



NORTH DAKOTA RACING COMMISSION

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Gunner laCour

Director

NORTH DAKOTA RACING COMMISSION

NDRC Meeting

State Capitol Building, Peace Garden Room

600 East Boulevard Avenue, Bismarck, ND

Wednesday, July 26, 2017 – 10:30 a.m. (Central Time)

Minutes

Present: Chairman Mary Ann Durick, Commissioner Shane Martin, Legal Counsel Edward Erickson, Director Gunner laCour, and Administrative Assistant Gail Allensworth

Not Present: Commissioner David Piepkorn, Commissioner John Hanson

By Phone: Commissioner Timothy Kreidt

Others Present: Ben Kenney, David Bernsen, John Bubel, Leon Glasser, Mark Midland, Stephen Oliver, Jake Henson, and Todd Buckingham

Call to Order: Chairman Durick called the meeting to order at 10:48 a.m.

Chairman Durick asked if there were any additions or corrections to the agenda. Director laCour asked to change item number 3 on the agenda to number 2, number 4 to be number 3 and number 2 as number 4. Then as part of any other business Director laCour would like to discuss a variance for the rules for the starter.

AGENDA - Modified

1. **Approval of Minutes – May 9, 2017 Meeting**
2. **New Service Provider & Account Deposit Wagering – License Application** – TopBetta Pty Ltd.
3. **New Totalizator Provider – License Application** – The Global Tote Ltd.
4. **New Service Provider & Account Deposit Wagering – License Application** – Horse Racing Labs, LLC
5. **City of Fargo New Special Assessments on the Horse Park**

6. **Any other business which may properly come before the Commission**

7. **Adjournment**

1. **Approval of Minutes – May 9, 2017 Meeting**

Previously, all Commissioners had received a copy of the minutes to review.

A motion was made by Commissioner Martin and seconded by Chairman Durick to accept the minutes of May 9, 2017 as presented. Martin -Y, Durick – Y, Kreidt – Y. Minutes approved.

2. **New Service Provider & Account Deposit Wagering – License Application - TopBeta Pty Ltd.**

Director laCour introduced Todd Buckingham of TopBeta Pty Ltd. Mr. Buckingham gave a brief history of TopBeta Pty Ltd. Director laCour and the Commissioners asked questions which Mr. Buckingham answered. Director laCour recommended for licensure with the condition that a full Thoroughbred Racing Protective Bureau background check be completed within one year before they commence retail operations.

A motion was made by Commissioner Martin and seconded by Chairman Durick to approve licensing TopBeta Pty Ltd., as a Service Provider & Account Deposit Wagering under the condition that a full background check be completed by the Thoroughbred Racing Protective Bureau within one year. Martin –Y, Durick –Y, Kreidt –Y. Motion passed.

3. **New Totalizator Provider – License Application – The Global Tote Ltd.**

Director laCour stated that the Global Tote Ltd. was affiliated with TopBeta Pty Ltd. Todd Buckingham gave a brief history of the Global Tote Ltd. Director laCour and the Commissioners asked questions which Mr. Buckingham answered. Director laCour recommended them for licensure with the condition that a full Thoroughbred Racing Protective Bureau background check be completed within one year.

A motion was made by Commissioner Martin and seconded by Commissioner Kreidt to approve licensing the Global Tote Ltd. as a Totalizator Provider under the condition that a full background check be completed by the Thoroughbred Racing Protective Bureau within one year. Martin –Y, Kreidt –Y, and Durick –Y. Motion passed.

4. **New Service Provider & Account Deposit Wagering – License Application – Horse Racing Labs, LLC**

Director laCour introduced Mark Midland of Horse Racing Labs, LLC. Mr. Midland gave a brief history of Horse Racing Labs, LLC. Director laCour and the Commissioners asked questions which Mr. Midland answered. Director laCour recommended them for licensure.

A motion was made by Chairman Durick and seconded by Commissioner Martin to approve licensing Horse Racing Labs, LLC as a Service Provider & Account Deposit Wagering. Durick –Y, Martin –Y, and Kreidt –Y. Motion passed.

5. **City of Fargo New Special Assessments on the Horse Park**

Director laCour stated that the entities that own and operate the ND Horse Park received notice that the City of Fargo is assessing new specials against their property for the road and sewer work to be done to 19th Street. This is in addition to the outstanding specials from the original development of 19th Street.

No motions needed.

6. **Any other business which may properly come before the Commission**

- Director laCour stated that there is a need for a variance governing the rules of the Starter, which would include rule changes, to make safety priority number one at the race tracks. This would include adopting number 1 on the Starter's General Authority of the ARCI rules; and number 6 of the ARCI rules which would replace number 7 of subsection 69.5-01-03.15 in the NDRC rules.

A motion was made by Commissioner Martin and seconded by Commissioner Kreidt to approve a variance to amend NDRC rules governing the authority of the Starter to include section 1 of the ARCI rules (006-050) and, also include section 6 of the ARCI rules to replace number 7 of the current NDRC rules. Martin -Y, Kreidt -Y, and Durick -Y. Motion passed.

A motion was made by Chairman Durick and seconded by Commissioner Martin to authorize Director laCour to adopt new Administrative Rules to more closely conform to the ARCI Model Rules. Durick -Y, Martin -Y, and Kreidt -Y. Motion passed.

7. **Adjournment**

Chairman Durick requested the meeting be adjourned.

A motion was made by Commissioner Martin and seconded by Chairman Durick. All Commissioners voted aye and hearing no negative vote the motion passed.

The meeting was adjourned at 11:32 a.m.