



NORTH DAKOTA RACING COMMISSION

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Gunner laCour

Director

NORTH DAKOTA RACING COMMISSION

NDRC Meeting

Fort Union Room, 600 E. Boulevard Avenue, State Capitol, Bismarck, ND

Friday, April 25, 2014 – 10:30 a.m. (Central Time)

Minutes

Present: Chairman Jim Ozburn, Commissioner Andy Maragos, Commissioner Tom Senftner, Director Gunner laCour, Legal Counsel Edward Erickson and Administrative Assistant Gail Allensworth

Not Present: Commissioner Steve Hartman, Commissioner Ray Trottier

Others Present: Doug DeMontigny, Mike Schmitz, Wes Heinert, Leon Glasser, L.J. Harsche, Arlie Roller, Wayne Slater, Blaine DeCoteau, Scott Horst and John Bracaglia

Call to Order: Chairman Jim Ozburn called the meeting to order at 10:30 a.m.

Chairman Ozburn asked if there were any additions or corrections to the agenda. Director LaCour had three additions: NDRC Advisory Committee as item 3; RCI Model Medication Rules Adoption as item 7; Medication Reminder to Horsemen as item 11. The previous agenda items were renumbered and are reflected below. Chairman Ozburn asked for a motion to approve the agenda.

A motion was made by Commissioner Maragos to accept the agenda with changes requested by Director laCour. All Commissioners voted aye and hearing no negative vote the motion passed.

AGENDA - Modified

1. **Approval of Minutes – February 28 Meeting**
2. **2014 Breed Fund**
 - a. Distribution Formula
 - b. Estimated Purses
 - c. Proposed Legislation
3. **NDRC Advisory Committee**
4. **2014 Promotion and Purse Fund Awards**
 - a. HRND and ORDA Promotion Awards
 - b. HRND and ORDA Purse Awards
 - c. Horsemen's Associations Promotion Awards
 - d. Horsemen's Associations Purse Awards
5. **Lutheran Social Services Gambler's Choice Grant**

6. **Site Operator Application – North Dakota Thoroughbred Association**
7. **RCI Model Medication Rules Adoption**
8. **HRND Report on Meet Preparation**
 - a. General Manager Report
 - b. Starting Gates
9. **ORDA Report on Meet Preparation**
 - a. General Manager Report
 - b. Track Work
10. **Director's Report on Meet Preparation**
 - a. Coggins Test Required for All Horses
 - b. Equine Herpes Virus
11. **Medication Reminder to Horsemen**
12. **Any other business which may properly come before the Commission**
13. **Adjournment**

1. **Approval of Minutes – February 28, 2014 Meeting**

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

A motion was made by Commissioner Senftner and seconded by Commissioner Maragos to approve the minutes of February 28, 2014, as presented. All Commissioners voted aye and hearing no negative vote the motion passed.

2. **2014 Breed Fund**

- a. Distribution Formula & b. Estimated Purses

Director laCour reported that the Racing Industry Advisory Committee (RIAC) held a meeting on March 24 at which time the distribution formula for the breed fund was discussed. After conferring with the Committee members, it was decided that no changes to the current 12.5% distribution should be made. The Committee members agreed to reconsider the issue for next year.

However, in the subsequent RIAC meeting on April 23 the distribution was again considered in conjunction with the issue of estimated \$10,000 purses qualifying for double Breed Fund points. The RIAC voted in favor of revising the Breed Fund payout for the 2014 season to \$125,000 and to allow \$10,000 estimated purses to qualify for double Breed Fund points. Director laCour asked for a motion to approve this proposal.

A motion was made by Commissioner Maragos and seconded by Commissioner Senftner to approve the distribution of \$125,000 out of the Breed Fund for the 2014 season and to allow double breed points for estimated \$10,000 purses. Maragos – Y, Senftner – Y, Ozbun – Y. Motion passed.

- c. Proposed Legislation

Director laCour requested a motion to allow him to draft new legislation that would remove the requirement that the Commission contract out the administration of the Breed Fund and return the administration of the fund to the NDRC.

A motion was made by Commissioner Maragos and seconded by Commissioner Senftner to authorize the Director to develop the legislation to return the administration of the Breed Fund to the NDRC. Maragos – Y, Senftner – Y, Ozbun – Y. Motion passed.

3. **NDRC Advisory Committee**

Director laCour gave an update on the NDRC Advisory Committee. He asked for a motion to constitute the North Dakota Racing Commission Advisory Committee to support the merger of Horse Race North Dakota and the Horse Park Foundation and to address the outstanding debt associated with the ND Horse Park with the following members:

- Chairman Tony Grindberg
- Rick Berg
- Bruce Furness
- Pat Weir
- John Cosgriff

A motion was made by Commissioner Senftner and seconded by Commissioner Maragos to constitute the Advisory Committee as described. Senftner –Y, Maragos –Y, Ozbun -Y. Motion passed.

4. **2014 Promotion and Purse Fund Awards**

- a. HRND and ORDA Promotion Awards
- b. HRND and ORDA Purse Awards
- c. Horsemen's Associations Promotion Awards
- d. Horsemen's Associations Purse Awards

a. HRND and ORDA Promotion Awards.

Director laCour stated that both HRND and ORDA were awarded \$115,000 previously on his recommendation that ORDA receive a total of \$150,000 and HRND receive \$180,000 out of the Promotion Fund. He requests now that the amount be reduced by \$20,000 each for both tracks and that the Racing Commission will pay the steward, veterinarian, and the lab fees directly. The Director recommended awarding ORDA \$15,000 (minus 10% retention - \$1,500) for a total of \$13,500. The Director recommended awarding HRND \$45,000 (minus 10% retention - \$4,500) for a total of \$40,500.

A motion was made by Commissioner Senftner and seconded by Commissioner Maragos to approve awarding ORDA \$15,000 (minus 10% retention - \$1,500) for a total of \$13,500 and HRND \$45,000 (minus 10% retention - \$4,500) for a total of \$40,500 from the Promotion Fund. Senftner –Y, Maragos –Y, Ozbun -Y. Motion passed.

b. HRND and ORDA Purse Awards

Director laCour recommended awarding \$80,000 from the Purse Fund to both ORDA and HRND.

A motion was made by Commissioner Maragos and seconded by Commissioner Senftner to approve awarding ORDA and HRND \$80,000 from the Purse Fund. Maragos –Y, Senftner –Y, Ozbun -Y. Motion passed.

c. Horsemen's Associations Promotion Awards

Director laCour recommended awarding \$5,000 to the Quarter Horse Association and \$5,000 to the Thoroughbred Association from the Promotion Fund. The award to the Thoroughbred Association is to be paid out \$2,500 now and \$2,500 upon completion of the merger between the Thoroughbred Association and ND TOBA.

A motion was made by Commissioner Maragos and seconded by Commissioner Senftner to approve awarding \$5,000 to the Quarter Horse Association and \$5,000 to the Thoroughbred Association from the Promotion Fund. Maragos –Y, Senftner –Y, Ozbun -Y. Motion passed.

d. Horsemen's Associations Purse Awards

Director laCour recommended awarding \$5,000 to the Quarter Horse Association and \$5,000 to the Thoroughbred Association from the Purse Fund. The award to the Thoroughbred Association is to be paid out \$2,500 now and \$2,500 upon completion of the merger between the Thoroughbred Association and ND TOBA. In addition, the Director recommended awarding an additional \$2,500 to each Association to be used at Chippewa Downs.

A motion was made by Commissioner Maragos and seconded by Commissioner Senftner to approve awarding \$7,500 to the Quarter Horse Association and \$7,500 to the Thoroughbred Association from the Purse Fund with the restriction that \$2,500 from each Association is to be used at Chippewa Downs. Maragos –Y, Senftner –Y, Ozbun -Y. Motion passed.

5. **Lutheran Social Services Gambler's Choice Grant**

Director laCour made a recommendation that the Commission award a \$5,000 Grant from the Promotion Fund to Lutheran Social Services of North Dakota to be used for an advertising campaign regarding problem gambling in North Dakota. Lisa Vig from LSS will provide a report on how the funds were used and the results of the campaign.

A motion was made by Commissioner Maragos and seconded by Commissioner Senftner to award a \$5,000 Grant from the Promotion Fund to Lutheran Social Services. Maragos -Y, Senftner -Y, Ozbun -Y. Motion passed.

6. Site Operator Application – North Dakota Thoroughbred Association

Director laCour recommended approving the Site Operator application from the North Dakota Thoroughbred Association contingent upon the merger with ND TOBA.

A motion was made by Commissioner Senftner and seconded by Commissioner Maragos to approve the Site Operator application from the North Dakota Thoroughbred Association. Senftner -Y, Maragos -Y, Ozbun -Y. Motion passed.

7. RCI Model Medication Rules Adoption

Director laCour asked for a vote to adopt the most recent version of the RCI Model Medication Rules (RCI Uniform Classification Guidelines for Foreign Substances and Recommended Penalties Version 7.00, RCI Controlled Therapeutic Medication Schedule Version 2.1) as an update had been made by RCI since the Commission voted to adopt them.

A motion was made by Commissioner Maragos and seconded by Commissioner Senftner to adopt the most recent version of the RCI Model Medication Rules. Maragos -Y, Senftner -Y, Ozbun. Motion passed.

8. HRND Report on Meet Preparation

- a. General Manager Report
- b. Starting Gates

Mike Schmitz of HRND gave a report on the preparations for the upcoming race meet at Horse Race North Dakota. Questions were asked by the Commissioners and answered by Mr. Schmitz.

9. ORDA Report on Meet Preparation

- c. General Manager Report
- d. Track Work

Doug DeMontigny of ORDA gave a report on the preparations for the upcoming race meet at Chippewa Downs. Questions were asked by the Commissioners and answered by Mr. DeMontigny.

10. Director's Report on Meet Preparation

- a. Coggins Test Required for All Horses
- b. Equine Herpes Virus

Director laCour reminded the horsemen that a negative Coggins test will be required for all horses at both race meets in Belcourt and Fargo. A letter has been sent to all horsemen notifying them of this requirement.

Director laCour advised that there have been cases reported of Equine Herpes Virus in North Dakota and neighboring states. He strongly recommended the vaccination of horses but is not requiring it at this time.

11. Medication Reminder to Horsemen

Director laCour reminded the horsemen of the RCI Medication Rules that will be in effect at the upcoming race meets and to double check the anti-stacking thresholds on Phenylbutazone and Flunixin. The information was mailed to all horsemen on the Breed Fund list.

12. Any other business which may properly come before the Commission

No other business.

13. Adjournment

Meeting was adjourned at 12:15 p.m.