

# LOUISIANA STATE RACING COMMISSION

## MINUTES – August 26, 2024 Meeting

*As transcribed by Mary E. Lee, Certified Court Reporter*

### COMMISSIONERS IN ATTENDANCE

Edward J. Koehl, Jr., *Chairman*  
Dr. Patrick Bernard  
Rock M. Bordelon  
Leslie P. Bouie  
K. R. "Ron" Finkelstein, O.D.  
Earl A. "Boo" Landry, Jr.  
Mike R. McHalfey  
Travis K. Miller, DVM  
Vincent V. Tumminello, Jr., M.D.  
Katherine L. Winters

### ABSENT

Larry L. Findley, Sr., DVM  
Nathan C. Granger  
Deano Thornton

# APPROVED

At the Commission Meeting of

February 13, 2025

(Date)



**Executive Director**  
Louisiana State Racing Commission

The meeting of the Louisiana State Racing Commission (LSRC) is called to order by the Chairman on Monday, August 26, 2024 at 9:05 AM in the Queen Anne Ballroom of the Hotel Monteleone, 214 Royal Street, New Orleans, Louisiana. Roll call is taken; a quorum is present.

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Commissioner Bernard motions to approve the April 29, 2024, June 4, 2024 and June 7, 2024 Meeting Minutes; Commissioner Landry seconds; motion carries.

## I. MISCELLANEOUS/PUBLIC COMMENTS

### A. MOVE-IN/MOVE-OUT DATES

#### 1. Discussion/Comments regarding Fair Grounds move-in and move-out dates.

Mr. Gary Palmisano, Director of Racing and Mr. Oz Shariff, Legal Counsel for Churchill Downs Incorporated speak about the consent decree and their on-going conversations with the LAHBPA regarding the matter of move-in and move-out dates. See Meeting Transcript for discussion about move-in and move-out dates, Commission authority to mandate those dates, and stall fee negotiation. Commissioner Tumminello motions that the Fair Grounds allow thoroughbred owners and trainers to bed empty stalls on September 13 & 14, 2024 and begin moving in thoroughbred horses on September 15, 2024 with training to begin on September 20, 2024, pursuant to the HBPA proposed schedule, at a stall rent of \$5 per day beginning September 20, 2024; Commissioner McHalfey seconds; motion carries.

### B. DISCUSSION/NOTICE OF INTENT:

#### 1. Discussion/Comments regarding "House Rules" Notice of Intent, published in the *Louisiana Register* on 7/20/24.

• LAC 35:III. Chapter 57 – Associations' Duties and Obligations - §5728. House Rules See Meeting Transcript for comments, discussion, and Fair Grounds opposition to §5728.

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A 5-minute recess is taken.

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## II. ASSOCIATION REQUESTS/REPORTS

### A. BOYD RACING, LLC d/b/a DELTA DOWNS RACETRACK, CASINO & HOTEL

1. **PROGRESS REPORT**, by Mr. John Simon, Director of Racing Operations. Mr. Simon informs that the Delta Downs' 46-day 2024 Quarter Horse Meet ended on July 13, 2024. He states that live handle was up 9.4%. He states that the Lee Berwick trials on July 22, 2024 set an all-time record handle of \$1.47 million. He informs there was a total of 402 races with an average of 8.7 races per day and an average of 8.52 starters per race. He informs that Dr. Mick Peterson will be Delta Downs new track surface consultant. Mr. Simon states the 76-day Thoroughbred Meet will begin on October 10, 2024 and will have many promotions throughout the meet. See Meeting Transcript for discussion about backside improvements, new live pari-mutuel terminals, track surfaces, drainage around the barns, and the need to utilize an alternative training schedule due to construction needs. Mr. Kuypers requests temporary changes in the training schedule, in order to work on other construction projects for a few weeks. Commissioner Tuminello motions to approve the agreed upon altered schedule, as detailed in Meeting Transcript; Commissioners McHalfey seconds; motion carries.

#### 2024-2025 THOROUGHBRED MEET

##### 2. RACES

- a. **Approval** of first condition book for 2024-2025 thoroughbred meet.  
Commissioner Bordelon motions to approve; Commissioner McHalfey seconds; motion carries.

- b. **Approval** of designated races for 2024-2025 thoroughbred meet as provided in Meeting Agenda.

##### 3. STEWARDS, OFFICIALS & MANAGEMENT

- a. **Approval** of officials for 2024-2025 thoroughbred meet as provided in Meeting Agenda.

- b. **Approval** of Bobby Granger to serve as state steward for 2024-2025 thoroughbred meet.

Commissioner McHalfey motions to approve Items 2B, 3A, and 3B; Commissioner Tumminello seconds; motion carries.

#### 2025 QUARTER HORSE MEET

##### 4. LICENSE APPROVALS

- a. **Approval** for 2025 quarter horse meet as provided in Meeting Agenda.

##### 5. RACING DATES (R.S. 4:158A) AND POST TIMES

- a. **Approval** for 2025 live quarter horse meet as provided in Meeting Agenda.

##### 6. WAGERING (LAC 35:XIII.Ch 103-127)

- a. **Approval** for wagering format for 2025 live quarter horse meet as provided in Meeting Agenda.

Commissioner McHalfey motions to approve Items 4, 5, and 6; Commissioner Bouie seconds; motion carries.

### B. THE OLD EVANGELINE DOWNS, LLC

#### d/b/a EVANGELINE DOWNS RACETRACK & CASINO

1. **PROGRESS REPORT**, by Ms. Tracey Coonce, Director of Racing Operations. Ms. Coonce informs that the Evangeline Downs' 70-day 2024 Thoroughbred Meet ended on August 24, 2024. She says that handle increased to \$122 million this year from \$100 million in 2023 and \$80 million in 2022, purses increased from \$169,000 in 2023 to \$175,000 in 2024, and field sizes slightly

decreased from 8.05 in 2023 to 7.82 in 2024. Ms. Coonce mentions Evangeline Downs is working with Mick Peterson to help with track surface consistency. She informs that the Evangeline Downs' 46-day 2024 Quarter Horse Meet begins on October 2, 2024 and closes on December 21, 2024. See Meeting Transcript for discussion about infrastructure improvements, status of racing cameras, and manure disposal bins.

**2024 QUARTER HORSE MEET**

**2. STEWARD**

**a. Approval** of Charles Ashy, Jr. to serve as state steward for 2024 quarter horse meet. Commissioner Bouie motions to approve; Commissioner McHalfey seconds; motion carries.

**2025 THOROUGHBRED MEET**

**3. LICENSE APPROVALS**

**a. Approval** for 2025 thoroughbred meet as provided in Meeting Agenda.

**4. RACING DATES (R.S. 4:158A) AND POST TIMES**

**a. Approval** for 2025 thoroughbred horse meet as provided in Meeting Agenda.

**5. WAGERING (LAC 35:XIII.Ch 103-127)**

**a. Approval** for wagering format for 2025 thoroughbred horse meet as provided in Meeting Agenda.

Commissioner Bouie motions to approve Items 3, 4, and 5; Commissioner Landry seconds; motion carries.

**C. CHURCHILL DOWNS LOUISIANA HORSERACING COMPANY, LLC  
d/b/a FAIR GROUNDS RACE COURSE & SLOTS**

- 1. PROGRESS REPORT**, *Mr. Jason Boulet, Director of Racing*, introduces Mr. Mike Rich, Vice President of Gaming. Mr. Rich provides a brief introduction and speaks about his corporate role. Mr. Boulet informs that the 2024 Fair Grounds' 15-day Quarter Horse Meet opened on August 15, 2024 and will end on September 14, 2024. He says after 6 race days, it is projected this will be a record-breaking year with an estimated \$3.5 million in purse money. He mentions the quick turnaround and the process of opening the 2024-2025 Fair Grounds' 76-day Thoroughbred Meet, which will be its' 153<sup>rd</sup> racing season on November 22, 2024. See Meeting Transcript for discussion about EPA compliance with quarter horsemen, capital investments, infrastructure improvements, Super Bowl week plans, and Louisiana-bred program successes

**2024 QUARTER HORSE MEET**

**2. RACES**

**a. Ratification** of first condition book for 2024 quarter horse meet.

**b. Ratification** of designated races for 2024 quarter horse meets as provided in Meeting Agenda.

**3. STEWARDS, OFFICIALS & MANAGEMENT**

**a. Ratification** of officials for 2024 quarter horse race meet as provided in Meeting Agenda.

**b. Ratification** of Charles Ashy, Jr to serve as state steward for 2024 quarter horse meet. Commissioner Bouie motions to approve Items 2 and 3; Commissioner Landry seconds; motion carries.

**2024-2025 THOROUGHBRED MEET**

**4. STEWARD**

**a. Approval** of Charles Ashy, Jr to serve as state steward for 2024-2025 thoroughbred meet.

Commissioner Bouie motions to approve; Commissioner Tumminello seconds; motion carries.

**D. LOUISIANA DOWNS INVESTMENT COMPANY, LLC  
d/b/a LOUISIANA DOWNS CASINO & RACETRACK**

1. **PROGRESS REPORT, Mr. Matt Crawford, Director of Racing.** Mr. Crawford introduces Ms. Roxanne Tanner, Racing Ambassador for Louisiana Downs. Mr. Crawford informs Louisiana Downs' 70-day 2024 Thoroughbred Meet opened on May 4, 2024 and will end on September 26, 2024. He says after 50 days of racing, 352 races (91 on turf) with average field sizes of 7 per race have run thus far. He states Super Derby will be held on September 14, 2024. He states that handle is up 7%. See Meeting Transcript for discussion about infrastructure improvements and maintenance, equipment purchases, AC unit repairs, food offerings, parking options, and future racing promotions.

**2024 THOROUGHBRED MEET**

2. **STEWARDS, OFFICIALS & MANAGEMENT**
  - a. **Ratification** of officials for 2024 thoroughbred meet as provided in Meeting Agenda. Commissioner Tumminello motions to approve; Commissioner Bouie seconds; motion carries.

**2025 QUARTER HORSE MEET**

3. **LICENSE APPROVALS**
  - a. **Approval** for 2025 quarter horse meet as provided in Meeting Agenda.
4. **RACING DATES (R.S. 4:158A), RACES AND POST TIMES**
  - a. **Approval** for 2025 quarter horse meet as provided in Meeting Agenda.
5. **WAGERING (LAC 35:XIII.Ch 103-127)**
  - a. **Approval** for 2025 quarter horse meet wagering as provided in Meeting Agenda. Commissioner Tumminello motions to approve Items 3, 4, and 5; Commissioner Bouie seconds; motion carries. Note: Item 4 revised at meeting to add races between now and the end of the meet to make up for a lost day. Commissioner Tumminello motions to approve; Commissioner McHalfey seconds; motion carries.
6. **STEWARD**
  - a. **Approval** of Roy Wood, Jr. to serve as state steward for 2025 quarter horse meet. Commissioner Landry motions to approve; Commissioner Tumminello seconds; motion carries.

**2025 THOROUGHBRED MEET**

7. **LICENSE APPROVALS**
  - a. **Approval** for 2025 thoroughbred meet as provided in Meeting Agenda. Commissioner Bouie motions to approve; Commissioner Tumminello seconds; motion carries.
8. **RACING DATES (R.S. 4:158A), RACES AND POST TIMES**
  - a. **Approval** for 2025 thoroughbred meet as provided in Meeting Agenda. Commissioner Bouie motions to approve; Commissioner McHalfey seconds; motion carries.
9. **WAGERING (LAC 35:XIII.Ch 103-127)**
  - a. **Approval** for 2025 thoroughbred meet wagering as provided in Meeting Agenda. Commissioner Landry motions to approve; Commissioner Bouie seconds; motion carries.

**III. HPBA UPDATE**

**A. LOUISIANA HORSEMENS BENEVOLENT & PROTECTIVE ASSOCIATION  
(LAHBPA)**

1. **PROGRESS REPORT**, *Mr. Ed Fenasci, Executive Director of LaHBPA*. Mr. Fenasci says his organization and the LSRC are working together to make sure deadlines are being met with regards to money earned and parimutuels. Mr. Fenasci states there is a desire to move 3 Champion's Day races usually scheduled at Fair Grounds to Evangeline Downs. This will allow for their futurity day event to be bigger.
2. **LaHBPA request approval** from the LSRC as provided in Meeting Agenda. Commissioner Bouie motions to approve agreement between Fair Grounds, Evangeline Downs and the Louisiana Quarter Horse Breeders to transfer 3 Champion's Day quarter horse races and a corresponding \$300,000 in purse funds from Fair Grounds thoroughbred meet to Evangeline Downs 2024 quarter horse meet; Commissioner Landry seconds; motion carries.

#### **IV. BREEDER UPDATES**

##### **A. LOUISIANA THOROUGHBRED BREEDERS ASSOCIATION (LTBA)**

1. **PROGRESS REPORT**, *Mr. Roger Heitzmann, Executive Director of LTBA*. Mr. Heitzmann says running a Louisiana bred has never been greater and mentions his group is giving away record purses. He comments about Champion's Day at Fair Grounds and upcoming breeder sales.

##### **B. LOUISIANA QUARTER HORSE BREEDERS ASSOCIATION (LQHBA)**

1. **PROGRESS REPORT**, *Bruce Salard, Executive Director of LQHBA*, Mr. Salard mentions the new hair testing amendment and reviews testing numbers and answers testing questions. He mentions good news regarding the foal crop since it will exceed 2024 in 2025. He recaps the recent yearling sale and is pleased with the results.

#### **V. OTHER**

##### **A. HHR**

1. **Approval** to designate BMM Testlabs as an independent testing laboratory for Historical Horse Racing operations in Louisiana. Commissioner Landry motions to approve; Commissioner Tumminello seconds; motion carries.

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A 10-minute recess is taken.

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#### **VI. ADJUDICATIONS**

##### **A. VIOLATION OF LAC 35:7901 (Careless Riding)**

1. **Juan Vargas, Jockey**. Appeal withdrawn. Commissioner Bouie motions to have Stewards set term of suspension. If jockey participates in a designated race not subject to suspension, he shall be required to make up the suspension day on the first race day after the designated day of racing; Commissioner Landry seconds; motion carries.

##### **B. VIOLATIONS OF LAC 35:I.1797 (Equine Positives)**

1. **Gilberto Rosales, Trainer**. Commissioner Bouie motions to approve acceptance of plea. One-year suspension. Effective September 15, 2024 to September 14, 2025, followed by 12-month probation

effective September 15, 2025 to September 14, 2026. All purses redistributed. Waiver of any rights to appeal; Commissioner McHalfey seconds; motion carries.

2. **Kenneth L. Roberts, Sr., Trainer.** *Continued to Next Commission Meeting.*

3. **Jason H. Magnon, Trainer.** *Continued to Next Commission Meeting.*

**C. VIOLATIONS OF LAC 35:I.1801 (Animal Neglect/Cruelty)**

Commission Miller recuses himself from the Sams cases. Commissioner Bouie motions to dismiss; no second. Testimony was heard then a 5-minute recess.

1. **Thomas W. Sam, Jr., Trainer.** Commissioner McHalfey motions to uphold Stewards' rulings, and amended; Trainer, Thomas W. Sam, Jr., is hereby suspended for 12 months, effective September 2, 2024 to September 1, 2025; placed on lifetime probation; any future equine drug positives or rulings involving animal neglect or cruelty will result in a permanent revocation of his license; Commissioner Tumminello seconds; motion carries with sole opposition from Commissioner Bouie.
2. **Keith T. Sam, Owner/Groom.** Commissioner McHalfey motions to uphold Stewards' rulings, and amended; Owner/Groom, Thomas W. Sam, Jr., is hereby suspended for 12 months, effective September 2, 2024 to September 1, 2025; placed on lifetime probation; any future equine drug positives or rulings involving animal neglect or cruelty will result in a permanent revocation of his license; Commissioner Tumminello seconds; motion carries with sole opposition from Commissioner Bouie.

**D. APPEALS OF STEWARDS' DISQUALIFICATION; LAC 35:V.7901, *et seq.***  
**(Right to the Track; Swerve; Disqualification of Offending Horse)**

1. **Carrol Castille, Trainer.** Commissioner Landry motions to uphold Stewards' decision to disqualify "Good and Stout" in the 8<sup>th</sup> race of October 13, 2023 at Delta Downs; Commissioners second; motion carries. {Poll vote 4 to 3; 1 abstain}
2. **Clyde Taylor, Owner.** Appeal withdrawn.

**VII. LICENSE APPROVAL**

**A. REQUEST FOR LICENSE APPROVAL (La. R.S. 4:150(B))**

1. **Ezequiel Villarreal, Trainer.** Case continued.

**VIII. ADJOURNMENT**

Commissioner Landry motions to adjourn; Commissioner Tumminello seconds; motion carries.

  
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Stephen Landry,  
Executive Director