

NEBRASKA STATE RACING COMMISSION  
MINUTES OF MEETING

DATE: June 28, 2013  
TIME: 1:30 p.m.  
LOCATION: Nebraska Racing Commission  
Conference Room  
5903 Walker Avenue  
Lincoln NE

PRESENT COMMISSIONERS: ABSENT:

Dennis P. Lee	Chairman
Janell Beveridge	Vice Chairperson (via telephone)
Helen Abbott Feller	Commissioner
Jeffrey Galyen	Commissioner
Kristopher Covi	Commissioner

Chm. Lee convened the meeting at 1:33 pm in compliance with the provision of Neb. Rev. Stat. 84-1411. Notice of the meeting was published in the Lincoln Journal Star. In addition, copies of such notice were sent to those on the Racing Commission agenda mailing list. Notification was given to the public of the open meetings law and notification to its location for public view.

APPROVAL OF THE MINUTES/REVENUE/EXPENDITURE REPORTS

Beveridge moved, seconded by Covi to approve the minutes of the April 19, 2013 Commission Meeting. Voting aye: Lee, Beveridge, Abbott Feller, Galyen, Covi. Motion carried.

Galyen moved, seconded by Abbott Feller to approve the April and May Financial Reports. Voting aye: Lee, Beveridge, Abbott Feller, Galyen, Covi. Motion carried.

APPROVAL OF SIMULCAST APPLICATIONS RECEIVED SINCE APRIL 19, 2013

Chm. Lee moved, seconded by Beveridge to approve the Simulcast applications received. Voting aye: Lee, Beveridge, Abbott Feller, Galyen, Covi. Motion carried.

REVIEW OF COLUMBUS EXPOSITION AND RACING PREPARATIONS FOR LIVE DATES

Abbott Feller moved, seconded by Covi to approve the Columbus Exposition and Racing preparations and live dates. Voting aye: Lee, Beveridge, Abbott Feller, Galyen, Covi. Motion carried.

APPROVAL OF HORSEMEN'S PARK 2013 CHANGE TO RACING OFFICIALS

Covi moved, seconded by Galyen to approve the change to racing officials. Voting aye: Lee, Beveridge, Abbott Feller, Galyen, Covi. Motion carried.

COLUMBUS EXPOSITION AND RACING REQUEST FOR A TEMPORARY EXCEPTION OF NSRC RULE 13.001.04B

Galyen moved, seconded by Covi to approve the request for a Temporary Exception of NSRC Rule 13.001.04B. Voting aye: Beveridge, Galyen, Covi. Voting Nay: Lee, Abbott Feller Motion carried.

APPROVAL OF COLUMBUS EXPOSITION AND RACING 2013 RACING OFFICIALS

Abbott Feller moved, seconded by Galyen to approve the Columbus Exposition and Racing 2013 Racing Officials. Voting aye: Lee, Beveridge, Abbott Feller, Galyen, Covi. Motion carried.

MONTY LUARK – CONDUCT HORSEMEN’S PARK

Covi moved, seconded by Abbott Feller to fine Mr. Luark \$200.00 for violation of Rule 18.018 and 2.001.09 and that that fine be paid within 72 hours. Voting aye: Lee, Beveridge, Abbott Feller, Galyen, Covi. Motion carried.

TIM WHITE – REQUEST TO HAVE PATRON PRIVILEGES REINSTATED

Galyen moved, seconded by Covi to reinstate patron privileges for Tim White subject to each individual tracks private rights. This is not a ruling on his racetrack license. Voting aye: Lee, Beveridge, Abbott Feller, Galyen, Covi. Motion carried.

MID-NEBRASKA FEEDS APPEAL OF HEARING OFFICERS RECOMMENDATIONS - FINANCIAL

Over the objection of Mid-Nebraska Feeds the request for a continuance of Gilbert Ecoffey of today’s hearing is granted one time. This matter has been continued.

DANNY SMITH – FINANCIAL RESPONSIBILITY

This matter has been resolved prior to today’s meeting.

LINCOLN RACE COURSE CONSTRUCTION UPDATE

Lynn Schuller appeared on behalf of the HBPA along with Todd Veerhusen, Gene McCloud and Christy Harris.

Chm. Lee moved, seconded by Galyen to approve the designs and plans of the physical construction of Lincoln Race Course pursuant to Rule 3.001.14. Voting aye: Lee, Abbott Feller, Galyen, Covi. Motion carried.

CHRISTY JOHNSON APPEAL FOR STEWARDS RULINGS A, B AND C

Christy Johnson was present along with her attorney Vince Dowding. All exhibits have been submitted and received. Covi moved, seconded by Abbott Feller to affirm the Steward’s Rulings on 8, 9 and 10. Voting aye: Beveridge, Abbott Feller, Covi. Voting Nay: Lee and Galyen. Motion carried.

Galyen has removed himself from the meeting.

CHANGE IN DRUG TESTING PROCEDURES

Abbott Feller moved, seconded by Beveridge to approve the drug testing change but striking out testing all first and second place horses. Voting aye: Lee, Beveridge, Abbott Feller, Covi. Motion carried.

SMALL TRACK FUND AG'S OPINION

Covi approved, seconded by Lee to follow the recommendation of the Attorney General's Office and authorize Mr. Sage to release the funds to eligible entities. Voting aye: Lee, Beveridge, Abbott Feller, Covi. Motion carried.

RACING COMMISSION EMPLOYEE SALARY INCREASES

Covi moved, seconded by Abbott Feller to approve all salary increases including the Executive Secretary and State Steward. Voting aye: Lee, Beveridge, Abbott Feller, Covi. Motion carried.

FONNER PARK – CHURCHILL DOWNS INCREASE IN HOST FEES

Chm. Lee moved, seconded by Covi that the Commission direct Tom Sage to make written contact with Marc Anderson and Andy Lonnon copies to the NE Attorney General seeking answers to the questions raised by Fonner Park and Mr. Todd Otto's letter of May 23, 2013 and to carry this over to the next agenda for a report. Voting aye: Lee, Beveridge, Abbott Feller, Covi. Motion carried.

MEETINGS WITH ASSOCIATIONS

Nebraska Thoroughbred Breeders' Association - None  
NE Horsemen's Benevolent and Protective Association - None

ADJOURNMENT

Chm. Lee moved, seconded by Covi to adjourn the meeting at 4:15 pm. Voting aye: Lee, Beveridge, Abbott Feller, Covi. Motion carried.

Respectfully submitted,  
Tom Sage  
Executive Secretary