



Ohio State Racing Commission
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Mike DeWine
Governor

Scott Borgemenke
Chairman

**Minutes of the Ohio State Racing Commission Meeting held on
Wednesday, November 15, 2023**

- 1) The Ohio State Racing Commission ("OSRC") held its monthly meeting at 10:00 a.m. on November 15, 2023, at the Verne Riffe Center, Room 1948, 19th floor, 77 S High Street, Columbus, OH 43215.
- 2) Call to Order and Roll Call: The Commission Chairman called the meeting to order. Chairman Scott Borgemenke, Commissioners Beth Hansen, Greg Simpson, Tom Winters, and Dan McCarthy were present.
- 3) Commissioner Hansen moved to approve the October 25, 2023, Commission meeting minutes. Commissioner Simpson seconded the motion. The motion was unanimously approved by roll call vote.
- 4) Ratification of Executive Director Approvals: Commissioner Winters moved to ratify the Executive Director's approvals and Commissioner Simpson seconded the motion. The motion was unanimously approved by roll call vote.
- 5) Resolution 2023-11: Delegation of Authority to Executive Director: Commissioner Hansen motioned to approve the Delegation of Authority to Executive Director and Commissioner Simpson seconded the motion. The motion was unanimously approved by roll call vote.
- 6) Consideration of approval of Requested 2024 Permit dates: Renee Macino, OHHA Executive Director, Jason Bluhm, Dayton Raceway's Director of Racing, and Ken Rambo, Miami Valley's Director of Racing, each spoke in the meeting informing the Commissioners of their issues agreeing regarding the Miami Valley and Dayton Raceway racing season. The new fencing around the ponds for Miami Valley and Dayton Raceway has started to take place per Mr. Bluhm and Mr. Rambo's report. Commissioner Winters motioned to approve Hollywood Gaming (at Mahoning Valley), Belterra, JACK Thistledown, Northfield Park, and Scioto Downs permits for 2024, and deferred the approval for Miami Valley and Dayton Raceway until the next meeting. Commissioner Simpson seconded the motion. The motion was unanimously approved by roll call vote.
- 7) Executive Director Reports: 2024 meet requests.
 - a. Mahoning Valley: Commissioner Winters motioned to approve the 2024 Meet request, and Commissioner Simpson seconded the motion. The motion was unanimously approved by roll call vote.

- b. Northfield Park: Commissioner Winters motioned to approve the 2024 Meet request dates, and Commissioner Simpson seconded the motion. The motion was unanimously approved by roll call vote.
 - c. Miami Valley: The 2024 Meet request for Miami Valley has been deferred until the next meeting for further discussion. Commissioner Winters motioned the deferral, and Commissioner Simpson seconded the motion.
- 8) Update on Horse Fatalities: Dr. James Robertson updated the Commission on horse fatalities in Ohio. There has been a total of 34 Equine deaths which includes racing, training, and sudden deaths in 2023. There have been 33 Thoroughbreds and 1 Standardbred. The 1 standardbred fatality was during a training session in July. Commissioner Winters motioned for the Commission, by resolution, to urge HISA to do complete necropsies on horses in their jurisdictions in Ohio. Commissioner Simpson seconded the motion. The motion was unanimously approved by roll call vote.
- 9) Monthly Financial Report: Fiscal Officer Sherry White noted the Commission gained slightly over \$33,000 in the month of October. Compared to last October, the Commission has made \$31,200 in revenue. Overall expenses are down 21% with revenues down 19%. This is due to less testing income and expenses due to HISA taking over testing for Thoroughbred tracks. Chairman Borgemenke mentioned rethinking the policies on the casino distribution in later meetings.
- 10) Updates on Rules Status
 - a. SB-9: OSRC Deputy Director Tanya Boulmetis gave the updates: resolution 2023-06 has been final filed and will be effective on Nov 17th. Resolution 2023-10 amending chapter 3 and rescinding chapter 13 was filed. The no change chapter 3 rules should be effective Feb 16th, and January 26th will be the effective date of amended Chapter 3 rules. With these filings we've removed 1,019 restrictions and 131 rules which puts us over the 10% reduction required by SB9. We will not be fully compliant until January 26th after all the rules have been final filed with JCARR.
 - b. 5-year rule review: Only a few rules to review as most were revised with SB9 revisions.
- 11) Update on HISA: OSRC Executive Director Dragone had no updates on HISA. HBPA Executive Director, Dave Basler informed the Commissioners that the HBPA "stand-still" agreement was signed with HISA that prevents HBPA or HISA from suing each other on the HISA assessment fees. The agreement lasts till April 2024. Mr. Basler also informed the Commissioners that Natalia Lynch, Bruno Tessore, and Shane Meyers all had an Altrenogest positives and were given completely different consequences. Lynch received a 2-year suspension & \$25,000 fine, Tessore received a 3 months suspension, while Meyers was dismissed. HISA has removed the ban for Altrenogest, now allowing it to be a therapeutic medication with a fine of \$500 and no days unless used unwisely.
- 12) Committee Reports:
 - a. Medication – This was pulled from the agenda per Chairman Borgemenke.
 - b. Safety – This was pulled from the agenda per Chairman.

c. Standardbred – This was pulled from the agenda per Chairman.

13) Adjudications. The Chairman reminded everyone that for adjudications there has been a hearing at the Judges/Stewards level, and another hearing with a hearing officer. The Commissioners then vote whether or not to approve the hearing officer's report and recommendation.

- a. Herman Hagerman: Yosef Schiff, AAAG, summarized the hearing officer's report and recommendation, and requested the Commission adopt the hearing officer's report upholding the Judges' ruling. Attorney Alison Boggs represented Mr. Hagerman and spoke on his behalf. Commissioner Winters motioned to approve the hearing officer's recommendation upholding the judge's findings, and Commissioner Simpson seconded the motion. The motion was unanimously approved by roll call vote.
- b. Jason McGinnis: Yosef Schiff, AAAG, summarized the judge's ruling and the hearing officer's report. Attorney Alison Boggs appeared and spoke on behalf of her client, Jason McGinnis. Commissioner Winters motioned to approve the hearing officer's recommendation upholding the judges' findings, and Commissioner Simpson seconded the motion. The motion was unanimously approved by roll call vote.

14) Commissioners Comments: The Chairman gave a general notice that the Legislature assembled some legislatures, some regulators, and some gaming regulators in to discuss gambling in Ohio. The Casino Commission, Racing Commission, and Lottery and Gaming will start meeting over these matters during January or February.

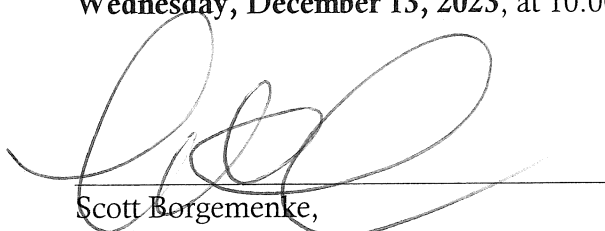
15) Public Comments: OHHA Executive Director, Renee Mancino commented on the 60 Minutes special on Horse Racing. She mentioned that the United States Trotting Association was interviewed and recorded on their position on the matter. Mrs. Mancino mentioned that 60 Minutes refused to use the footage recorded from the interview with the USTA.

16) Executive Session: Commissioner Winters moved to go into executive session to discuss pending legal actions and Commissioner Simpson seconded the motion.

17) Adjournment: The Commission meeting was adjourned at 11:15 a.m.

Date, Time, and Place of Next Meeting

Wednesday, December 13, 2023, at 10:00 a.m. in Room 1948 Riffe Center



Scott Borgemenke,
Chairman
Ohio State Racing Commission



Christopher Dragone
Executive Director
Ohio State Racing Commission