOBA to Transfer ADW Funds.**

Pat McGhee, president of ITOBA, reviewed the request to move \$176,000 from the ADW account to Horseshoe Indianapolis in support of this year's elevated handicapped races. Following this presentation, Commissioner Levensgood moved to accept the request, with Commissioner McCarty seconding the motion.

Chairman Borst requested a vote to approve the list. Commissioner Levensgood moved for approval with a second from Commissioner McCarty. The vote was unanimous 4-0 for approval.

**7. Review of ISA and HBPA Agreements.**

Presentations were made and questions fielded by Tony Renz, Executive Director for the ISA and Brian Elmore of the IHBPA.

No vote was required on this agenda item, as they were contingently approved at the last meeting.

**8. Consideration and approval of Horseshoe Indianapolis's 2024 Thoroughbred & Quarter Horse racing official list pursuant to 71 IAC 3.5-1-3.**

Eric Halstrom, Vice President General Manager of Horseshoe Indianapolis presented the 2024 racing official list to the commission for approval.

Chairman Borst requested a vote to approve the list. Commissioner Levensgood moved for approval with a second from Commissioner McCarty. The was unanimous 4-0 for approval.

**9. Consideration of Horseshoe Indianapolis' request to amend the expected 2024 Capital Expenditure Equipment Plan and substitute with alternate 2024 purchases.**

Eric Holstrom presented the rolling list of capital expenditures over the last six years at Horseshoe Indianapolis, including substitute expenditures for the 2024 year. The commission presented questions to Mr. Holstrom, which he answered.

Chairman Borst requested a vote to approve the expenditures. Commissioner Levensgood moved for approval with a second from Commissioner McCuaig. The vote was unanimous 4-0 for approval.

**10. Consideration of Horseshoe Indianapolis Request to reduce takeout for 2024.**

Eric Holstrom presented a proposal to reduce takeout in 2024. The horsemen support this request.

Chairman Borst requested a vote to approve the request. Commissioner Levensgood moved for approval with a second from Commissioner McCarty. The vote was unanimous 4-0 for approval.

**11. Consideration and approval of Export locations for Horseshoe Indianapolis for 2024.**

Eric Holstrom requested approval of the 2024 export locations for Horseshoe Indianapolis' telecasts. Mr. Holstrom fielded commission questions.

Chairman Borst requested a vote to approve the ratification of the interim approval. Commissioner McCarty moved for approval with a second from Commissioner McCuaig. The vote was unanimous 4-0 for approval.

**12. Update on Eclipse Day at Horseshoe Indianapolis taking place on April 8, 2024.**

Eric Holstrom outlined Horseshoe Indianapolis' plans for the inaugural Eclipse Day, where it was estimated crowds would range between 500 and 50,000.

No vote was required for this agenda item.

**13. Ratification of Executive Director Pitman's approval of Export locations for Harrah's Hoosier Park for 2024.**

Rick Moore, vice president general manager of racing at Harrah's Hoosier Park highlighted the increase in export locations for Hoosier Park.

Chairman Borst requested a vote to approve the ratification of the export list. Commissioner McCarty moved for approval with a second from Commissioner Levensgood. The vote was unanimous 4-0 for approval.

**14. Consideration and approval of Harrah's Hoosier Park 2024 Standardbred racing official list pursuant to 71 IAC 3.5-1-3.**

Rick Moore presented the 2024 racing official list to the commission for approval.

Chairman Borst requested a vote to approve the list. Commissioner Levensgood moved for

approval with a second from Commissioner McCarty. The was unanimous 4-0 for approval.

### **15. Rulemaking Update.**

David Rothenberg, IHRC General Counsel, gave an update on the current situation with rule promulgation. Questions were asked and responded to by the commission.

No vote was required for this agenda item.

### **16. HISA Update.**

Matt Eggiman and Director Pitman gave an update on HISA. The commission asked questions which were answered. The first addendum to the initial HISA agreement was presented and a vote was called for its ratification.

Chairman Borst asked the Commission if there was a motion and a second regarding this approval. Commissioner Levensgood moved to entertain the motion. Commissioner McCarty seconded. Chairman Borst requested a vote. The vote was unanimous 4-0 for approval.

### **17. Consideration of request from IHBPA to Transfer ADW Funds to supplement Thoroughbred purse account.**

Tim Glyshaw, Executive Director of the IHBPA, requested that approximately \$800,000 be moved from the ADW funds to the thoroughbred purse account.

Chairman Borst asked the Commission if there was a motion and a second regarding this approval. Commissioner Levensgood moved to entertain the motion. Commissioner McCarty seconded. Chairman Borst requested a vote. The vote was unanimous 4-0 for approval.

### **18. Review and consideration of Racing Capital Fund Committee (RCFAC) expenditures approved and submitted by Fund committee members.**

Joe Morris, Chairman of the RCFAC, reviewed the expenditures thus far by the RCFAC. Additionally, Mr. Morris outlined plans for the proposed community center at Horseshoe Indianapolis. The commission asked questions, to which Mr. Morris provided answers when possible. Additionally, Chaplin Otto Thorwarth explained the need for the proposed community center, introducing Associate Chapline Mickey Sajche, who reiterated that need. Joe Davis, President of the IHBPA spoke on behalf of supporting the community center. Teresa Myers, Executive Director of the Quarter Horse Racing Association of Indiana voiced the support of the QHRAI as well. Brian Elmore expressed his support, highlighting some of the needs the center might fill. \$472,000 was requested to return

with plans to assure the commission the project could be completed for the estimated 1.3 million.

Chairman Borst asked the Commission if there was a motion and a second regarding this approval. Commissioner Levensgood moved to entertain the motion. Commissioner McCarty seconded. Chairman Borst requested a vote. The vote was unanimous 4-0 for approval.

**19. Delegation of authority to the Executive Director to approve any racing matters prior to the next Commission meeting.**

Dale Lee Pennycuff requested the commission to delegate the authority to Executive Director Pitman to approve rule readoptions under 71 IAC 2-2-1.

Chairman Borst asked the Commission if there was a motion and a second regarding delegation. Commissioner Levensgood moved to entertain the motion. Commissioner McCuaig seconded. Chairman Borst requested a vote. The roll call vote was unanimous 4-0 for approval.

There was no other new business.

**V. Adjournment**

The meeting was adjourned at approximately 12:39 p.m.