

NEBRASKA STATE RACING COMMISSION  
MINUTES OF MEETING

DATE: October 22, 2013

TIME: 1:30 p.m.

LOCATION: Nebraska Racing Commission  
Conference Room  
5903 Walker Avenue  
Lincoln NE

PRESENT COMMISSIONERS:

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

ABSENT:

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

Chm. Lee moved, seconded by Beveridge to approve the minutes of the June 28, 2013 Commission Meeting. Voting aye: Lee, Beveridge, Abbott Feller, Galyen, Covi. Motion carried.

Chm. Lee moved, seconded by Galyen to approve the June, July, August and September Financial Reports. Voting aye: Lee, Beveridge, Abbott Feller, Galyen, Covi. Motion carried.

APPROVAL OF SIMULCAST APPLICATIONS RECEIVED SINCE JUNE 28, 2013

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

OMAHA EXPOSITION & RACING (DBA LINCOLN RACE COURSE)  
SIMULCASTING FACILITY CHANGE OF ADDRESS

Chm. Lee moved, seconded by Abbott Feller to approve the action of the Commission on this item as it relates to the previous Commissions approval by email. All Emails are a part of the original record.

FAIRPLAY PARK A, B, AND C

Covi moved, seconded by Abbott Feller to approve the action of the Commission on Items A, B and C as it relates to the previous Commissions approval by email. All Emails are a part of the original record.

OMAHA EXPOSITION & RACING (DBA HORSEMEN'S PARK) REQUEST TO RESCIND THE 15 DAYS THAT WERE ALLOTTED TO THEM TO RUN IN COLUMBUS

Chm. Lee moved, seconded by Beveridge to approve the request to rescind the 15 days that were allotted to Omaha Exposition and Racing. Voting aye: Lee, Beveridge, Abbott Feller, Galyen, Covi. Motion carried.

MID-NEBRASKA FEEDS APPEAL OF HEARING OFFICERS RECOMMENDATIONS - FINANCIAL

After receiving proper notification via certified mail, G.W. Ecoffey contacted the Commission a few hours prior to the meeting and notified the Commission that he would not be present. Mr. Ecoffey requested that the hearing officer's recommendations be included in the record. Amy Jo Kent appeared on behalf of Mid-Nebraska Feeds. All exhibits have been submitted and received. Galyen moved, seconded by Abbott Feller to not accept the hearing officers recommended final order and to suspend G.W. Ecoffey's license until the debt of 673.38 is paid in full. Voting aye: Lee, Beveridge, Abbott Feller, Galyen, Covi. Motion carried.

CHRISTY JOHNSON REHEARING APPEAL OF STEWARD RULINGS A, B AND C

Christy Johnson was present along with her attorney Vince Dowding. Gene McCloud was present representing himself. The request for rehearing had been granted prior to the meeting and all exhibits have been submitted and received. Chm. Lee moved, seconded by Beveridge in which case superseding any previous rulings, to vacate the penalties on Rulings 8, 9 and 10 and affirm the revised order of finish by the Board of Steward's in each of those rulings. Voting aye: Lee, Beveridge, Abbott Feller, Covi. Voting Nay: Galyen. Motion carried.

LARRY DUMAS – FALSIFICATION OF LICENSE APPLICATION

Chm. Lee moved, seconded by Covi to suspend Larry Dumas' license that was issued to him in February, 2013 and to further declare him ineligible for licensing until he appears before the Commission at the direction of the Executive Director. Voting aye: Lee, Beveridge, Abbott Feller, Galyen, Covi. Motion carried.

JAN AND PAT MCDONNELL APPEAL OF HEARING OFFICERS RECOMMENDATIONS - FINANCIAL

Jan and Pat McDonnell were present. Kelly Martinez was present. All exhibits have been submitted and received. This matter has been continued until the Commission can review all exhibits submitted and will be placed on the next meeting held by the Racing Commission.

ANNE WARNER – HEARING OFFICER RECOMMENDATIONS – FINANCIAL HEARING

Covi moved, seconded by Beveridge to adopt the recommended order from the hearing officer, Robert Pollock, that Anne Warner be suspended for violations of Rules 2.002.01 and 10.004 and be denied access to all grounds in the jurisdiction of the Racing Commission until the debt is paid in full. Voting aye: Lee, Beveridge, Abbott Feller, Galyen, Covi. Motion carried.

SYLVIA GRAVES – HEARING OFFICER RECOMMENDATIONS – FINANCIAL HEARING

Beveridge moved, seconded by Galyen to adopt the hearing officer's recommendation to suspend Sylvia Graves until her financial responsibilities are met. Voting aye: Lee, Beveridge, Abbott Feller, Galyen, Covi. Motion carried.

TERRI BAKER – FINANCIAL – RESTORE TO GOOD STANDING

Abbott Feller moved, seconded by Beveridge to reinstate Terri Baker. Voting aye: Lee, Beveridge, Abbott Feller, Galyen, Covi. Motion carried.

DALE BURNS – FINANCIAL – RESTORE TO GOOD STANDING

Abbott Feller moved, seconded by Covi to reinstate Mr. Burns. Voting aye: Lee, Beveridge, Abbott Feller, Covi. Motion carried.

HEARING – 2014 LIVE RACE DATE APPLICATIONS AND SIMULCAST FACILITY APPLICATIONS

Chm. Lee moved, seconded by Galyen to approve the live race dates requested with the provision that Lincoln Race Course and Hastings Exposition & Racing provide the Commission with notification by June 1, 2014 of the actual date they intend to run. The dates are as follows:

Fonner Park	February 21 – May 3
Lincoln Race Course	TBD
Horsemen's Park	May 9 – May 11
Columbus Exposition & Racing	August 1 – September 1
Hastings Exposition and Racing	TBD

Voting aye: Lee, Beveridge, Abbott Feller, Galyen, Covi. Motion carried.

Galyen moved, seconded by Covi to approve the Simulcast Facility Applications as submitted. Voting aye: Lee, Beveridge, Abbott Feller, Galyen, Covi. Motion carried.

RECOGNITION OF SERVICE FOR DENNY P. LEE AND ANN SHEA

Chm. Lee presented Ann with a plaque from the Racing Commission for her service of 25 years to the Commission and the Industry. Beveridge presented Chm. Lee with a plaque from the Racing Commission for his service of 25 years to the Commission and the Industry.

MEETINGS WITH ASSOCIATIONS

Nebraska Thoroughbred Breeders' Association - None  
NE Horsemen's Benevolent and Protective Association – Lynn Schuller wanted to inform everyone that Omaha Exposition & Racing will be submitting plans and documentation regarding the racing surface at Lincoln Race Course.

ADJOURNMENT

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

Respectfully submitted,  
Tom Sage  
Executive Secretary