

AGENDA

KANSAS RACING AND GAMING COMMISSION
10:00 a.m., Friday, August 14, 2009

AUDITORIUM A
Dwight D. Eisenhower State Office Building
700 SW Harrison, Suite 450
Topeka, Kansas

- A. CALL TO ORDER
- B. APPROVAL OF THE AGENDA
- C. APPROVAL OF MINUTES
 - 1. [Minutes of July 17, 2009](#)
- D. KANSAS LOTTERY COMMISSION REPORT
- E. LOTTERY GAMING FACILITY REPORTS/ITEMS
 - 1. Butler National Service Corp./Boot Hill Casino and Resort
- F. COUNTY FAIR RACING REPORTS
 - 1. [Eureka Downs](#)
 - 2. [Anthony Downs](#)
 - 3. [Parimutuel Auditor Report](#)
 - 4. [Animal Health Report](#)
 - 5. [Steward/Judge Report](#)
- G. COMMISSION ITEMS
- H. PUBLIC COMMENTS
- I. STAFF REPORTS
 - 1. Executive Director
 - 2. Director of Responsible Gambling
 - 3. Director of Administration
 - a. [FY 2009 Year End Wrap-up](#)
 - b. [Commission Meeting Calendar](#)
- J. EXECUTIVE SESSION
 - 1. Attorney-client communication
 - 2. Background reports

K. OTHER BUSINESS/FURTHER COMMISSION ACTION

1. Discussion, consideration and possible action on background report items

a. GitChi Gaming, Inc.:

- i. GitChi Gaming Inc.
- ii. Gregory B. John

b. Gaming Laboratories Inc.:

- i. James R. Maida
- ii. Paul J. Magno
- iii. Richard J. Labrocca
- iv. Jignasa D. Gusani
- v. Phillip Gee
- vi. Steven P. Citro
- vii. Jeffrey R. Warmkessel

c. GTECH Corp.:

- i. Patrick Craig Director of Operations
- ii. Dennis Christian Technology Section Supervisor
- iii. Marcus Collette Senior Control Room Operator
- iv. Wayne Crith Computer Operator - Senior
- v. William G. Davis Field Service Technician
- vi. Casey L. Fulton Computer Operator - Senior
- vii. Robert L. Heptig Field Service Manager
- viii. David J. Hirsch Systems Administrator
- ix. Derek H. Sparks Computer Operator
- x. Bradley Steele Computer Operator - Senior
- xi. Algis Valanciunas General Manager – Kansas and Nebraska
- xii. Howard E. Warner Field Service Technician
- xiii. Laura Wassam Computer Operator - Senior
- xiv. Darrell E. Wehmeier Computer Operator
- xv. Donald Whisler Computer Operator
- xvi. Mohammed J. Vendal Infrastructure Project Manager, GTECH

d. Boot Hill Casino and Resort

- i. Michael J. Tamburelli General Manager

2. Discussion, consideration and possible action on licenses, certifications, and positions
 - a. GitChi Gaming, Inc., supplier certificate
 - b. GTECH Corp., employee licenses for:
 - i. Patrick Craig Director of Operations
 - ii. Dennis Christian Technology Section Supervisor
 - iii. Marcus Collette Senior Control Room Operator
 - iv. Wayne Crith Computer Operator - Senior
 - v. William G. Davis Field Service Technician
 - vi. Casey L. Fulton Computer Operator - Senior
 - vii. Robert L. Heptig Field Service Manager
 - viii. David J. Hirsch Systems Administrator
 - ix. Derek H. Sparks Computer Operator
 - x. Bradley Steele Computer Operator - Senior
 - xi. Algis Valanciunas General Manager – Kansas and Nebraska
 - xii. Howard E. Warner Field Service Technician
 - xiii. Laura Wassam Computer Operator - Senior
 - xiv. Darrell E. Wehmeier Computer Operator
 - xv. Donald Whisler Computer Operator
 - xvi. Mohammed J. Vendal Infrastructure Project Manager
 - c. Boot Hill Casino and Resort, employee license for:
 - i. Michael J. Tamburelli General Manager

L. ADJOURNMENT

KANSAS RACING AND GAMING COMMISSION

MINUTES – JULY 17, 2009

- CALL TO ORDER:
(A.) Chair Sader called the July 17, 2009, meeting to order at 2 pm at the Kanza Bank, 102 East Main, Anthony, Kansas. Commissioners Sader, Braun, Falstad, and Schwan were present at the meeting. Others present included Executive Director Stephen Martino; Assistant Attorney General Patrick Martin; Director of Audit/Electronic Security Charles LaBoy; Director of Security Don Brownlee; Director of Communications/Responsible Gaming Mike Deines; Director of Administration Don Cawby; Commission Recording Secretary Linda Pendarvis and other staff.
- MOTION, APPROVE AGENDA:
(B.) Commissioner Braun (Schwan) moved to approve the agenda as presented. Motion passed unanimously.
- MOTION, APPROVE JUNE 13, 2009, MEETING MINUTES:
(C.1.) Commissioner Falstad (Schwan) moved to approve the minutes of the June 13, 2009, commission meeting as submitted. Motion passed unanimously.
- MOTION, APPROVE JULY 1, 2009, TELECONFERENCE MINUTES:
(C.2.) Commissioner Falstad (Braun) moved to approve the minutes of the July 1, 2009, teleconference as submitted. Motion passed unanimously.
- MOTION, APPROVE CONSENT AGENDA:
(D.) Commissioner Schwan (Braun) moved to approve the consent agenda as follows:
1. Anthony Downs – review and approve contracts
 - a. Gary Edmondson, Eureka, Kansas, employment agreement
 - b. Kevin Halsey, Wichita, Kansas, employment agreement
- Motion passed unanimously.
- RACETRACK FACILITY REPORT, ANTHONY DOWNS:
(E.1.) The commission heard the Anthony Downs facility report from Dan Bird, general manager.
- RACETRACK FACILITY REPORT, EUREKA DOWNS:
(E.2.) The commission heard the Eureka Downs facility report from Rita Osborne, general manager.
- KHA REQUEST FOR REIMBURSEMENT OF EXPENSES:
(F.1.) The commission heard the Kansas Horsemen's Association (KHA) request for reimbursement from the Kansas Bred Program for expenses for the month of January 2009.

July 17, 2009

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MOTION, APPROVE KHA REQUEST FOR REIMBURSEMENT OF EXPENSES:
(F.1.)

Commissioner Falstad (Braun) moved to approve the KHA request for reimbursement from the Kansas Bred Program for the month of January 2009, contingent upon availability of funds. Motion passed unanimously.

DISCUSSION, ELIMINATION OF POSITION OF CHIEF GAMING OFFICER:
(F.2.)

The commission heard Mr. Martino discuss elimination of the position of Chief Gaming Officer effective June 15, 2009, per a letter received from the Governor's office.

MOTION, APPROVE ELIMINATION OF POSITION OF CHIEF GAMING OFFICER:
(F.2.)

Commissioner Braun (Falstad) moved to eliminate the position of Chief Gaming Officer effective June 15, 2009, per the Governor's request. Motion passed unanimously.

DISCUSSION, FINAL APPROVAL OF ARTICLE K.A.R. 112-102-1, *ET SEQ.* RE. GAMING AND NON-GAMING SUPPLIERS:
(F.3.)

The commission heard Mr. Martin present a post-hearing edited version of K.A.R. 112-102-1, *et seq.* pertaining to gaming and non-gaming suppliers. Among changes made to the article are:

- Acknowledgement of reciprocal certification
- Reference to institutional investors and the time requirement for identifying when shareholders have an ownership interest in a public company

MOTION, FINAL APPROVAL OF ARTICLE K.A.R. 112-102-1, *ET SEQ.* RE. GAMING AND NON-GAMING SUPPLIERS:
(F.3.)

Commissioner Falstad (Schwan) moved for final approval of K.A.R. 112-102-1, *et seq.* On a roll call vote, the motion passed unanimously.

DISCUSSION, APPOINTMENT OF DESIGNEE FOR APPROVING NON-CONFLICTING EMPLOYMENT OPPORTUNITIES:
(F.4.)

The commission heard Mr. Martin discuss a proposal for appointment of a commission designee for approving non-conflicting employment opportunities. Commissioner Braun requested that a quarterly report detailing secondary employment be provided to the commission.

MOTION, APPOINTMENT OF DESIGNEE FOR APPROVING NON-CONFLICTING EMPLOYMENT OPPORTUNITIES:
(F.4.)

Commissioner Braun (Falstad) moved to appoint the Assistant Attorney General as the commission's designee for approving non-conflicting secondary employment. Motion passed unanimously.

CALL FOR PUBLIC COMMENTS:
(G.)

Chair Sader called for public comments.

- Senator Ruth Teichman, Stafford
- Jan Sell, Hutchinson
- Representative Vince Wetta, Wellington

- Representative Julie Menghini, Pittsburg
- Howard Grace, The Woodlands
- George Wingert, The Ruffin Companies
- Jerry Johnson, horseman
- Linda Grilz, TRAK SE
- Representative Bob Grant, Cherokee

STAFF REPORT,
EXECUTIVE DIRECTOR:
(H.1.)

The commission heard a staff report from Mr. Martino:

- Early indications are that agency expenditures came in somewhere between 7 percent and 9 percent below the revised budget.
- Review Board meetings have been delayed pending action from the Lottery and will probably not begin until after Labor Day.
- Boot Hill was excused from this meeting due to the distance involved but will be represented at the August meeting. Staff is working closely with the Lottery to begin coordinating final details for staffing and for preparation of the opening of the casino in December.
- Thanked all those involved in setting up Anthony meeting.

STAFF REPORT,
DIRECTOR OF
COMMUNICATIONS/
RESPONSIBLE
GAMBLING:
(H.2.)

The commission heard a staff report from Mr. Deines:

- State-wide self-exclusion program will kick-off on August 6.
- The Kansas Responsible Gambling Alliance has planned a number of activities in Dodge City August 3-7 in conjunction with National Responsible Gaming Awareness Week including an intersession class through K-State, a community forum, and a media event to announce the new problem gambling helpline for the state of Kansas and related website.

MOTION, EXECUTIVE
SESSION:
(I.1.)

Commissioner Falstad (Braun) moved that the commission take a five-minute break followed by a 30-minute executive session at 3:30 pm until 4 pm for the purpose of attorney-client communication and for continued deliberation on the administrative hearing. Those included in the executive session were the commission and Jay Hall, review board liaison serving as counsel to the commission in this matter. No action is to be taken in executive session, and the subjects discussed are to be limited as previously described. A full record of this motion is to be maintained as a part of the permanent record of the Kansas Racing and Gaming Commission. At the conclusion of the executive session, the meeting is to be continued in open session. Motion passed unanimously.

RECONVENE:

The commission meeting reconvened at 4 pm with all members present as previously noted.

DISCUSSION,
REVOCAION OF
PARIMUTUEL LICENSES:
(I.1.)

The commission and Mr. Hall discussed the revocation of parimutuel licenses and possible ways in which the licensees might be able to come into compliance prior to a revocation order becoming effective.

MOTION, REVOCATION
OF PARIMUTUEL
LICENSES:
(I.1.)

Commissioner Schwan (Braun) moved that the commission extend the deadline for the revocation of the parimutuel licenses of The Racing Association of Kansas East, Kansas Racing LLC, The Racing Association of Kansas Southeast, Wichita Greyhound Park Inc. (Camptown), Wichita Greyhound Park Inc. and Wichita Greyhound Charities Inc. for 60 days to allow the licensees time to provide proposed race dates and a re-opening plan to the commission. If no race dates or re-opening plan is provided at that time, the licenses shall be automatically revoked. A roll call vote was requested. Commissioners Sader, Braun, and Schwan voted "Aye." Commissioner Falstad voted "Nay."

MOTION, EXECUTIVE
SESSION:
(I.2.)

Commissioner Schwan (Braun) moved that the commission go into a 10-minute executive session from 4:20 pm to 4:30 pm for the purpose of reviewing three background investigation reports. Those included in the executive session were the commission, Mr. Martino, Mr. Martin, and Mr. Brownlee. No action is to be taken in executive session, and the subjects discussed are to be limited as previously described. A full record of this motion is to be maintained as a part of the permanent record of the Kansas Racing and Gaming Commission. At the conclusion of the executive session, the meeting is to be continued in open session. Motion passed unanimously.

RECONVENE:

The commission meeting reconvened at 4:30 pm with all members present as previously noted.

MOTION, APPROVE
BACKGROUND REPORT:
(I.2.)

Commissioner Schwan (Braun) moved to approve the background investigation reports of

- Charles Dean Bertholf, D.V.M.
- Joseph Wilcox
- Patrick Hall.

Motion passed unanimously.

MOTION, APPROVE
POSITIONS:
(I.2.)

Commissioner Braun (Schwan) moved to approve the following positions:

- Charles Dean Bertholf, D.V.M. – assistant animal health officer
- Terry Allen – Backup Clerk of Scales (Anthony)
- Dan Bird – General Manager (Anthony)

- Kevin Halsey – Kennel Master, Greyhound Starter (Anthony)
- Tim Horan – Director of Racing, Backup Kennel Master, Backup Chart Writer, Backup Lure Operator (Anthony)
- Jan Jones – Chart Writer, Backup Director of Racing (Anthony)
- Mel Kitts – Clerk of Scales (Anthony)
- Allen Thomas – Backup General Manager (Anthony)
- Joseph Wilcox – Lure Operator/Kennel Master (Anthony)
- Patrick Hall, Anthony Board Member

Motion passed unanimously.

MOTION, EXECUTIVE
SESSION:
(I.3.)

Commissioner Braun (Schwan) moved that the commission go into executive session at 4:35 pm for the purpose of discussing a personnel matter, resuming at 4:45 pm. Those included in the executive session were the commission and Mr. Martino. No action is to be taken in executive session, and the subjects discussed are to be limited as previously described. A full record of this motion is to be maintained as a part of the permanent record of the Kansas Racing and Gaming Commission. At the conclusion of the executive session, the meeting is to be continued in open session. Motion passed unanimously.

RECONVENE:

The commission meeting reconvened at 4:45 pm with all members present as previously noted.

ADJOURN:

Commissioner Braun (Schwan) moved to adjourn at 4:45 pm. Motion passed unanimously.

SUBMITTED BY:

William Falstad
Secretary

APPROVED BY:

Carol H. Sader
Chair

COMPARISON OF ATTENDANCE & HANDLE

2008 - 6 DAYS		2009 - 10 DAYS		
ATTEND	HANDLE	ATTEND	HANDLE	
584	\$ 21,119.00	812	\$ 33,663.00	
326	\$ 16,463.00	697	\$ 26,637.00	
		496	\$ 19,097.00	
390	\$ 16,780.00	520	\$ 24,132.00	
		475	\$ 24,000.00	
387	\$ 19,254.00	504	\$ 8,699.00	3 RACES
		513	\$ 36,262.00	
348	\$ 19,619.00	490	\$ 23,187.00	
		474	\$ 23,577.00	
<u>1050</u>	<u>\$ 42,594.00</u>	<u>1151</u>	<u>\$ 53,486.00</u>	
3085	\$ 135,829.00	6132	\$ 272,740.00	
				TOTALS

2009 Purse Payouts - Eureka Downs

	FIRST RACE PURSE	SECOND RACE PURSE	THIRD RACE PURSE	FOURTH RACE PURSE	FIFTH RACE PURSE	SIXTH RACE PURSE	SEVENTH RACE PURSE	EIGHTH RACE PURSE	TOTAL
DAY 1 May 25	\$ 7,000.00	\$ 7,000.00	\$ 8,000.00	\$ 8,000.00	\$ 7,500.00	\$ 8,000.00	\$ 7,000.00	\$ -	\$ 52,500.00
DAY 2 May 30	\$ 8,500.00	\$ 8,000.00	\$ 7,000.00	\$ 8,000.00	\$ 8,000.00	\$ 7,000.00	\$ 8,000.00	\$ -	\$ 54,500.00
DAY 3 June 6	\$ 8,000.00	\$ 8,000.00	\$ 7,000.00	\$ 8,000.00	\$ 8,000.00	\$ 8,000.00	\$ 8,000.00	\$ -	\$ 55,000.00
DAY 4 June 13	\$ 7,500.00	\$ 7,500.00	\$ 7,500.00	\$ 8,000.00	\$ 8,000.00	\$ 7,000.00	\$ 8,500.00	\$ -	\$ 54,000.00
DAY 5 June 14	\$ 8,000.00	\$ 8,000.00	\$ 7,500.00	\$ 8,000.00	\$ 7,000.00	\$ 8,000.00	\$ 7,000.00	\$ -	\$ 53,500.00
DAY 6 June 20	\$ 8,500.00	\$ 8,500.00	\$ 8,000.00	\$ 8,000.00	\$ 8,000.00	\$ 8,000.00	\$ 8,500.00	\$ -	\$ 57,500.00
DAY 7 June 21	\$ 8,000.00	\$ 7,500.00	\$ 7,500.00	\$ 8,500.00	\$ 8,500.00	\$ 8,500.00	\$ 8,000.00	\$ -	\$ 56,500.00
DAY 8 June 27	\$ 8,000.00	\$ 8,500.00	\$ 8,500.00	\$ 8,000.00	\$ 8,500.00	\$ 8,500.00	\$ 8,500.00	\$ -	\$ 58,500.00
DAY 9 June 28	\$ 8,500.00	\$ 8,500.00	\$ 9,000.00	\$ 8,500.00	\$ 8,500.00	\$ 8,500.00	\$ 8,500.00	\$ -	\$ 60,000.00
DAY 10 July 4	\$ 8,500.00	\$ 8,000.00	\$ 7,500.00	\$ 25,000.00	\$ 8,500.00	\$ 7,500.00	\$ 9,000.00	\$ 8,000.00	\$ 82,000.00
TOTALS:	\$ 80,500.00	\$ 79,500.00	\$ 77,500.00	\$ 98,000.00	\$ 80,500.00	\$ 79,000.00	\$ 81,000.00	\$ 8,000.00	\$ 584,000.00
									\$ 584,000.00
Actual payout	FIRST RACE PURSE	SECOND RACE PURSE	THIRD RACE PURSE	FOURTH RACE PURSE	FIFTH RACE PURSE	SIXTH RACE PURSE	SEVENTH RACE PURSE	EIGHTH RACE PURSE	TOTAL
DAY 1 May 25	\$8,600.00	\$7,600.00	\$7,900.00	\$7,400.00	\$8,000.00	\$9,400.00	\$7,100.00	\$0.00	\$56,000.00
DAY 2 May 30	\$9,300.00	\$8,400.00	\$8,600.00	\$8,400.00	\$8,400.00	\$8,100.00	\$7,900.00	\$0.00	\$59,100.00
DAY 3 June 6	\$7,400.00	\$7,900.00	\$5,600.00	\$7,900.00	\$9,400.00	\$8,900.00	\$7,900.00	\$0.00	\$55,000.00
DAY 4 June 13	\$7,500.00	\$8,000.00	\$8,000.00	\$8,400.00	\$9,400.00	\$7,600.00	\$7,800.00	\$0.00	\$56,700.00
DAY 5 June 14	\$8,400.00	\$8,900.00	\$7,500.00	\$8,900.00	\$7,100.00	\$9,400.00	\$7,100.00	\$0.00	\$57,300.00
DAY 6 June 20	\$9,800.00	\$8,300.00	\$7,900.00	\$7,900.00	\$8,400.00	\$8,400.00	\$8,800.00	\$0.00	\$59,500.00
DAY 7 June 21	\$8,400.00	\$9,000.00	\$7,500.00	\$8,300.00	\$9,800.00	\$8,300.00	\$7,900.00	\$0.00	\$59,200.00
DAY 8 June 27	\$8,400.00	\$9,800.00	\$8,500.00	\$7,900.00	\$9,800.00	\$8,800.00	\$8,300.00	\$0.00	\$61,500.00
DAY 9 June 28	\$9,300.00	\$9,800.00	\$9,200.00	\$8,500.00	\$9,300.00	\$9,300.00	\$8,800.00	\$0.00	\$64,200.00
DAY 10 July 4	\$8,300.00	\$8,400.00	\$8,000.00	\$25,000.00	\$9,300.00	\$9,000.00	\$8,290.00	\$7,900.00	\$84,190.00
TOTALS:	\$85,400.00	\$86,100.00	\$78,700.00	\$98,600.00	\$88,900.00	\$87,200.00	\$79,890.00	\$7,900.00	\$612,690.00
									\$612,690.00

2009 Actual Ran

Purse amount	Mixed Breed										Total		
	Day 1	Day 2	Day 3	Day 4	Day 5	Day 6*	Day 7	Day 8	Day 9	Day 10			
\$ 7,000.00	1	2	0	0	0	0	0	0	0	0	0	3	\$ 21,000.00
\$ 7,500.00	0	0	0	2	0	0	1	0	0	0	1	4	\$ 30,000.00
\$ 8,000.00	2	2	3	2	3	1	3	0	0	0	0	16	\$ 128,000.00
\$ 9,000.00	0	0	0	0	0	0	0	0	1	0	0	1	\$ 9,000.00
\$ 8,500.00	0	1	0	1	0	1	1	3	4	2	2	13	\$ 110,500.00
\$ 25,000.00	0	0	0	0	0	0	0	0	0	1	1	1	\$ 25,000.00
Total	3	5	3	5	3	2	5	3	5	4	4	38	\$ 323,500.00

Purse amount	Thoroughbreds										Total		
	Day 1	Day 2	Day 3	Day 4	Day 5	Day 6*	Day 7	Day 8	Day 9	Day 10			
\$ 7,000.00	2	0	1	1	2	0	0	0	0	0	0	6	\$ 42,000.00
\$ 7,500.00	1	0	0	1	1	0	1	0	0	0	1	5	\$ 37,500.00
\$ 8,000.00	1	2	3	0	1	0	2	2	0	2	2	13	\$ 104,000.00
\$ 8,500.00	0	0	0	0	0	1	3	2	2	2	0	8	\$ 68,000.00
\$ 9,000.00	0	0	0	0	0	0	0	0	0	0	1	1	\$ 9,000.00
Total	4	2	4	2	4	1	6	4	2	4	4	32	\$ 260,500.00

Day	Mixed		TB		Day 6* increased purses
	Purse	Count	Purse	Count	
Day 1	\$ 23,000.00	1	\$ 30,000.00	1	
Day 2	\$ 38,500.00	1	\$ 16,000.00	1	
Day 3	\$ 24,000.00	1	\$ 31,000.00	1	
Day 4	\$ 38,500.00	1	\$ 14,500.00	1	
Day 5	\$ 24,000.00	1	\$ 29,500.00	1	
Day 6	\$ 16,500.00	1	\$ 8,500.00	1	
Day 7	\$ 40,000.00	1	\$ 49,000.00	1	
Day 8	\$ 25,500.00	1	\$ 33,000.00	1	
Day 9	\$ 43,000.00	1	\$ 17,000.00	1	
Day 10	\$ 49,500.00	1	\$ 32,500.00	1	
Total	\$ 322,500.00	10	\$ 261,000.00	10	

2009 Condition Book

Purse amount	Mixed Breed										Total	
	Day 1	Day 2	Day 3	Day 4	Day 5	Day 6	Day 7	Day 8	Day 9	Day 10		
\$ 7,000.00	1	1	0	0	0	1	1	0	0	0	4	\$ 28,000.00
\$ 7,500.00	1	1	1	1	1	0	1	1	0	0	7	\$ 52,500.00
\$ 8,000.00	1	1	3	2	3	2	2	1	3	2	20	\$ 160,000.00
\$ 8,500.00	0	1	0	0	0	0	0	1	1	0	3	\$ 25,500.00
\$ 25,000.00	0	0	0	0	0	0	0	0	0	1	1	\$ 25,000.00
Total	3	4	4	3	4	3	4	3	4	3	35	\$ 291,000.00

Purse amount	Thoroughbreds										Total	
	Day 1	Day 2	Day 3	Day 4	Day 5	Day 6	Day 7	Day 8	Day 9	Day 10		
\$ 7,000.00	2	1	1	1	1	0	1	0	0	1	8	\$ 56,000.00
\$ 7,500.00	2	0	0	2	1	2	1	1	0	1	10	\$ 75,000.00
\$ 8,000.00	0	2	1	1	1	2	1	1	2	0	11	\$ 88,000.00
\$ 8,500.00	0	0	1	0	0	0	0	2	1	2	6	\$ 51,000.00
Total	4	3	3	4	3	4	3	4	3	4	35	\$ 270,000.00

This reflects races written in the BODY of the condition book

	2009 STARTERS			
STARTERS	QH	TB	PT	TOTAL
DAY 1	25	30	1	56
DAY 2	41	18	0	59
DAY 3	20	29	1	50
DAY 4	39	16	0	55
DAY 5	28	29	0	57
DAY 6	17	7	0	24
DAY 7	42	44	1	87
DAY 8	25	30	0	55
DAY 9	41	17	2	60
DAY 10	24	30	2	56
TOTAL	302	250	7	559

on Day 10 an additional 10 QH in the
Futurity finals, but did not pay a starter fee.

**ANTHONY FAIR ASSOCIATION
2009 RACES
JULY 10 - 12 AND 17 - 19**

<u>Date</u>	<u>Total Purse Paid Out</u>	<u>Commission Added from Handle</u>	<u>Paid from Horse Purse Fund</u>	<u>Starting fees</u>
Friday, July 10 Daily Double	74,300.00	1,063.26 6.79	73,229.95	24,300.00
Saturday, July 11 Daily Double	78,500.00	1,625.60 9.63	76,864.77	30,500.00
Sunday, July 12 Daily Double	107,500.00	1,957.13	105,542.87	35,500.00
Friday, July 17 Daily Double	80,500.00	1,460.96	79,039.04	22,700.00
Saturday, July 18 Daily Double	123,350.00	2,986.60	120,363.40	35,600.00
Sunday, July 19 Daily Double	181,500.00	4,157.96	157,342.04	49,500.00
Totals	<u>625,650.00</u>	<u>13,267.93</u>	<u>612,382.07</u>	<u>198,100.00</u>
			Projected	<u>173,000.00</u>
	Received from KRGC		117,317.00	
			233,520.84	
			<u>233,520.84</u>	
			<u>584,358.68</u>	
	Additional purses paid		<u>28,023.39</u>	
	Excess over projected starting fees			<u>25,100.00</u>

**ANTHONY FAIR ASSOCIATION
COMPARISONS
1984, 1995, 1996, 1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, and 2008 RACES**

	Attendance										Handle									
	1984	1995	1996	1997	1998	1999	2000	2001	1984	1995	1996	1997	1998	1999	2000	2001				
Day 1	966	818	646	592	521	676	541	666	23,802	18,712	19,202	17,493	18,130	21,991	17,585	18,766				
Day 2	910	584	713	672	754	783	515	603	28,075	20,501	24,129	27,376	29,721	28,340	21,244	22,946				
Day 3	940	858	877	760	718	772	458	703	27,275	20,998	25,424	28,049	28,008	28,260	21,264	33,775				
Day 4	500	566	453	662	582	484	711	524	14,120	17,319	13,195	18,270	19,432	17,919	25,376	15,997				
Day 5	843	910	682	912	692	589	787	555	30,984	25,754	21,757	33,240	31,381	18,355	23,419	19,380				
Day 6	1,301	1,076	849	1,318	857	868	1,060	794	48,257	41,921	31,472	57,059	36,372	38,109	50,392	32,439				
Totals	5,380	4,402	4,230	4,908	4,134	4,172	4,052	3,845	172,513	145,205	135,179	182,487	161,044	152,974	159,280	143,342				

	Horse	Greyhounds
	117,855.50	99,425.50
	84,831.50	61,618.50
	182,487.00	161,044.00
	105,226.00	159,280.00
	47,746.00	152,974.00
	59,028.50	159,280.00
	49,298.50	143,342.00

	Attendance										Handle									
	2002	2003	2004	2005	2006	2007	2008	2009	2002	2003	2004	2005	2006	2007	2008	2009				
Day 1	796	671	859	767	513	427	401	537	22,877	24,861	27,838	22,977	16,162	15,062	13,457	20,232				
Day 2	737	700	1,253	802	476	607	528	641	28,576	37,732	42,072	34,850	22,022	20,056	17,726	27,275				
Day 3	671	562	1,019	779	378	448	590	738	31,701	27,818	43,249	27,474	15,797	18,685	22,712	32,304				
Day 4	622	535	610	474	488	323	355	788	19,714	23,355	18,562	15,161	14,461	11,134	11,558	25,820				
Day 5	676	477	1,245	600	566	619	813	1,633	24,825	22,224	44,298	24,114	25,111	19,132	26,008	46,166				
Day 6	859	835	1,684	765	902	630	607	1,614	40,703	45,808	73,006	35,051	33,921	30,330	31,300	66,783				
Totals	4,261	3,780	6,670	4,187	3,423	3,054	3,294	5,931	185,396	181,798	249,026	159,627	127,464	114,399	122,761	218,580				

	Horse	Greyhounds
	96,280.50	112,767.50
	80,135.50	69,010.50
	166,396.00	181,798.00
	103,080.50	249,025.00
	58,639.50	127,464.00
	63,812.50	114,399.00
	76,508.00	122,761.00
	46,253.00	66,783.00

Eureka Downs 2008 - 2009 Comparison

	<u>2008</u>	<u>2009</u>	<u>Change in Percentage</u>	<u>2008 % of Purse Paid</u>	<u>2009 % of Purse Paid</u>
Handle	\$ 135,469	\$ 272,745	101.33%		
Number of Races	44	71	61.36%		
Number of Attendees	3085	4782	55.01%		
Number of TB Starters	128	251	96.09%		
Number of QH Starters	207	314	51.69%		
Number of PT Starters	3	6	100.00%		
Number of AP Starters	0	1	100.00%		
Number of Mule Starters	0	0	0.00%		
Number of Days	6	10	66.67%		
Parimutuel Tax	\$ 4,947.92	\$ 9,868.81	99.45%		
TB Race Purses Paid	\$ 51,800.00	\$ 264,900.00	411.39%	25.84%	40.97%
QH Race Purses Paid	\$ 93,075.80	\$ 283,200.50	204.27%	46.42%	43.81%
MB Race Purses Paid	\$ 55,622.40	\$ 98,400.00	76.91%	27.74%	15.22%
KBDF Money Paid TB	\$ 3,700.00	\$ 32,840.00	787.57%		
KBDF Money Paid QH	\$ 1,470.00	\$ 7,785.00	429.59%		

Anthony Downs 2008 - 2009 Comparison

	<u>2008</u>	<u>2009</u>	<u>Change in</u> <u>Percentage</u>	<u>2008 % of</u> <u>Purse</u> <u>Paid</u>	<u>2009 % of</u> <u>Purse</u> <u>Paid</u>
Handle	\$ 122,761	\$ 218,594	78.06%		
Number of Races	77	73	-5.19%		
Number of Attendees	3294	5931	80.05%		
Number of TB Starters	120	205	70.83%		
Number of QH Starters	59	143	142.37%		
Number of PT Starters	1	1	0.00%		
Number of AP Starters	7	0	-100.00%		
Number of Mule Starters	22	0	-100.00%		
Number of Greyhounds Starters	202	122	-39.60%		
Number of Days	6	6	0.00%		
Pari-mutuel Tax	\$ 4,472.74	\$ 7,942.70	77.58%		
TB Race Purses Paid	\$ 60,000.00	\$ 396,500.00	560.83%	62.11%	63.25%
QH Race Purses Paid	\$ 19,200.00	\$ 190,400.00	891.67%	19.88%	30.37%
MB Race Purses Paid	\$ 9,900.00	\$ 40,000.00	304.04%	10.25%	6.38%
Mule Race Purses Paid	\$ 7,500.00	\$ -	-100.00%	7.76%	
KBDF Money Paid TB	\$ 6,700.00	\$ 22,230.00	231.79%		
KBDF Money Paid QH	\$ 950.00	\$ 4,967.50	422.89%		

EUREKA DOWNS

												<u>Scratches</u>			
Mon.	5/25	10,	8,	7,	6,	8,	10,	8	-	57	1				
Sat.	5/30	10,	8,	10,	8,	10,	10,	8	-	64	3				
Sat.	6/06	8,	8,	5,	8,	10,	9,	8	-	56	5				
Sat.	6/13	7,	8,	9,	8,	10,	8,	8	-	58	3				
Sun.	6/14	8,	10,	7,	10,	8,	10,	8	-	61	3				
Sat.	6/20	10,	7,	7					-	24	0				
Sun.	6/21	7,	8,	8,	8,	8,	10,	8,	7,	10,	8,	8	-	90	3
Sat.	6/27	8,	10,	5,	8,	10,	8,	8	-	57	2				
Sun.	6/28	10,	10,	8,	7,	10,	10,	8	-	63	4				
Sat.	7/04	10,	8,	8,	10,	10,	10,	8,	8	-	72	4			
										<hr style="width: 100%; border: 0.5px solid black;"/>	<hr style="width: 100%; border: 0.5px solid black;"/>				
										602	28				

71	Races
602	Horses scheduled to race
28	Scratches
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574	Horses actually ran
2	Euthanized
5	Lame off track
2	Bleeders off track
3	Injured on track

ANTHONY DOWNS HORSES

Fri.	7/10	8,	8,	7,	7,	8,	8			-	46	
Sat.	7/11	8,	8,	8,	8,	8,	8,	8,	8	-	64	
Sun.	7/12	8,	7,	8,	8,	8,	8,	8,	7,	5	67	
Fri.	7/17	8,	8,	8,	6,	8,	8			-	46	
Sat.	7/18	8,	8,	8,	6,	8,	8,	5,	8	-	59	
Sun.	7/19	8,	8,	8,	8,	8,	8,	7,	8,	8,	8	87

47	Races
361	Horses scheduled to race
22	Scratches
<hr/>	
339	Horses actually ran
1	Euthanized
1	Lame off track
1	Bleeders off track
3	Injured on track

ANTHONY DOWNS DOGS

Fri.	7/10	5,	5,	5,	5,	6				-	26
Sat.	7/11	5,	4,	5,	5					-	19
Sun.	7/12	5,	4,	5,	4,	5				-	23
Fri.	7/17	5,	5,	5,	5					-	20
Sat.	7/18	4,	4,	5						-	13
Sun.	7/19	* 5,	5,	4,	5,	8				-	27

* 7/19 Race #8 no race

26	Total races
1	No race (5 dogs)
128	Dogs scheduled to race
6	Scratches
0	Euthanized
1	Lame off track
0	Injured on track

2009 Eureka Downs Stewards Report

Racing this year with a 10 day race meet and higher purse monies resulted in the stable Area using all of the available stalls to capacity.

Racing surface: The surface this year was in good racing condition although on Saturday, 6/20/09 heavy rains washed away the cushion on the first turn from the middle to the outside of the track. A horse lost it's footing when pulling up in the 3rd race (trial race) and fell taking 2 more horses down and with a rider suffering a broken collar bone. The riders felt the track in that area was unsafe and they elected not to ride the remainder of the card. The races were canceled and the remainder (3) trial races were run the following day (Sunday) after the track had 2 semi-truck loads of sand added to that area and racing resumed with no problems. Sundays program had 11 races with the carryover from Saturdays cancelled races and no complaints were heard from the horsemen or riders. The number of horses pulling up sore after a race were down with the track being in good racing condition.

Tim Mitchell: Did a good job maintaining the racing surface after all the work he had performed on it getting it ready prior to the racing season. He also did a fine job as the Starter along with his crew.

Racing Office: Rita Osborne did a great job as the Racing Secretary and as the new General Manager, her staff did a good job in taking entries and filling the races.

Positive Tests: We had 2 positive overages for Phenylbutazone and an overage for Flunixin. The trainers were fined \$ 250.00 each.

Jockeys: The Jockey colony this year was very well represented with an average of 14 riders available.

Track Security: The stable gate and other areas secured by the security force did a good job.

Mutuel Department: Did a fine job considering they had a different system to operate with and a new tote company.

Clerk of Scales: Luis Sanchez was the new clerk of Scales this year and under the tutoring of Barney Edmundson who filled in for him on opening day, Luis did a fine job

Outriders: They did a good job this year with very few incidents on the track.

Test Barn: The test barn crew did their usual good job in reporting any medication changes and picking up horses for testing.

Communications: This is still a problem, the phone system as reported in last years report. The announcer still did not have a working phone and the speakerphone in the Stewards Stand still does not work properly. Another phone had to be borrowed from the racing office and the Jockeys room speakerphone does not work properly, cuts off the call when on speaker.

Stewards Office Phones: Still need to be replaced as stated in last years report.

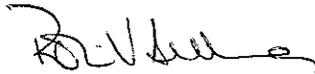
Recommendations for the 2010 Racing Season

The recommendations still are pretty much the same as last years report as to not repeat our selves. If racing is to continue in Kansas.

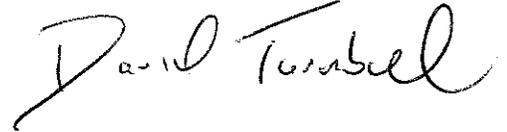
Robert P. Stovall



Robin Sellman



David Turnbull



2009 Anthony Downs Stewards Report

The 2009 racing meet concluded on a successful note with the infusion of higher purse monies (\$500,000.) resulted in full fields and the largest colony of Jockeys in any previous years. The attendance had a record of 1,633 on the last Saturday and Sunday missed by 19 persons to equal Saturdays.

Racing Surface: The surface was in good condition as long as it is watered regularly, this has always been a problem here as to having to add water. The track should be watered at least every race or every other race. It is a pretty safe track considering the water situation.

Gary Edmundson: Did a fine job as the Starter and Paddock Judge along with his gate crew.

Rita Osborn: As the Racing Secretary did an outstanding job along with Tara Osborn her Assistant Racing Secretary in filling the races and running the show so to speak. Rita is dedicated to her work and it shows that she is capable and takes a real interest in doing so.

Jockey Colony: The riders this year were well represented with their professionalism on the track. With no head on camera for the backstretch, which has been noted in past reports, claims for interference going into that turn were impossible to determine who was at fault and the riders realized what we were dealing with.

Mutuels Dept.: Erin Marshall did her usual fine job in training a lot of new clerks and they kept up with the patrons and the delays were held down to a minimum.

Clerk of Scales: Mel Kitts has shown a big improvement in his position as the Clerk and reported any jockey changes and weights satisfactorily

Outriders: Considering they were new this year they did a satisfactory job.

Test Barn: The crew did their usual good job in catching the horses and greyhounds for testing and Pat Simmons did very well in keeping the records in order. The Vets also were professional in their duties and reported any late scratches after their pre race exams.

Positives: There were 1 for Flunixin, 2 Phenylbutazone, 2 Methylprednisolone(C)
Fines were \$250, for 1 offense, \$500, for 2nd offense, \$500 for class C & \$1,000 2nd offense

Communications: There still is a need for better contact with the proper departments, if racing is to ever resume again that needs to be improved. (See 2007 report)

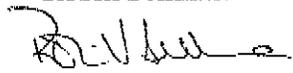
Video: Wilsons Associates: Becky Halcomb did a fine job in producing the video to the patrons and the Stewards and making tapes for replays. A back stretch camera is a PRIORITY if racing is to resume in the future regardless of the cost!

2009 Anthony Downs Stewards Report

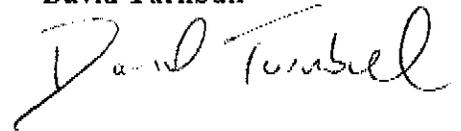
Robert P. Stovall



Robin Sellman



David Turnbull



Summary
FY 2009 Year End Wrap-Up

Fiscal Year 2009 was full of changes and challenges, but in the end it proved to be a very important year for the agency. The original budget as presented in September 2007 to be presented to the 2008 Legislature projected that the agency would operate two racetrack gaming facilities at the Woodlands and Camptown. As we know, in the 21 months from the presentation of that budget to the end of FY 2009 the landscape of both racing and gaming in Kansas changed dramatically.

Fiscal Year 2009 saw the closure of The Woodlands, the reduction of staff, the approval of one casino manager contract, and the withdraw of three other managers awarded contracts prior to Commission approval. Furthermore, the year ended readying for what could possibly be the last county fair race meets for quite some time in Kansas.

Some of the highlights from FY 2009 are:

- KRGC reduced its own budget with a plan submitted to the Legislature in February of 2009. The \$2.15 million reduction in the Gaming Fund was a reduction of 37 percent from the approved budget. The Legislature chose not to reflect the reductions in its approved budget.
- At the end of FY 2009, KRGC still came in under its own reduced Gaming Fund budget by another \$318,000, or 8.6 percent. The total actual reduction from the approved budget was 42 percent.
- The total reduction in the agency's expenditures was \$340,000 in racing funds and \$3.3 million in gaming funds, from the Legislature's approved budget, for a total reduction of 43.5 percent.
- The agency ended the year with a total of \$151,510 in the State Racing Fund, which occurred before the end of racing at both county fair race meets. The agency estimates an ending balance of around \$59,000 in the fund once all major expenses are paid in FY 2010.
- KRGC ended the year with \$1.3 million in the Gaming Fund, after drawing down the remaining \$858,000 of the entire \$5.0 million PMIB loan from the state.

August 2009 - July 2010

Commission Planner

Aug 2009						
S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

AUGUST
14 Commission Meeting

Feb 2010						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28						

SEPTEMBER

11 Commission Meeting

OCTOBER

8 Commission Meeting

Sep 2009						
S	M	T	W	T	F	S
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20	21	22	23	24	25	26
27	28	29	30			

13 Commission Meeting (Tentatively in Dodge City)

DECEMBER

11 Commission Meeting

Mar 2010						
S	M	T	W	T	F	S
	1	2	3	4	5	6
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Oct 2009						
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Apr 2010						
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Nov 2009						
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29	30					

May 2010						
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16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

Dec 2009						
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13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

Jun 2010						
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20	21	22	23	24	25	26
27	28	29	30			

Jan 2010						
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17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

Jul 2010						
S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31