CANTERBURY PARK LOCATION
1100 CANTERBURY ROAD, STE. 100
SHAKOPEE, MN 55379
TELEPHONE: 952-496-7950
FAX: 952-496-7954
MN.GOV/MRC

MINNESOTA RACING COMMISSION

RUNNING ACES LOCATION
15201 ZURICH STREET, STE. 212
COLUMBUS, MN 55025-7908
TELEPHONE: 651-925-3951
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MN.GOV/MRC

Racing Committee Meeting
Wednesday, January 17, 2024, 9:30 a.m.
Microsoft Teams Meeting
Link to Participate: Click here to join the meeting
Meeting ID # 252 210 591 514 Passcode: 2svBL7
Telephone (651) 395-7448, Meeting ID 229 338 084#

AGENDA

1) Call to Order
2) Roll Call
3) Adoption of Agenda
4) Approval of Minutes from October 12, 2022

New Business – Action Items

5) Review, Discussion and Recommendation of Proposed Rules Changes
6) Canterbury Trackside Development Area Improvements & Class A License Modification Request

7) Adjourn

The Commission meeting packet may contain not public data pursuant to the Minnesota Government Data Practices Act. Commission staff has marked such data as not public. Please discard the data in a safe and confidential manner. Should you have questions about the classification of any data please contact Commission staff.

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MINNESOTA RACING COMMISSION

Racing Committee Meeting
Wednesday, October 12, 2022, 4:00 p.m.
Microsoft Teams Meeting

MINUTES

Call to Order:
Agenda Item 1 –Chair Colombo called the meeting to order at 4:05 p.m.

Roll Call:
Agenda Item 2 – Present –Chair Colombo and Commissioner McArdle. A quorum was acknowledged.

Other participants – Charlene Briner (Executive Director, Minnesota Racing Commission), E. Joseph Newton (Legal Counsel, Minnesota Racing Commission), Lynn H Hovda DVM (Chief Commission Veterinarian, Minnesota Racing Commission), Mike Cronin (Minnesota Horsemen's Benevolent and Protective Association) Cathy Dessert (Vice President Minnesota Harness Racing), Stephanie Jenson (Safety Coordinator, Minnesota Racing Commission) Chad Peterson (Minnesota Racing Commission)

Adoption of Agenda:
Agenda Item 3 – Commissioner McArdle made a motion to approve the agenda; Second by Chair Colombo; Motion carried.

Approval of Minutes:
Agenda Item 4 – Commissioner McArdle made a motion to approve the minutes; Second by Chair Colombo; Motion carried.

New Business - Action Items:
Agenda Item 5 - Discussion and Recommendation to Commission on Responses to Request for Proposals for Quarter Horse and Standardbred Drug Testing.

Dr. Lynn Hovda presented the item and described the process of putting out RFP's last fall. There were 3 responses received and reviewed by staff. The recommendation that best fits the needs is Industrial Laboratories. Mr. Newton commented that they were the lowest cost.

Motion to approve Industrial Laboratories for the 2023 racing year to drug test quarter horses and standardbreds by McArdle, Second by Colombo, motion passed.

Mr. Newton reminded commissioners the responses are not public data until the contract is awarded.

Roll call vote and motion passed.

Agenda Item 6 – Review and Recommendation of Proposed Rules Changes

Dr Hovda walked through the proposed changes. Commissioner McArdle offered her personal comments and the emailed comments from Andrew Offerman who could not be in attendance. Cathy Dessert offered many comments as did Mr. Cronin.

DRAFT

Motion made to recommend the Racing Committee approval of the proposed rule changes including the amendments that were made during the meeting by McArdle, Second by Colombo, Motion passed.

Agenda Item 7 - Adjournment: Motion to adjourn by Colombo; Second by McArdle. Meeting adjourned at 5:15 p.m.

Executive Director Briner noted that for the 10/20/22 Commission Meeting packet the original draft of the rules will be used for the packet and then follow up with the updated version when completed.

THESE MEETING MINUTES HAVE BEEN APPROVED ON THIS ____ DAY _____OF 2023 BY A QUORUM OF THE MINNESOTA RACING COMMISSION RACING COMMITTEE.

DRAFT

Proposed Rule Changes and Addition

January 2024

7869.0100 DEFINITIONS

Subp. 49a. Pylons

Poles marking the inner surface of the racetrack. The poles are white with the top 4 inches a darker color.

Subp. 51a. **Racing day.**

"Racing day" means a day assigned by the commission on which racing is conducted and shall include no fewer than ~~eight~~ seven live races. If environmental conditions, a power or technology failure, or a shortage of horses forces the cancellation of races to the extent that fewer than ~~eight~~ seven races can be held in a single day, the day is still considered a racing day as long as the canceled races are added to one or more subsequent racing cards held within 30 days of the cancellation. For purposes of this subpart, "shortage of horses" means that one or more proposed races for the day were unable to generate at least a five-horse field and therefore could not be carded. No more than 14 live races shall be conducted in a single day unless approved by the stewards and the executive director.

7873.0188 Subp. 7

Restrictions on superfecta races. In no event shall superfecta wagering be allowed with fewer than five ~~six~~ betting interests. If for any reason superfecta wagering is canceled, all superfecta wagers must be refunded.

7877.0170 DUTIES AND RESPONSIBILITIES OF CLASS C LICENSEES

Subp. 9.Veterinarians

L. The commission shall report any rulings or violations involving a veterinarian to the Minnesota Board of Veterinary Medicine and initiate a complaint with the Minnesota Board of Veterinary Medicine against a veterinarian provisionally suspended by the Horseracing Integrity Welfare Unit and after all the appeals have been exhausted or determined to have acquired or administered a Class 1 substance contained in the Association of Racing Commissioners International (ARCI) Uniform Classification Guidelines for Foreign Substances and Recommended Penalty Rule or the Horseracing Integrity Welfare Unit list of prohibited substances.

O. Veterinarians and veterinary assistants must sign in and out on a form prescribed by the commission at the stable gate each time the veterinarian and veterinary assistant enters or leaves the grounds of the racetrack.

Subp. 9a. Veterinary assistants

B. Veterinary assistants shall not:

(1) diagnose disease, lameness, or illness;
(2) provide a prognosis;
(3) prescribe any treatments, drugs, medications, or appliances;
(4) dispense, compound, or mix drugs or medications;
(5) perform surgery;
(6) draw blood;
(7) place catheters, needles, swabs, or tubes of any kind in any body part of the horse;
(8) apply splints, slings, or tourniquets;
(9) administer injectable medications including rabies vaccine; ~~or~~
(10) sign the veterinarian's daily log~~.~~; or
(11) have contact with an entered horse within 24 hours of the race in which the horse was entered

Subp. 9b. Equine masseuse.

The following shall apply to an equine masseuse licensed by the commission.

A. An individual licensed as an equine masseuse shall not:

(1) diagnose disease, lameness, or illness;
(2) provide a prognosis;
(3) prescribe any treatments, drugs, medications, or appliances or administer medications;
(4) dispense, compound, or mix drugs or medications;
(5) perform surgery;
(6) draw blood;
(7) place catheters, needles, swabs, or tubes of any kind in any body part of the horse;
(8) apply splints, slings, or tourniquets; ~~or~~
(9) administer injectable medications~~.~~; or
(10) have contact with an entered horse within 24 hours of the race in which the horse was entered.

7877.0175 DUTIES AND RESPONSIBILITIES OF RACING OFFICIALS.

Subp 8. Commission Veterinarians must be licensed and in good standing with the Board of Veterinary Medicine.

Subp. 8b. **Veterinarian's list.**

A. A commission veterinarian shall maintain a list of horses that:

(1) are scratched because of illness, injury, or unsoundness;

(2) are pulled up because of lameness or other injury during a race;

(3) are bleeders, pursuant to part 7890.0140, subpart 1;

(4) test positive for a prohibited substance or medication overage;

(5) have received a medication or treatment invoking a mandatory stand-down time;

(6) are Thoroughbred horses that have received an intraarticular injection;

(~~6~~7) are barred from racing for the life of the horse;

(~~7~~8) have been treated with shock wave therapy; and

(~~8~~9) are otherwise considered unfit to race in the professional judgment of a commission veterinarian.

7883.0100 ENTRIES AND SUBSCRIPTIONS

Subpart 6, Prohibited entries

K. enter a horse that, as of January 1 of the calendar year, is a six-year-old or older maiden or a horse that has not started in two ~~three~~ or more years.

L. Enter a horse where all requirements to compete in the entered race are not completed. This includes HISA registration for Thoroughbreds**.**

Subpart 8A Changing of Races.

Subpart 8B Cancellation and postponement.

In the case of questionable racetrack or racing conditions due to weather, the HISA Safety Director shall call a meeting of the HISA Safety and Welfare Committee consisting of the HISA Safety Director, Chief Steward, Chief Commission Veterinarian, Track Veterinarian, Senior Director of Racing, Track Superintendent, and Horsemen's Representative to determine if cancellation or postponement of races is necessary.

Subpart 9. **Closing of entries.** When an hour for closing is designated, entries and declarations for sweepstakes may not be considered if received afterwards. If an hour is not designated, entries and declarations may be mailed or ~~telegraphed~~ tele facsimiled up to midnight of the day of closing, provided they are received in time for compliance with every other condition of the race.

Subpart 10. **Loss of entries.** A person who alleges loss of an entry or declaration in a stakes race must provide satisfactory proof that it was mailed or ~~telegraphed~~ tele facsimiled within a reasonable time before the designated time for closing or it shall not be considered received.

Subpart 16. **Workout requirements.**

C. A first-time starter less than four years of age must have gate approval and a minimum of two timed workouts, one of which must be out of the gate, no more than 60 days prior to and no less than 48 hours before the race in which it is entered.

D. A first-time starter four years of age or older must have gate approval no more than 60 days prior to the race in which it is entered, and a minimum of three timed workouts, at least one of which must be out of the gate no more than 60 days prior to the race in which it is entered, and one of which must be an official timed workout observed and approved by a commission veterinarian, no more than 45 days prior to the race for which the horse is entered, and no less than 48 hours before the race in which it is entered.

Subpart 17. **Refused entries.** The nominations and entries of any person or transfer of any nomination or entry may be refused by the association. ~~for any reasonable cause~~.

7883.0120 SCRATCHES AND NONSTARTERS.

Subpart 1a. **Stewards must approve scratching horses.**

A. No horse may be scratched from a race without permission of the stewards.

Subpart 1c. **Drawing horses into a race from also-eligible list.**

7883.0140 CLAIMING RACES.

Subpart 7. **Invalid claims.**

B. the claimant does not have at least the amount of the claim and any applicable tax or fee on deposit or credited with the horsepersons' bookkeeper.

7883.0160 POST TO FINISH

Subpart 14. **Horse becomes disabled or otherwise unable to finish.**

E. The stewards shall be notified after euthanasia has been performed.

7884.0120 ELIGIBILITY AND ENTERING

7884.0125 ENTERING AND DRAWING OF HORSES AT CLASS D FACILITIES.

The entering and drawing of horses at Class D licensed facilities shall be governed by the following:

K. At the time of entry all requirements to compete in the entered race must be completed.

7884.0190 QUALIFYING RACES.

Subp. 2

~~F. A horse adding or removing hobbles regardless of gait. However, if a horse that previously qualified with hobbles fails to qualify without hobbles, the horse shall remain qualified to race with hobbles. If a horse previously qualified without hobbles and fails to qualify with hobbles, the horse shall remain qualified to race without hobbles.~~

7884.0240 POST TIME AND STARTING

Subp. 8. Determination of a fair start.

A. A fair start pole shall be erected at a point before the start that is clearly identifiable. The pole shall be distinctive in color in relation to existing pylons and at least two feet above the existing pylons.
B. If a horse has not reached the fair start pole when the horses are released at the starting point by the starter, the Judges shall cause the inquiry sign to be displayed immediately and request that any money wagered on that horse be refunded.
C. The determination of a fair start is signified by the word "go" announced by the starter at the starting point. The starting point is a point that shall be marked on the inside rail at a distance of not less than 200 feet from the first turn.

Subp. 10. **Helmets and safety vest to be worn.**

No person shall ride or drive a horse on the racing track surface without a properly fastened protective riding helmet and safety vest.

7884.0260 DRIVING RULES

Subp. 7 Use of stirrups.

After the word "go" is given, barring mishap, both of the driver's feet must be kept in or in contact with the stirrups, posts, or pegs until the race has been completed. At no time during the race should the driver's foot or feet contact any part of the horse's body. Notwithstanding this provision, a driver may use his or her feet as necessary to remove a horse's earplugs.

7891.0120 MORTALITY REVIEW COMMITTEE.

Subpart 1. **Committee.**

The ~~chief steward~~ HISA Safety Director ~~or designee~~ shall convene and chair a mortality review committee for the purpose of gathering data surrounding the death of each racehorse occurring during racing or training at a licensed racetrack. The committee shall consist of the following:

A. the chief steward or a designee;
B. the chief commission veterinarian or a designee;
C. the track veterinarian or commission designee;

D. the trainer or assistant trainer of the deceased horse;
E. the jockey, exercise rider, or driver of the deceased horse;
F. the attending veterinarian;
G. the racetrack's director of racing or a designee;
H. the track superintendent;
I. the horsemen's representative; and
J. any other person the ~~chief steward or designee~~ HISA Safety Director determines is necessary to adequately examine the death.

7897.0100 PROHIBITED ACTS

Subp. 10. Financial responsibility.

No licensee shall willfully or deliberately refuse to pay any money when due for any service, supplies, or fees connected with his or her activities as a licensee, nor shall he or she falsely deny any such amount due or the validity of the claim therefore with the purpose of hindering or defrauding the person to whom the indebtedness is due.

§

A. All financial responsibility complaints against a licensee shall be made in writing, presenting facts sufficient to enable the stewards to determine that the claim is meritorious and is directly related to the licensee's racing activities and that the debt became due within the last two years.
B. The commission ~~shall~~ honor all horse racing related financial complaints that go through the civil courts whereby a civil judgment is presented.

7897.0100 PROHIBITED ACTS

Subp. 25. Unless prescribed for a specific horse with documented hypothyroidism (MRC rule 7890.0110, subp 7b) and approved by the Chief Commission Veterinarian, the possession of thyroid powder, tablets, or other any form of thyroid supplementation on the grounds of the racetrack is prohibited.

7883.0100 ENTRIES AND SUBSCRIPTIONS

Subpart 11. **Drawing of entries.**

A. When entries exceed the permitted number of starters, the number of starters shall be reduced to the proper number by using the Association's established Preference Date System. The number of starters shall be reduced to the proper number for the entire race or for each division of the race at the option of the association.

7883.0110 PREFERENCE SYSTEM.

Subpart 2. **In-today horses.** When a horse is entered on one day and has an opportunity to start other than in a stakes race or as a main-track-only entry and is also entered for a following race day, the second entry will be an "in-today" and will not be considered unless the race underfills, nor will such horse be considered on the preferred list.

7883.0120 SCRATCHES AND NONSTARTERS.

Subpart 1c. **Drawing horses into a race from also-eligible list.**

B. Horses drawing into the race from the also-eligible list must start in the outermost post position.

January 4, 2024

Mr. Kyle Gustafson
Executive Director
Minnesota Racing Commission
1100 Canterbury Road
Shakopee, MN 55379

RE: Canterbury Trackside Development Area Improvements & Class A License Modification Request

Canterbury Park hereby requests the following approvals from the Minnesota Racing Commission to continue our on-going development efforts for new and exciting uses that we believe will enhance the racing experience for our fans and create opportunities to expose new people to the excitement of horse racing. Canterbury Park requests consideration of this request at the January 18, 2024 full meeting of the commission.

At the meeting we look forward to sharing our exciting vision for activating what we consider to be our prime property situated along the radius of the track. We appreciate the past MRC support for similar requests to remove land from the Class A license property related to the Triple Crown Apartments and the Amphitheater project, both of which are well underway and will serve as anchors for the Canterbury Commons development. [Canterbury Park 7th Addition Plat related to Shenandoah Drive/Triple Crown Apartments in 2018 and Canterbury Amp Addition Plat related to Amphitheater Sale/Barn & Backside Improvement Plan in 2022]. There is also a precedent with Running Aces removing a portion of their property to develop a hotel.

We have identified a qualified restaurant owner and operator (Sherman Group, LLC) who seeks to create a unique upscale trackside dining and entertainment experience in the area near the 6-furlong chute. In addition to the restaurant, the developer (also Sherman Group, LLC) will improve the site with a large outdoor patio fronting the track and an 8000-sf indoor event space intended for year-round music and other events.

We are requesting approval of the following:

1) Removal of a portion of the trackside area property from the Class A licensed facility. The property we are requesting be removed is our current employee parking lot area. The area will consist of two newly platted parcels once the plat is filed. One is a restaurant pad of 3.56 acres and the other is an adjacent 7.36 acres that will be held for future development with a portion to be used for employee parking. We expect future development of this area will be completed in phases over several years. To accommodate this project and provide adequate circulation throughout the future development, we will need to shorten the chute. The result will be that we will no longer be offering races at the distance of 6 ½ furlongs. Over the past few years, we have run less than 1 race per day at that distance, so we are confident we can accommodate the racing program by running more races at the more common 6-furlong distance.

These parcels are illustrated on **Exhibit A** where current ownership and a description is provided regarding land transfers. **Exhibit B** is the final plat that will be filed at the time of the closing on the transfer of the restaurant/event parcels pending MRC and City of Shakopee approvals.

The trackside development improvements, including mass grading and utility work, are contemplated to begin in the spring of 2024 with the restaurant grand opening planned for late 2024 or early 2025. Canterbury is eager to improve that gravel lot area, as the current condition is not the aesthetics we want near a number of our new development investments. These planned improvements of mass grading, roads and landscaping will enhance the trackside area and create a powerful marketing tool for future developments along the track.

The proximity of the improvements to the track will require active oversight of construction during the 2024 racing season. Construction details have not been finalized, but we understand the need for coordination of the construction to make sure we minimize potential impact on horse safety. We will not allow any construction disruption during racing hours and construction during training will be monitored for safety concerns. We have had discussions with the horseperson's groups about this development project and we look forward to further collaboration with those groups as well as MRC staff to address any concerns.

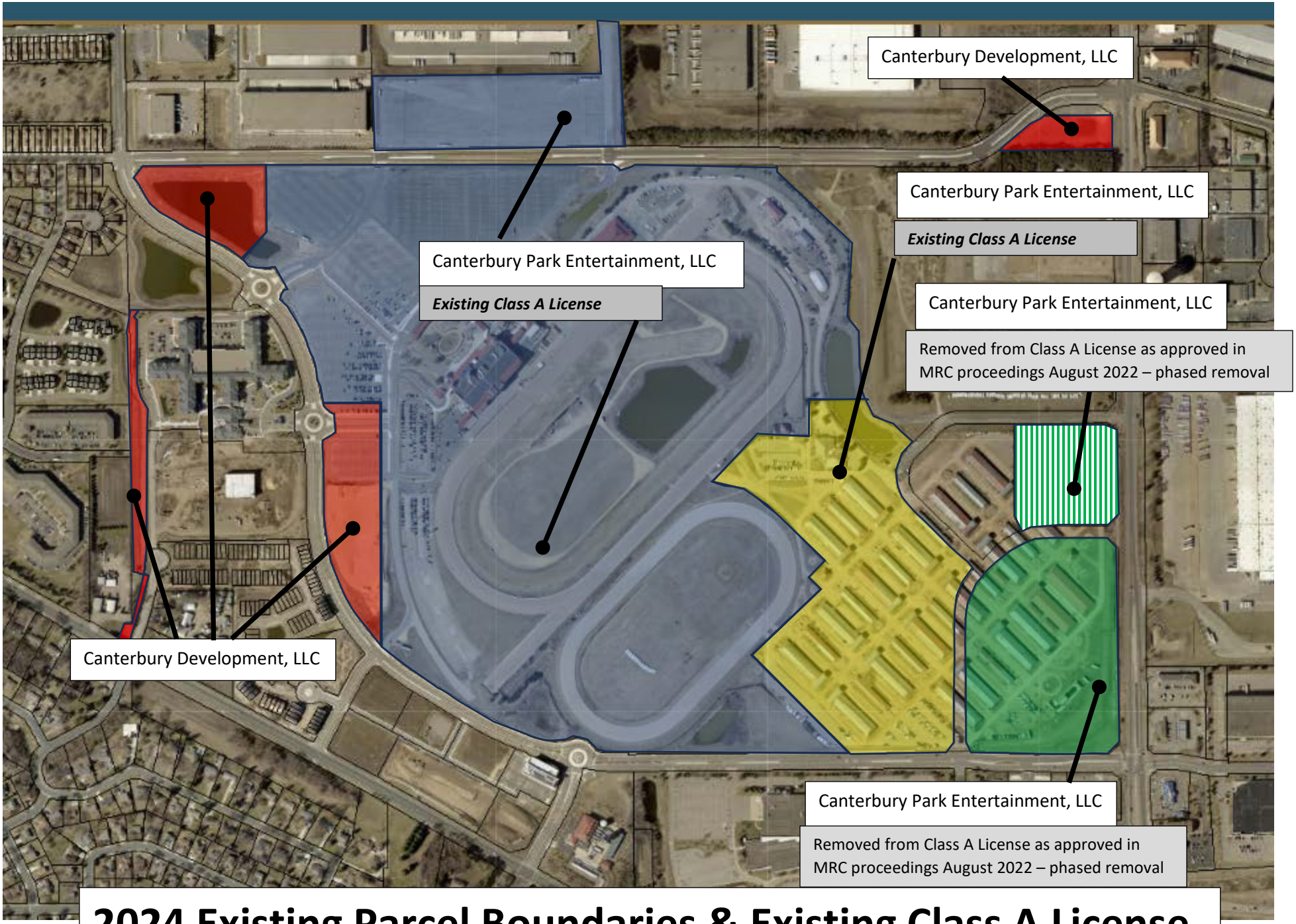
Thank you for your consideration of this request for modifications to our Class A license. Please feel free to contact me if you have any questions or require any clarifications or additional information.

Sincerely,

Randy Sampson
Chairman & CEO
Canterbury Park Holding Corporation

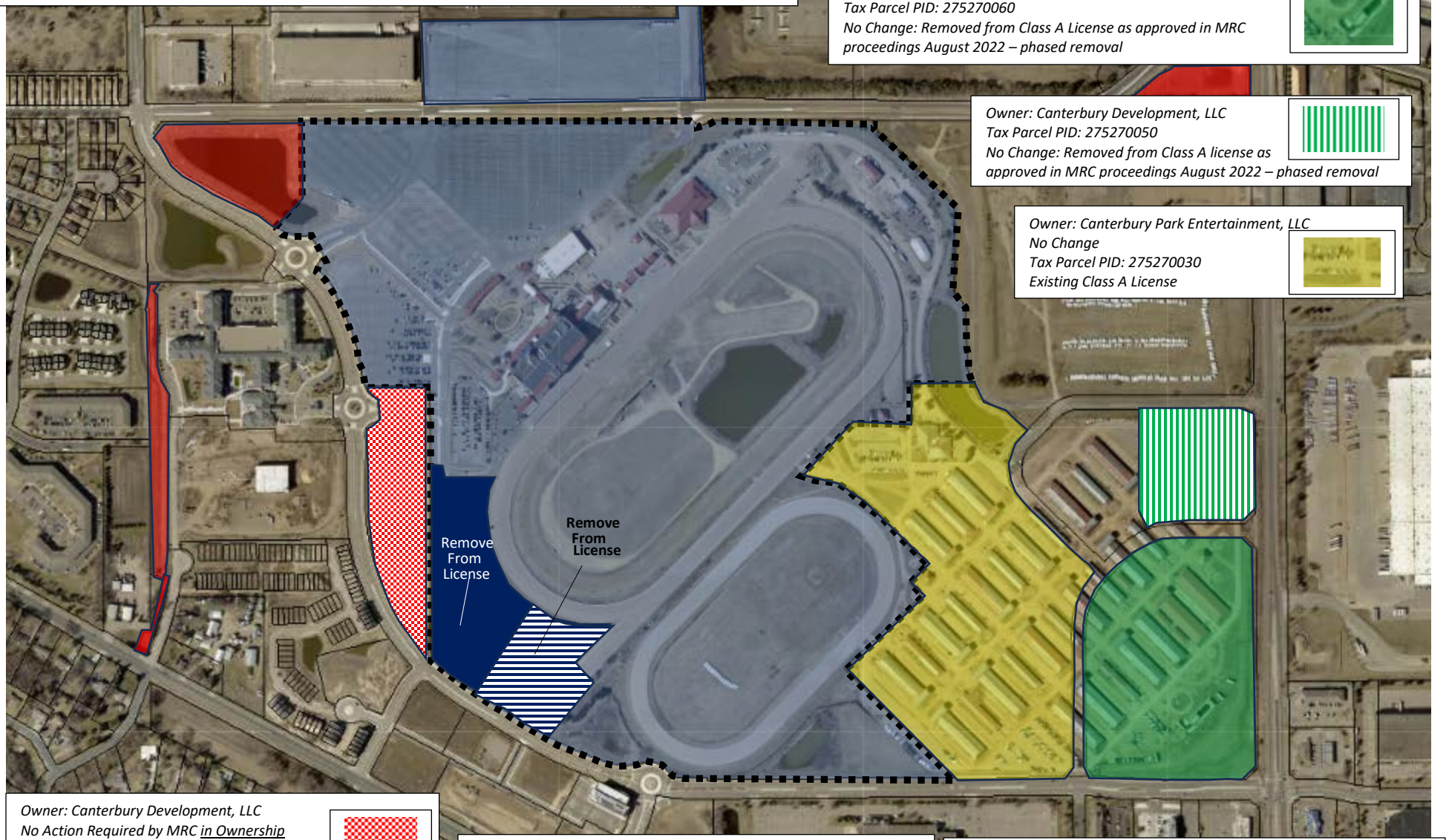
Attached**:**
Exhibit A – Proposed and Current Ownership; Class A License
Exhibit B – Proposed Final Plat: Canterbury Park 10th Addition

Exhibit A



2024 Existing Parcel Boundaries & Existing Class A License

Proposed MRC Changes: Class A License & Ownership



Owner: Canterbury Park Entertainment, LLC
Tax Parcel PID: 275270060
No Change: Removed from Class A License as approved in MRC proceedings August 2022 – phased removal

Owner: Canterbury Development, LLC
Tax Parcel PID: 275270050
No Change: Removed from Class A license as approved in MRC proceedings August 2022 – phased removal

Owner: Canterbury Park Entertainment, LLC
No Change
Tax Parcel PID: 275270030
Existing Class A License

Owner: Canterbury Development, LLC
No Action Required by MRC in Ownership
Tax Parcel PID: 274760040
Not Currently a Class A License

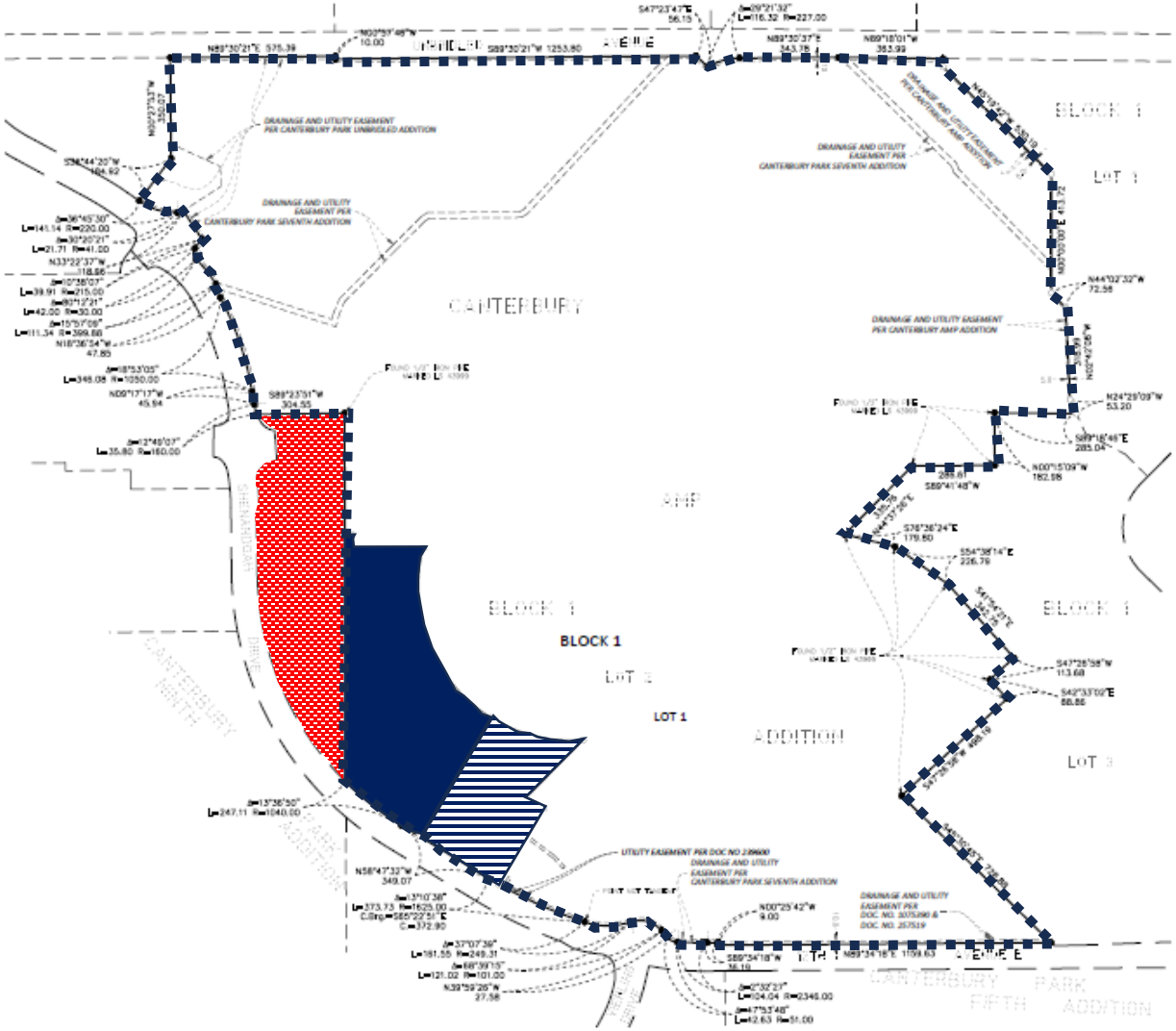
Owner: Canterbury Park Entertainment, LLC
Tax Parcel PID: 275270020
Existing Class A License

Owner: Canterbury Park Entertainment, LLC
Proposed: Transfer to Canterbury Development, LLC
Tax Parcel PID: 275270020
Existing Class A License
Proposed: Remove from Class A License
Construction, Grading & Platted as Outlot A Canterbury Park 10th Addition

Owner: Canterbury Park Entertainment, LLC
Proposed: Transfer to Canterbury Development, LLC
Tax Parcel PID: 275270020
Existing Class A License
Proposed: Remove from Class A License
Construction as Restaurant and Event Space, Grading & Platted as Lot 2 Block 1 Canterbury Park 10th Addition

Exhibit B

CANTERBURY PARK 10TH ADDITION



Block 1 Lot 2
Canterbury Amp
Addition
(former/existing plat)

Canterbury Park 7th
Addition Outlot A
(to remain plated as)

Block 1 Lot 1
Canterbury Park
10th Addition

Outlot A
Canterbury Park
10th Addition

Block 1 Lot 2
Canterbury Park
10th Addition

SAMBATEK, INC.
ENGINEERING, PLANNING
AND LAND SURVEYING