

NEBRASKA RACING & GAMING COMMISSION
MINUTES OF MEETING

DATE: May 12, 2023

TIME: 1:30 PM

LOCATION: Platte County Agriculture Park
Upstairs Club Room
822 15th St.
Columbus NE 68601

PRESENT COMMISSIONERS:

Dennis P Lee Chairman
Shane Greckel Vice Chairperson
Janell Beveridge Commissioner
Tony Fulton Commissioner
Trent Loos Commissioner

ABSENT:

Jeffrey Galyen Commissioner
Shelby Bakenhus Commissioner

Vice Chairman, Shane Greckel convened the meeting at 11:15 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 and Gaming Commission agenda mailing list. Notification was given to the public of the open meetings law and notification to its location for public view.

MEETING MINUTES AND FINANCIAL REPORTS

Fulton moved, seconded by Beveridge to include the addendum as proposed by Chairman Lee with an explanation as to why we took the agenda out of order from the April 14, 2023, meeting. Voting aye: Greckel, Beveridge, Fulton, Loos. Motion carried. Fulton moved, seconded by Beveridge to approve the minutes from the April 14, 2023, meeting as amended. Voting aye: Greckel, Beveridge, Fulton, Loos. Motion carried.

An explanation for the record was given as to how our financials get reviewed. Fulton moved seconded by Beveridge to approve the April 2023 financial reports. Voting aye: Greckel, Beveridge, Fulton, Loos. Motion carried.

At 11:26 a.m. Chairman Lee arrived, and Vice Chairman Greckel deferred the meeting to him.

SIMULCAST APPLICATIONS

Greckel made a motion, seconded by Beveridge to approve the simulcast applications as presented. Voting aye: Lee, Greckel, Beveridge, Fulton, Loos. Motion carried.

SETTLEMENT AGREEMENT – REFERENCE ADMINISTRATIVE CODE TITLE 294 RULE 3.001.14 HALL COUNTY LIVESTOCK IMPROVEMENT ASSOCIATION (dba FONNER PARK)

Loos moved, seconded by Fulton to approve the settlement agreement as presented. Voting aye: Lee, Greckel, Beveridge, Fulton, Loos. Motion carried.

SETTLEMENT AGREEMENT – REFERENCE ADMINISTRATIVE CODE TITLE 294 RULE 3.001.14 NEBRASKA HORSEMEN’S BENEVOLENT AND PROTECTIVE ASSOCIATION (dba HORSEMEN’S PARK)

Chairman Lee moved to approve the settlement agreement as amended. The amendment was to section four and the sentence shall now begin with “as soon as construction permits”. Seconded by Greckel. Voting aye: Lee, Greckel, Beveridge, Fulton, Loos. Motion carried.

SPORTS WAGERING CATALOG – REFERENCE ADMINISTRATIVE CODE TITLE 296 RULE 13.003.03

Chm. Lee moved, seconded by Beveridge to approve the Sports Wagering Catalog with the understanding that moving forward any expansion to the sports wagering catalog in terms of additions or type of events can be approved by staff provided the criteria are met and that next time the Commission meets it comes before the Commission for approval.

HARRAH’S NEBRASKA & COLUMBUS EXPOSITION AND RACING

Tom Jackson, CER gave an update regarding Ag Park’s crow’s nest and the catwalk. Don Ostert, GM of Harris Columbus updated the Commission regarding the slot machine installation process. Regarding the new facility Don Ostert mentioned that the horse track base is being installed and the casino steel building is erected.

It was brought to the Chairman’s attention that the Commission approved, motioned, and seconded the approved the procedures for the sports wagering catalog, but never actually motioned and seconded the actual catalog. Chm. Lee moved, seconded by Beveridge to approve the Sports Wagering Catalog as submitted. Voting aye: Lee, Greckel, Beveridge, Fulton, Loos. Motion Catalog.

HARRAH’S NEBRASKA, LLC CASINO – AUTHORIZED GAMING OPERATOR APPROVAL

Harrah’s received their provisional license at the December meeting and have since been working with Commission staff to answer any questions or provide additional documentation. They’ve also submitted parent holding company applications for each of the five parent entities of Harrah’s Nebraska LLC, which includes organizational documents, operating agreements, financial statements, etc.

Jerry Schwandorf, a member of the public approached with a question about if a person should be banned form a casino in Columbus before it even opens. Chm. Lee treated this as a comment. Tom Sage mentioned that he is very aware of what is going on and it is currently under investigation. Since this is under investigation it is not appropriate for the Commission to consider anything at this point. Mr. Schwandorf will be advised of any outcome.

Getting back to approval of Harrah's, staff recommended approval subject to the conditions that consist of four pages. Chm. Lee moved, seconded by Greckel that the gaming operator's license for the current location at the Columbus Racetrack be approved, subject to the conditions in the four-page checklist for lack of better term items that are in the Commissioner's notebook of which Counsel for Harrah's is indicated they have no objection or are in agreement with and that the authorized gaming Operators application license be approved today. Voting aye: Lee, Greckel, Beveridge, Galyen, Bakenhus, Fulton, Loos. Motion carried.

WARHORSE UPDATES

Lynn McNally gave an update on construction at WarHorse Omaha and WarHorse Lincoln.

MEETINGS WITH ASSOCIATIONS

Nebraska Thoroughbred Breeders' Association – None.

Nebraska Horsemen's and Protective Association – None.

Nebraska Quarter Horse Racing Benevolent

Association and Breeders Association - Ed Zimba reported that they were notified by the American Quarter Horse Association that beginning January 1st of 2024, they will be moving to microchipping racing stock versus tattooing. Another mention was the updating of forms to include microchips.

PUBLIC COMMENTS

No public comments.

DIRECTOR'S UPDATE

Sage was brief. The first Problem Gaming and Human Trafficking Committee meeting was held. The meeting was very well attended. He mentioned long term goals of getting the racing rules rewritten by August, gaming MICS by September and Gaming rules by October. He mentioned the difficulties with hiring personnel and getting staff positions created. Next meeting is June 9th.

ADJOURNMENT

Chm. Lee adjourned the meeting at 12:34 pm.