



## **NORTH DAKOTA RACING COMMISSION**

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**Gunner laCour**  
Director

### **NORTH DAKOTA RACING COMMISSION**

#### **NDRC Meeting**

**Meeting Room E, Comfort Inn, 1030 E. Interstate Avenue, Bismarck, ND  
Thursday, April 30, 2015 – 10:30 a.m. (Central Time)**

#### **Minutes**

**Present:** Chairman Jim Ozbun, Commissioner Steve Hartman, Commissioner Ray Trottier, Commissioner Tom Senftner, Commissioner Mary Ann Durick, Director Gunner laCour, Legal Counsel Edward Erickson and Administrative Assistant Gail Allensworth

**Others Present:** Wayne Slater, Kevin Hall, Kathy Mawicke, John Bubel, David Bernsen, Scott Horst, L.J. Harsche, and Leon Glasser.

**Call to Order:** Chairman Jim Ozbun called the meeting to order at 10:35 a.m. Director laCour presented Commissioner Hartman with a plaque for his years of service on the Commission.

#### **AGENDA**

1. **Approval of Minutes – March 17 Meeting**
2. **2015 Legislation**
3. **Status of Racing Associations**
  - a. Horse Race North Dakota
  - b. Outdoor Recreation Development Association
4. **Chippewa Downs Jockey Incentive & Infrastructure Improvements**
5. **Breed Association Races**
6. **2015 Breeders Fund and Administration**
7. **Website Proposals**
8. **Exclusion of Individuals with Suspended Licenses/Outstanding Fines**

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

10. **Adjournment**

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1. **Approval of Minutes – March 17, 2015 meeting**

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

Chairman Ozburn stated that there were a few typos in the minutes. The typos were shown to Gail and she made the corrections. Director laCour stated the awarding of funds to the Horsemen's Associations was contingent on coming back to the Commission for approval.

**A motion was made** by Commissioner Hartman and seconded by Commissioner Durick to accept the minutes of March 17, 2015, as presented. All Commissioners voted aye and hearing no negative vote the motion passed.

2. **2015 Legislation**

Director laCour gave a synopsis of the bills that were presented to the Legislature this session:

- SB 2071 – Letters of credit passed both houses and was signed by the Governor.
- SB 2078 – Commissioner Pay was defeated in the Senate.
- HB 1090 – Racing Infrastructure Fund was defeated in the House.
- HB 1091 – Breed Fund Administration passed both houses and was signed by the Governor.
- HB 1203 – ADW Tax Cap Reduction passed the House but was voted down on the Senate floor.
- HB 1023 – Racing Commission budget passed both houses with a minor change to reflect the new health plan with Sanford.

No motions needed.

3. **Status of Racing Associations**

a. Horse Race North Dakota

Director laCour provided an update for HRND as Wes Heinert was unable to attend the meeting due to a previous commitment. There have been meetings with the Horse Park Foundation regarding merging the two organizations to support better negotiations with the city of Fargo to resolve the debt.

At the request of Wes Heinert, Director laCour emphasized HRND's support for the additional race days at Chippewa Downs. HRND has stated that while they work to resolve the issues at the Horse Park, they are happy the horsemen have the opportunity to run at Chippewa and that there is no animosity.

b. Outdoor Recreation Development Association

Wayne Slater of ORDA gave an update on the preparations of Chippewa Downs for the upcoming race meet. A new barn has been built and the paddock area has been improved. Questions were asked by the Commissioners and answered by Mr. Slater.

No motions needed.

4. **Chippewa Downs Jockey Incentive & Infrastructure Improvements**

Director laCour presented the ORDA request for funding from the Promotion Fund to provide an additional jockey incentive this year to increase the quantity and quality of available jockeys at the Chippewa Downs meet. The daily incentive is for every jockey that rides in 5 or more races/day to earn \$100/day. The maximum amount that could be paid out for this incentive is \$11,200, if 8 jockeys ride in 5 or more races every day. In addition, the other incentive is to pay every rider \$50/day if the jockey is available for the full race card. The maximum amount that could be paid out for that incentive is \$4,200. A jockey can get either incentive but not both. The total for both incentives adds up to an estimated \$15,400. He asked for it to be paid out at actual cost. ORDA will submit an invoice to the Commission documenting what was paid out at the end of the meet.

Director laCour also stated that the meet at Chippewa is requiring \$50,000 less than what would have been awarded had the Horse Park run. Therefore, this is an opportune time to work on some of the issues identified in this and the subsequent request as excess funding may not be readily available once the Horse Park is able to run again.

**A motion was made** by Commissioner Trottier and seconded by Commissioner Durick to approve the Promotion Fund request, up to \$15,400, for the additional jockey incentives to be paid out for Chippewa Downs. Trottier -Y, Durick -Y, Ozbun -Y, Hartman -Y, and Senftner -Y. Motion passed.

Director laCour presented the other Promotion Fund request from ORDA to offset the cost of infrastructure improvements that have been made which included the building of a new barn and new paddock stalls at Chippewa Downs. The total cost of the barn was \$25,200 of which half (\$12,600) has been requested from the Commission. The paddock area cost was \$12,000 of which half (\$6,000) has been requested from the Commission. The total request adds up to \$18,600.

**A motion was made** by Commissioner Senftner and seconded by Commissioner Hartman to approve the Promotion Fund request of \$18,600 for infrastructure improvements at Chippewa Downs. Senftner -Y, Hartman -Y, Ozbun -Y, Trottier -Y, and Durick -Y. Motion passed.

## 5. **Breed Association Races**

Director laCour detailed how the ND Quarter Horse Racing Association and ND Thoroughbred Association plan to use the Purse Funds allocated to them from the Commission at the March 17 meeting.

The NDQHRA plans to offer a ND-bred Futurity with a \$10,000 added purse (\$10,000 from the NDQHRA, \$3,500 from Chippewa) and a ND-bred Derby with a \$10,000 added purse (\$10,000 from the NDQHRA, \$3,500 from Chippewa) for a total of \$20,000 in Promotion Funds and the races are to be hosted by Chippewa Downs. They also will be offering the Northern Plains Futurity which does not use Commission funding.

**A motion was made** by Commissioner Senftner and seconded by Commissioner Durick to approve the Purse Fund request of \$20,000 for the NDQHRA. Senftner -Y, Durick -Y, Hartman -Y, Ozbun -Y, and Trottier -Y. Motion passed.

The NDTA plans to offer a Futurity with a \$10,000 guaranteed purse (\$6,500 from the NDTA, \$3,500 from Chippewa), a Derby with a \$10,000 guaranteed purse (\$6,500 from the NDTA, \$3,500 from Chippewa), and a Maturity race with a \$10,000 guaranteed purse (\$7,000 from the NDTA, \$3,000 from Chippewa) for a total of \$20,000 in Promotion Funds and the races are to be hosted by Chippewa Downs.

**A motion was made** by Commissioner Hartman and seconded by Commissioner Trottier to approve the Purse Fund request of \$20,000 for the NDTA. Hartman -Y, Trottier -Y, Ozbun -Y, Senftner -Y, and Durick -Y. Motion passed.

## 6. **2015 Breeders Fund and Administration**

Director laCour updated the status of the Breed Fund Administration. Sally Dasinger is now the Breed Fund administrator and any phone calls should be directed to her. All documentation/paperwork must be sent to the Commission Office. The Commission office will give Sally the documents on a weekly basis.

Regarding foal and broodmare registration, per the Administrative Rule change effective January 1, 2015: all broodmares must be registered as a broodmare prior to the foal being born if the foal is to be eligible for ND Bred status. Director laCour asked to provide a grace period from April 30 to June 1 to ensure that all horsemen can get their broodmares registered and their paperwork in order so that their foals are not precluded from being eligible to be ND Bred.

**A motion was made** by Commissioner Senftner and seconded by Commissioner Hartman to extend the grace period from April 30 to June 1 to allow horsemen to get their broodmares registered. Senftner -Y, Hartman -Y, Ozbun -Y, Trottier -Y, and Durick -Y. Motion passed.

Director laCour recommended that the Commission allow a "test fund" for out-of-state breed fund points for 2015. It would be a separate pool of \$30,000 to apply outside of racing dates in-state. This would be offered from April 30 through May 31 and August 1 through September 30 of this year. No out-of-state points will be awarded while races are being held at Chippewa Downs from June 1 through July 31.

The horsemen would be responsible for sending in the results to the Commission office. All results must be postmarked no later than October 15, 2015. All distributions to be made in accordance with current in-state rules.

**A motion was made** by Commissioner Hartman and seconded by Commissioner Durick to offer a “test fund” of \$30,000 for out-of-state breed points for 2015 with the conditions that Director laCour recommended. Hartman -Y, Durick -Y, Ozbun -Y, Senftner -Y, and Trottier -Y. Motion passed.

**7. Website Proposals**

Director laCour shared the additional results/quotes for a new website in addition to those provided previously by ITD. His recommendation was to go with ITD for the new website.

**A motion was made** by Commissioner Durick and seconded by Commissioner Hartman to go with the recommendation of Director laCour to have ITD provide the new website. Durick -Y, Hartman -Y, Ozbun -Y, Senftner -Y, and Trottier -Y. Motion passed.

**8. Exclusion of Individuals with Suspended Licenses/Outstanding Fines**

Chairman Ozbun indicated that it was now time to go to Executive Session and asked the members of the public who were attending the meeting to leave the room. They were invited to return after the adjournment of the Executive Session.

**A motion was made** by Commissioner Hartman and seconded by Commissioner Senftner to go to Executive Session. Hartman-Y, Senftner -Y, Ozbun -Y, Trottier -Y, and Durick-Y. Motion passed.

The Executive Session began at 12:15 p.m. and was attended by Chairman Ozbun, Commissioner Senftner, Commissioner Trottier, Commissioner Hartman, Commissioner Durick, Director laCour, Legal Counsel Edward Erickson and Administrative Assistant Gail Allensworth.

No action taken. The Executive Session was adjourned at 12:30 p.m.

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

- Director laCour asked to amend the out-of-state Breed Fund points to only accept official race results from Equibase, Daily Racing Form or Trueform Racing Services.

**A motion was made** by Commissioner Senftner and seconded by Commissioner Trottier to amend the out-of-state breed fund points to only accept official results from Equibase, Daily Racing Form or Trueform Racing Services. Senftner -Y, Trottier -Y, Ozbun -Y, Durick -Y, and Hartman -Y. Motion passed.

- The next meeting of the NDRC will be on May 28 at 10:30 am.

**10. Adjournment**

A motion was made by Commissioner Durick and seconded by Commissioner Hartman to adjourn the meeting. All Commissioners voted aye and hearing no negative vote the motion passed.

Meeting was adjourned at 12:45 p.m.